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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases and Other Operations

PART 633—MEAT ANIMALS AND MEAT PRODUCTS

SUBPART—SUPPORT PRICES FOR HOGS

§ 633.100 *Support prices for hogs.* (a) In accordance with previously announced policy of establishing support prices for hogs on the basis of parity twice each year, the following schedule of weekly support prices for the six months' period April through September, 1949, based on an annual average of $16.75 per 100 pounds, Chicago basis, is announced:

Week ended:	*Dollars per 100 pounds*
Apr. 9, 1949	16.75
Apr. 16, 1949	16.75
Apr. 23, 1949	16.50
Apr. 30, 1949	16.50
May 7, 1949	16.50
May 14, 1949	16.50
May 21, 1949	16.25
May 28, 1949	16.25
June 4, 1949	16.25
June 11, 1949	16.25
June 18, 1949	16.50
June 25, 1949	16.75
July 2, 1949	17.00
July 9, 1949	17.25
July 16, 1949	17.50
July 23, 1949	17.75
July 30, 1949	18.00
Aug. 6, 1949	18.25
Aug. 13, 1949	18.25
Aug. 20, 1949	18.25
Aug. 27, 1949	18.25
Sept. 3, 1949	18.50
Sept. 10, 1949	18.50
Sept. 17, 1949	18.50
Sept. 24, 1949 [1]	18.50

[1] Days of Sept. 26 through Sept. 30, 1949—$18.25.

The foregoing schedule is in substitution for corresponding provisions relating to the level and period of support of hogs in the announcements heretofore made.

(b) The support prices set forth above are averages for all weights of Good and Choice barrow and gilt butcher hogs at Chicago. Therefore, the announcement of these average support prices does not mean that Government action would be taken to prevent prices of heavy butcher hogs which normally sell below the average, from falling below the support price announced at this time.

(c) In the event that actual operations become necessary to support prices announced in the above schedule, purchases of pork products or other appropriate support action will be used to carry out the program, and the specific method of support will be announced. (Sec. 4 (d), Pub. Law 806, 80th Cong. Interprets or applies secs. 4 (g), (l), 5 (a), Pub. Law 806, 80th Cong., sec. 1, Pub. Law 897, 80th Cong.)

Done at Washington, D. C., this 13th day of May 1949.

[SEAL] RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 49-3946; Filed, May 17, 1949; 8:52 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg.,[1] Amdt. 97]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. In the second paragraph of § 825.1 (b) (2) (i) (*b*), entitled "Reporting requirements", the date "May 15, 1949" is changed to "May 31, 1949".

2. The second paragraph of § 825.4 (f) is changed to read as follows:

Registration requirements. Every landlord of housing accommodations described in this paragraph (f) shall file in the Area Rent Office a registration statement on Form DD–HU, provided by the Expediter. Such statement shall be filed within 20 days after the date of

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441.

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

determination entered on the reverse side of the copy of the Expediter's Form D–95A which is returned to the landlord by the Expediter. Such statement shall be deemed to be a registration statement within the meaning of § 825.7 and, except for the time prescribed for the filing thereof, shall be subject to the provisions of § 825.7.

3. In the last sentence of § 825.10, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

The first two items of this amendment shall become effective May 13, 1949, and the third item as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49–3952; Filed, May 17, 1949; 8:52 a. m.]

[Controlled Housing Rent Reg.,[1] Amdt. 98]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, item 66a, is amended to describe the counties in the Defense-Rental Area as follows:

Volusia, except the City of Ormond (including Ormond Beach).

This decontrols from §§ 825.1 to 825.12 the City of Ormond (including Ormond Beach) in Volusia County, Florida, a portion of the Daytona Beach, Florida, Defense-Rental Area.

2. Schedule A, item 162, is amended to describe the counties in the Defense-Rental Area as follows:

Harrison, except Pass Christian and Hendersons Point; and in Jackson County, the Town of Ocean Springs.

This decontrols from §§ 825.1 to 825.12 Pass Christian and Hendersons Point, in Harrison County, Mississippi, a portion of the Biloxi-Pascagoula, Mississippi, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective May 13, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3953; Filed, May 17, 1949; 8:52 a. m.]

[Controlled Housing Rent Reg., New York City Defense-Rental Area,[2] Amdt. 16]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR NEW YORK CITY DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for New York City Defense-Rental Area (§§ 825.21 to 825.32) is amended in the following respects:

1. In the second paragraph of § 825.21 (b) (2) (i) (*b*), entitled "Reporting requirements", the date "May 15, 1949" is changed to "May 31, 1949".

2. The second paragraph of § 825.24 (f) is changed to read as follows:

Registration requirements. Every landlord of housing accommodations described in this paragraph (f) shall file in the Area Rent Office a registration statement on Form DD-HU, provided by the Expediter. Such statement shall be filed within 20 days after the date of determination entered on the reverse side of the copy of the Expediter's Form D-95A which is returned to the landlord by the Expediter. Such statement shall be deemed to be a registration statement within the meaning of § 825.27 and, except for the time prescribed for the filing thereof, shall be subject to the provisions of § 825.27.

3. In the last sentence of § 825.30, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

The first two items of this amendment shall become effective May 13, 1949, and the third item as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3948; Filed, May 17, 1949; 8:52 a. m.]

[Controlled Housing Rent Reg., Miami Defense Rental Area,[1] Amdt. 19]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR MIAMI DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for Miami Defense-Rental Area (§§ 825.41 to 825.52) is amended in the following respect:

In the last sentence of § 825.50, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3954; Filed, May 17, 1949; 8:53 a. m.]

[Controlled Housing Rent Reg. Atlantic County Housing Reg.,[1] Amdt. 17]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR ATLANTIC COUNTY HOUSING REGULATION

The Controlled Housing Rent Regulation for Atlantic County Housing Regulation (§§ 825.61 to 825.72) is amended in the following respect:

In the last sentence of § 825.70 the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153).

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3951; Filed, May 17, 1949; 8:52 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[2] Amdt. 92]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is amended in the following respects:

1. In the second paragraph of § 825.81 (b) (2) (i) (*b*), entitled "Reporting requirements," the date "May 15, 1949" is changed to "May 31, 1949".

2. The second paragraph of § 825.84 (h) is changed to read as follows:

Registration requirements. Every landlord of housing accommodations described in this paragraph (h) shall file in the Area Rent Office a registration statement on Form DD-HU, provided by the Expediter. Such statement shall be filed within 20 days after the date of determination entered on the reverse side of the copy of the Expediter's Form D-95A which is returned to the landlord by the Expediter. Such statement shall be deemed to be a registration statement within the meaning of § 825.87 and, except for the time prescribed for the filing thereof, shall be subject to the provisions of § 825.87.

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[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441.

[2] 13 F. R. 5727, 8388; 14 F. R. 18, 93, 144, 1395, 1574, 1868, 2060, 2234.

[1] 13 F. R. 5735, 6246, 8389; 14 F. R. 20, 93, 145, 978, 1395, 1588, 1868, 2061, 2235.

[1] 13 F. R. 5743, 8390; 14 F. R. 19, 94, 145, 1395, 1577, 1868, 2061, 2175, 2235.

[2] 13 F. R. 5750, 5789, 5876, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2176, 2237, 2413, 2440, 2441.

3. In the last sentence of § 825.90, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

The first two items of this amendment shall become effective May 13, 1949, and the third item as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3949; Filed, May 17, 1949; 8:52 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent Reg.,[1] Amdt. 93]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule A, item 66a, is amended to describe the counties in the Defense-Rental Area as follows:

Volusia, except the City of Ormond (including Ormond Beach).

This decontrols from §§ 825.81 to 825.92 the City of Ormond (including Ormond Beach) in Volusia County, Florida, a portion of the Daytona Beach, Florida, Defense-Rental Area.

2. Schedule A, item 162, is amended to describe the counties in the Defense-Rental Area as follows:

Harrison, except Pass Christian and Hendersons Point; and in Jackson County, the Town of Ocean Springs.

This decontrols from §§ 825.81 to 825.92 Pass Christian and Hendersons Point, in Harrison County, Mississippi, a portion of the Biloxi-Pascagoula, Mississippi, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall be effective May 13, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3947; Filed, May 17, 1949; 8:52 a. m.]

[1] 13 F. R., 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1869, 1932, 2061, 2062, 2085, 2177, 2237, 2413, 2440, 2441.

[Controlled Rooms in Rooming Houses and Other Establishments, New York City Defense-Rental Area, Rent Reg.,[1] Amdt. 13]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN THE NEW YORK CITY DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area (§§ 825.101 to 825.112) is amended in the following respects:

1. In the second paragraph of § 825.101 (b) (2) (i) (*b*), entitled "Reporting requirements", the date "May 15, 1949" is changed to "May 31, 1949".

2. The second paragraph of § 825.104 (h) is changed to read as follows:

Registration requirements. Every landlord of housing accommodations described in this paragraph (h) shall file in the Area Rent Office a registration statement on Form DD-HU, provided by the Expediter. Such statement shall be filed within 20 days after the date of determination entered on the reverse side of the copy of the Expediter's Form D-95A which is returned to the landlord by the Expediter. Such statement shall be deemed to be a registration statement within the meaning of § 825.107 and, except for the time prescribed for the filing thereof, shall be subject to the provisions of § 825.107.

3. In the last sentence of § 825.110, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

The first two items of this amendment shall become effective May 13, 1949, and the third item as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3955; Filed, May 17, 1949; 8:53 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments, Miami Defense-Rental Area, Rent Reg.,[2] Amdt. 15]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN MIAMI DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in Miami Defense-Rental Area (§§ 825.121 to 825.132) is amended in the following respect:

In the last sentence of § 825.130, the words "Revised Rent Procedural Regulation 1 (Part 840 of this chapter)" are changed to "Rent Procedural Regulation 2 (§§ 840.101 to 840.153)."

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective as of April 14, 1949.

Issued this 13th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3950; Filed, May 17, 1949; 8:52 a. m.]

[1] 13 F. R. 5770, 8391; 14 F. R. 19, 1580, 1869, 2062, 2238.

[2] 13 F. R. 5777, 8392; 14 F. R. 20, 978, 1584, 1869, 2062, 2239.

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR UNSHELLED PECANS

Correction

In Federal Register Document 49-3850, appearing at page 2543 of the issue for Friday, May 13, 1949, the table in § 51.342 (d) should read as follows:

Size designation	Number of nuts per pound	10 of the smallest nuts in a representative 100-nut sample must weigh at least:[1]	
		Ounces	Equivalent in grams
Oversize	Not more than 52	2.50	71
Extra large	Not more than 60	2.25	64
Large	61 to 73	1.75	50
Medium	74 to 90	1.50	43
Small	91 to 115	1.25	36

[1] When the sample for inspection consists of more than 100 nuts, 10 percent, by count, of the smallest nuts will be segregated and weighed. For example, if the sample consists of 300 nuts, as will generally be the case when a carload is being inspected, 30 of the smallest nuts must weight at least three times the amount shown for any size designation. In selecting the smallest nuts, those which are by observation the smallest in appearance are segregated. In deciding which is the smallest among two or more nuts which appear to be about equal in size, the lightest in weight shall be used.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), §§ 207.5 and 207.25 are hereby revoked, §§ 207.165,

207.210, 207.510 (g), 207.640, and 207.750 are hereby amended, paragraph (c) of § 207.210 being revoked, and paragraph (m) of § 207.640 and paragraph (l) of § 207.750 being added, and § 207.174 is hereby prescribed, as follows:

§ 207.5 *Sheepscot Bay, Maine; naval restricted area.* [Revoked.]

§ 207.25 *Block Island Sound; naval restricted area.* [Revoked.]

§ 207.165 *St. Johns River, Fla., Ribault Bay; prohibited area*—(a) *The area.* All waters constituting the Turning Basin within the Naval Air Base Reservation, Mayport, Florida, and inclosed by a line bearing approximately 180° true from Ribault Channel Light 4 to the shore at a point connecting with the Naval Base boundary line fence.

(b) *The regulations.* (1) All vessels and craft except those operated by the United States Navy or Coast Guard are prohibited from entering this area except in cases of extreme emergency.

(2) The regulations in this section shall be enforced by the Commander, United States Naval Air Station, Jacksonville, Florida, and such agencies as he may designate.

§ 207.174 *Gulf of Mexico, seaplane restricted area, Naval Air Station, Key West, Fla.*—(a) *The area.* An irregular area north of Key West Island, east of Fleming Key, and north and west of Dredgers Key, bounded as follows: Beginning at latitude 24°34'01", longitude 81°47'36"; thence to latitude 24°35'30", longitude 81°47'36"; thence to latitude 24°35'56", longitude 81°47'50"; thence to latitude 24°35'59", longitude 81°47'42"; thence to latitude 24°35'59", longitude 81°47'19"; thence to latitude 24°35'53", longitude 81°46'26"; thence to latitude 24°35'42", longitude 81°46'11"; thence to latitude 24°35'25", longitude 81°46'29"; thence to latitude 24°35'16", longitude 81°46'29"; thence to latitude 24°35'16", longitude 81°45'59"; thence to latitude 24°35'09", longitude 81°45'59"; thence to latitude 24°35'09", longitude 81°46'29"; thence to latitude 24°34'27", longitude 81°47'14"; thence to latitude 24°33'58", longitude 81°47'21"; and thence to the point of beginning. The area is defined by boundary markers on approximately 500-foot centers extending around and about 300 feet outside the perimeter. The boundary markers have a square pyramidal top with a four-foot base and a light with green-colored lenses mounted on 12-inch piling with a top elevation of about nine feet. The ends of the north-south, northeast-southwest, east-west, and northwest-southeast takeoffs are clearly identified by runway markers with amber-colored lenses located on 100-foot centers. A navigation channel 300 feet wide around the entire perimeter of the area, contiguous to and inside the line of boundary markers, is provided for the passage of surface craft.

(b) *The regulations.* (1) No vessel shall cross or enter the seaplane restricted area.

(2) Vessels using the perimeter channel along the east side of Fleming Key and along the north side of the Naval Air Station shall travel at a slow speed.

(3) Vessels using the perimeter channel shall lie to as close to the boundary markers as possible during landings or take-offs of aircraft in the restricted area.

(4) Vessels using the perimeter channel past the seaplane ramp shall give wide berth to seaplane equipment located adjacent to the ramp, and shall lie to if in the vicinity of the ramp when beaching or launching operations are in progress.

(5) No object that might endanger seaplane operations shall be cut adrift or thrown overboard.

(6) The regulations in this section shall be enforced by the Commanding Officer, United States Naval Air Station, Key West, Florida, and such agencies as he may designate.

§ 207.210 *Mississippi River; navigation*—(a) *Speed south of New Orleans.* * * *

(b) *Speed at flood stages.* * * *

(c) *Navigation regulations to govern speed of vessels in vicinity of explosives anchorages south of New Orleans.* [Revoked.]

§ 207.510 *Connecting waters of the Great Lakes from Lake Huron to Lake Erie; use, administration, and navigation.* * * *

(g) *Vessels aground or not under command.* (1) A vessel aground or disabled in or near a channel, except a rowboat, sailboat, or Class I or Class II motorboat (as defined by the Motorboat Act of April 25, 1940), shall display the lights and day signals prescribed by paragraphs (b) and (c) of Rule 30, added to the Navigation Rules for the Great Lakes and their connecting and tributary waters (33 U. S. C. Chapter 4) by an act of Congress approved March 18, 1948 (33 U. S. C. 295), and in addition, upon the approach of another vessel bound up or down the channel, shall sound the danger signal of several short and rapid blasts of the whistle, not less than five. If the approaching vessel cannot pass with safety, it shall stop at a safe distance from, and make proper dispositions to avoid fouling, the grounded or disabled vessel, and upon the approach of another vessel coming up astern shall repeat the danger signal for that vessel's benefit. Each additional vessel approaching from the same direction shall be similarly warned, in turn, by the vessel preceding. Each vessel shall keep a safe distance from the vessel ahead until the channel has been cleared, and shall pass a grounded or disabled vessel at reduced speed and with caution.

(2) The first vessel passing a stranded or disabled vessel shall report the location and nature of the accident to the next marine reporting station or patrol boat.

§ 207.640 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River, and connecting waters, Calif.* * * *

(m) *San Francisco Bay in vicinity of Naval Net Depot, Tiburon; naval restricted area*—(1) *The area.* Beginning at Bluff Point; thence approximately 53°, 1,300 yards, to California City Lighted Horn Buoy 1; thence approximately 323°, 1,800 yards, to California City Lighted Horn Buoy 3; thence 270°, approximately 3,000 yards, to the shore; and thence southeasterly along the shore to the point of beginning.

(2) *The regulations.* No vessels except those engaged in naval operations shall navigate or anchor in this area without the permission of the Captain of the Port, San Francisco.

§ 207.750 *Puget Sound area, Wash.*—(a) *Strait of Juan de Fuca, eastern end; naval restricted area*—(1) *The area.* Off the westerly shore * * *

(l) *West Waterway, Seattle Harbor; navigation.* (1) The movement of vessels of 250 gross tons or over and all vessels with tows of any kind through the narrow section of West Waterway between the bend at Fisher's Flour Mill dock and the bend at the Junction of East Waterway with Duwamish Waterway, and through the draws of the City of Seattle and Northern Pacific Railway Company bridges crossing this narrow section, shall be governed by red and green traffic signal lights mounted on the north and south sides of the west tower of the City Light power crossing at West Spokane Street.

(2) Two green lights, one vertically above the other, displayed ahead of a vessel, shall indicate that the waterway is clear. Two red lights, one vertically above the other, displayed ahead of a vessel, shall indicate that the waterway is not clear.

(3) A vessel approaching the narrow section and drawbridges from either end of the waterway shall give one long blast of a whistle and shall not enter the narrow section until green lights are displayed.

(4) One vessel may follow another vessel in either direction, but the channel shall not be kept open in the same direction for an unreasonable time if a vessel is waiting at the other end.

(5) Tugs, launches, and small craft shall keep close to one side of the channel when vessels or boats with tows are passing.

(6) All craft shall proceed with caution. The display of the green light is not a guarantee that the channel is clear of traffic, and neither the United States nor the City of Seattle will be responsible for any damage to vessels or other property which may be chargeable to mistakes in the operation of the signal lights or to their failure to operate.

[Regs. Apr. 15, 1949, 800.211–ENGWR]
(40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-3910; Filed, May 17, 1949; 8:50 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter IV—Joint Regulations of the Armed Forces

Subchapter D—Military Renegotiation Regulations

PART 425—AGREEMENTS, CLEARANCES AND STATEMENTS

SUBPART A—AGREEMENTS AND CLEARANCES

SUBPART B—STATEMENT TO CONTRACTOR

AUTHORITY: §§ 425.500 to 425.525–2 issued under sec. 3 (f), Pub. Law 547, 80th Cong., 62 Stat. 260.

SUBPART A—AGREEMENTS AND CLEARANCES

§ 425.500 *Scope of subpart.* This subpart deals with the form, preparation and administration of agreements and clearances.

§ 425.501 *General.*

§ 425.501–1 *Statutory authority.* Subsection (b) of the 1948 act provides in part as follows:

He [the Secretary of Defense] shall endeavor to make an agreement with the contractor or subcontractor with respect to the amount, if any, of such excessive profits and to their elimination.

§ 425.501–2 *Uses of agreements and clearances.* The following types of instruments are used in connection with renegotiation.

(a) *Renegotiation agreement.* This will be used when, upon conclusion of the renegotiation proceedings, an agreement is reached between the contractor and the renegotiating agency that excessive profits are to be eliminated. The agreement will specify the terms and conditions under which such excessive profits will be eliminated. A form of such agreement is set forth in § 427.741–1 of this subchapter. Appropriate modifications of this form will be made as required by the circumstances of a particular case.

(b) *Clearances; notices and agreements.* These will be used where, upon examination of the financial and other data submitted by the contractor, it is determined that there are no excessive profits for the fiscal year under review. (See §§ 427.741–1 and 427.742 of this subchapter.)

§ 425.502 *Standard form of renegotiation agreement.* The provisions of the standard form of renegotiation agreement are discussed in §§ 425.502–1 to 425.502–11.

§ 425.502–1 *Article 1: Profits to be eliminated.* The agreed dollar amount of excessive profits to be eliminated will be set forth in Article 1. Ordinarily such amount will be the excessive profits determined to have been received or accrued during a particular fiscal year under all of the contractor's contracts and subcontracts subject to renegotiation. When the renegotiation covers only contracts and subcontracts completed during a fiscal year or has been conducted only with respect to certain contracts and subcontracts, Article 1 will be modified accordingly. When the amount of refund is limited by the application of the provisions of § 423.347–3 of this subchapter, an appropriate statement to that effect will be included in Article 1.

§ 425.502–2 *Article 2: Warranty.* Renegotiation is, in large measure, conducted upon the basis of information and data submitted by the contractor. Therefore, it is appropriate that the contractor warrant its correctness. Article 2 contains such a warranty. If the renegotiation has been conducted on a consolidated basis, a list of the entities consolidated will be set forth, the correctness of which the contractor will also warrant.

§ 425.502–3 *Article 3: Tax credit under section 3806 of the Internal Revenue Code.* (a) In most instances the contractor will have been assessed Federal income tax on the profits to be eliminated. A credit equal to the amount of such taxes is required by the act to be allowed against the refund to be made, in accordance with section 3806 of the Internal Revenue Code. Article 3 contains the contractor's representation that the profits to be eliminated were included in income in his tax return for the fiscal period involved, and his agreement to procure a computation by the Bureau of Internal Revenue of the amount by which his taxes for that fiscal period are decreased by reason of the elimination of such profits from income. The procedure for procuring such computation is set forth in §§ 424.442 to 424.442–6 of this subchapter.

(b) If the renegotiation is concluded before the contractor has filed his Federal income tax return for the fiscal period involved, the contractor will ordinarily exclude from income as reported in such return the amount of profits to be eliminated. In such case no tax credit is allowable and the agreement should, in lieu of the provisions of Article 3 of the Standard Form of Agreement contain the provisions set forth in § 427.741–2 of this subchapter.

(c) In some instances less than all of the profits to be eliminated may have been included in the income for the fiscal period upon which Federal income tax has been assessed. In such circumstances, a tax credit under section 3806 of the Internal Revenue Code will be allowable only as against the part of the profits to be eliminated upon which such Federal taxes have been assessed. A clause covering this type of situation is set out in § 427.741.2 of this subchapter.

(d) If the renegotiation is concluded with a partnership, or joint venture, the form of tax credit clause should be appropriately modified. In § 427.741–2 of this subchapter is a form of partnership tax credit clause which may be used when it is appropriate.

§ 425.502–4 *Article 4: Terms of payment.* (a) The terms and place of payment will be set forth in Article 4.

(b) Limitations upon the period of time beyond which the terms of payment must not extend are set forth in § 424.422–2 of this subchapter. (See also § 424.422–3 of this subchapter.)

(c) Provision is made in the standard form of renegotiation agreement for the payment of interest on defaulted installments. (See § 424.422–3 and Article 4 of § 427.741–1 of this subchapter.)

§ 425.502–5 *Article 5: Article requiring elimination of additional excessive profits.* The provisions of Article 5 are designed to protect the interests of the Government when costs reported as paid or incurred in the financial data submitted by the contractor are reduced subsequent to renegotiation solely as a result of the renegotiation conducted with the contractor; as for example where a third party makes a refund to the contractor applicable to such costs, because the contractor's profits have been reduced in renegotiation. In such cases the profits of the contractor will be increased solely as the result of the renegotiation and this Article contemplates the recovery of only such additional profits. It does not extend to any other profits which may be realized by the contractor subsequent to renegotiation. This Article will be

omitted if the amount of excessive profits to be refunded is limited by the provisions of § 423.347–3 of this subchapter.

§ 425.502–6 *Article 6: Covenant against contingent fees.* This article contains the provisions against contingent fees.

§ 425.502–7 *Article 7: Officials not to benefit.* This article is required by Revised Statutes, section 3741, as amended (41 U. S. C. sec. 22).

§ 425.502–8 *Article 8: Discharge of liability.* In consideration of performance by the contractor of the terms of the agreement he is granted a discharge of liability in accordance with subsection (e) of the act. When the renegotiation covers only contracts and subcontracts completed during the fiscal year or has been conducted only with respect to certain contracts or subcontracts, it will be made clear that Article 8 discharges the liability of the contractor only with respect to the contracts and subcontracts actually renegotiated.

§ 425.502–9 *Article 9: Waiver of claims.* This clause is designed to preclude the realization by the contractor of additional excessive profits which have not been taken into account for purposes of renegotiation.

§ 425.502–10 *Article 10: Execution of the agreement.* The persons executing the agreement on behalf of the contractor and on behalf of the Government must state that they do so upon proper authority.

§ 425.502–11 *Formalities of execution.* (a) If the contractor is a corporation, the agreement must be accompanied by a certified resolution of the Board of Directors of the contractor (or the equivalent Committee or other body) authorizing the execution of the agreement. The form of the resolution, the adoption of the resolution, and the execution of the certificate must all be in accordance with the formalities required by the particular State laws involved.

(1) The resolution itself should state:

(i) That the agreement is being entered into pursuant to the Renegotiation Act of 1948;

(ii) The amount of profits to be eliminated—and the fiscal year for which they are to be eliminated;

(iii) The title of the corporate officer who is being authorized to execute the agreement on behalf of the corporation; and

(iv) The title of the corporate officer authorized to attest the execution and to affix the corporate seal thereon.

(2) The certificate, certifying the adoption of the resolution, should state:

(i) The name and capacity of the officer signing the certificate;

(ii) The body adopting the resolution (normally this will be the Board of Directors, but may, in a particular case, be an executive Committee or similar body);

(iii) The date of the meeting;

(iv) The fact that a quorum of the Board (or other body) was present throughout the meeting;

(v) That the resolution was duly adopted;

(vi) If the particular agreement is specifically referred to in the resolution, that the agreement to which the certified resolution is attached is the same as that referred to in the resolution; and

(vii) That the resolution has not been modified or rescinded and that it is in full force and effect.

(3) If the resolution is adopted by a committee or similar body (other than the Board of Directors) the certificate must also include satisfactory evidence of the body's authority to act.

(b) If renegotiation is conducted on a consolidated basis each member of the consolidated group to which excessive profits have been allocated should execute the agreement.

(c) If the contractor is a partnership, all general partners should execute the agreement.

(d) If the contractor is a joint venture, each participant should execute the agreement.

(e) If the authority of the person signing the agreement is based upon a written instrument or court order or provision of law (as where the agreement is executed on behalf of a corporation in dissolution, or an estate or trust, or where the authority derives from a power-of-attorney), such authority should be supported by proper evidence thereof.

(f) The Military Renegotiation Policy and Review Board may authorize departure from the requirements of this section.

§ 425.503 *Exhibit A.* There will be attached to every renegotiation agreement providing for the elimination of excessive profits an exhibit designated "Exhibit A," which shall contain as a minimum, the financial data and information referred to in § 427.741–3 of this subchapter. Additional financial data or information may be included in Exhibit A if deemed appropriate.

§ 425.504 *Exhibit B.* When renegotiation is conducted on a consolidated basis a list of the entities consolidated and the amount of excessive profits, if any, allocated to each such entity shall be attached to the agreement as "Exhibit B."

§ 425.505 [Reserved.]

§ 425.506 [Reserved.]

§ 425.507 *Prohibited provisions.*

§ 425.507–1 *Reservations impairing finality of agreement.* No renegotiation agreement is acceptable if it or any authorizing resolution or letter of transmittal contains any reservation which might be interpreted as permitting the contractor to reopen the agreement.

§ 425.508 *Clearance notice and agreement.*

§ 425.508–1 *When given.* If, as a result of renegotiation, it is found that no excessive profits have been received by or accrued to the contractor during the fiscal year under consideration, the contractor will be given a clearance for such year.

§ 425.508–2 *Use and form of clearance notice.* The form of clearance notice set forth in § 427.742 of this subchapter may be used in those cases where it is determined from the information obtained from the contractor that no excessive profits have been realized. The notice is final unless it later appears that such information did not reflect correctly the contractor's renegotiable business for the period under review, in which event the notice may be withdrawn by the renegotiating agency and renegotiation proceedings conducted with the contractor as if no such notice had been given.

§ 425.508–3 *Use and form of clearance agreement.* A clearance agreement executed by the contractor and the Government will be used in those cases where the use of a clearance notice is not practicable and in all cases when an agreement is requested by a contractor. Such agreement, with appropriate revisions, will follow the general structure of the standard form of the renegotiation agreement.

SUBPART B—STATEMENT TO CONTRACTOR

§ 425.520 *Scope of subpart.* Subsection (c) (1) of the Renegotiation Act of February 25, 1944, as amended, requires that, at the contractor's request the renegotiating agency furnish to the contractor a statement of the facts used as the basis of the determination of excessive profits and the reasons therefor. The 1948 Act contains no similar provision. However, the Policy and Review Board has determined that, in the best interest of the Government and the contractor, a statement should be furnished the contractor in accordance with the rules set forth in this subpart.

§ 425.521 [Reserved.]

§ 425.522 *Request for statement.* A request by the contractor for the statement authorized by § 425.520 shall be made in writing, addressed to the agency which made the determination of excessive profits, and must be made within the time limit hereinafter prescribed. For the purpose of determining whether a request has been made within such time limit, it shall be deemed to have been made at the time:

(a) When mailed by registered mail, postage prepaid to the appropriate renegotiating agency, or

(b) If not mailed in such manner, then when received by such agency. The request for a statement need not be a formal document.

§ 425.523 *Contents of statement.* (a) The statement will contain:

(1) The determination of excessive profits.

(2) A summary of the facts upon which the determination is based.

(3) The reasons for the determination, including the application of the statutory factors.

(b) The following data or material will not be included in the statement:

(1) Information, the furnishing of which would be contrary to the regulations for military security.

(2) Information with respect to the operations of other contractors which is of confidential character.

§ 425.524 *Statement prior to final determination.*

§ 425.524–1 *Where determination has not yet been made by order or agreement.* When all of the facts relating to the renegotiation have been assembled and considered and the contractor has been advised by the agency which conducted the renegotiation as to the amount which, in its opinion, represents the excessive profits which should be eliminated, there shall be submitted to the contractor, upon the latter's request, a written summary of the facts and reasons upon which such opinion is based. Such statement shall be prepared and furnished only upon the request in writing of the contractor including a statement that he has submitted all the evidence which he believes to be relevant to the renegotiation. Such request must be made within a reasonable time following the time the contractor has been advised by the renegotiating agency as to the amount which, in the opinion of such agency, represents the excessive profits to be eliminated. Determination of what constitutes a reasonable time under the circumstances shall be made by the agency. The purpose of such statement will be to assist the contractor in determining whether or not he will enter into an agreement for the elimination of such excessive profits.

§ 425.524–2 *Where a determination is by order which is not final.* Whenever a determination is made by order of the Chairman of a Division, a statement will be furnished to the contractor by that Division if requested within thirty days after the date thereof, if prior to the time such statement is furnished, the Policy and Review Board has not initiated a review of the order as provided in §§ 422.246–1 and 422.246–2 of this subchapter. Such statement is final only in the event that the determination by order to which it relates is final.

§ 425.525 *Statement in connection with a final determination.*

§ 425.525–1 *Where a determination is by agreement.* Whenever a determination is made by agreement, a statement will be furnished to the contractor if requested of the renegotiating agency which concluded such agreement within thirty days after receipt by the contractor of a fully executed counterpart of the agreement.

§ 425.525–2 *Where a determination is made by order which is final.* (a) Whenever upon review of an order made by the Chairman of a Division determining excessive profits, the Policy and Review Board makes a final determination of excessive profits by order, a statement will be furnished to the contractor by the Policy and Review Board if requested of it within thirty days after the mailing pursuant to § 426.605–3 of this subchapter of the notice of the entry of such order.

(b) Whenever an order determining excessive profits is deemed to be the order of the Policy and Review Board, no review of such order having been initiated by that Board, then, unless the contractor has been furnished with a statement in accordance with the provisions of § 425.524–2, a statement will be furnished by the renegotiating agency which issued the order if requested of such agency at any time prior to the expiration of the thirtieth day after the mailing of the registered notice of the order becoming final pursuant to § 426.605–3 of this subchapter.

Adopted: April 21, 1949.

FRANK L. ROBERTS,
Chairman, Military Renegotiation Policy and Review Board.

Approved: May 12, 1949.

LOUIS JOHNSON,
Secretary of Defense.

[F. R. Doc. 49–3980; Filed, May 17, 1949; 9:01 a. m.]

Chapter VII—Department of the Air Force

Subchapter F—Organized Reserves

PART 861—OFFICERS' RESERVE CORPS

PILOT TRAINING IN GRADE FOR RESERVE OFFICERS

Part 861 is hereby amended by adding §§ 861.85 to 861.88 as follows:

PILOT TRAINING IN GRADE FOR RESERVE OFFICERS

Sec.
861.85 General.
861.86 Requirements.
861.87 Application.
861.88 Selection and disposition.

AUTHORITY: §§ 861.85 to 861.88 issued under secs. 4, 6, Pub. Law 460, 80th Cong., 62 Stat. 89, 91.

DERIVATION: AFL 51–6, May 3, 1949.

§ 861.85 *General.* Pilot training in officer grade is conducted for Reserve officers of the Air Force within the Air Training Command. Graduates are granted the aeronautical rating of pilot and assigned to flying duty.

§ 861.86 *Requirements*—(a) *Eligibility.* Applicant must:

(1) Be an Air Force Reserve officer, not on extended active duty, in the grade of lieutenant, who has received a college degree; or

(2) Be an Air Reserve Officers' Training Corps student who will complete his training and receive either a Regular or Reserve commission in the Air Force at the completion of his academic year.

(3) Be physically qualified for pilot training.

(4) Be recommended for pilot training by his immediate commanding officer.

(5) Obtain passing score on the Air Force Qualifying Examination, if nonrated.

(6) Be enrolled in the pilot training course prior to reaching 27th birthday.

(b) *Ineligibles.* Applications from officers in the following categories will not be considered:

(1) Those who have completed in a service flying school a course of instruction leading to the aeronautical rating of pilot, or have been eliminated therefrom as a result of failure in flying or academic studies, disciplinary action, or resignation, unless such resignation was for reason of severe personal hardship.

(2) Those who hold or have held the aeronautical rating of pilot in any of the armed forces of the United States.

(3) Generally, those who have served less than one year in a newly acquired Specification Serial Number through attendance at a specialized school or course of training.

§ 861.87 *Application* — (a) *Forms.* Application will be submitted on Air Force Form 131, Application for Flying Training in Officer Grade (Pilot-Navigator). Applicants may obtain copies of Air Force Form 131 from the nearest Aviation Cadet and Officer Candidate Examining Board. Air Reserve Officers' Training Corps students will forward applications for pilot training and extended active duty in accordance with separate instructions furnished the Commanding General, Continental Air Command.

(b) *Physical examination.* Reserve officers on inactive duty will contact the nearest Aviation Cadet and Officer Candidate Examining Board in order to accomplish the physical examination; and the Air Force Qualifying Examination, if officer is nonrated. Examining boards will forward the completed application files of qualified applicants, including accomplished Air Force Form 125 (application for extended active duty), to the commanding general of the numbered air force under the Continental Air Command having administrative jurisdiction over the officer concerned.

(c) *Change of address.* Any change of address subsequent to submitting application for pilot training must be reported immediately to the Director of Military Personnel, Headquarters, United States Air Force, Attention: Aviation Cadet Branch, Personnel Procurement Division, Washington 25, D. C.

§ 861.88 *Selection and disposition*— (a) *Selection.* Selection will be made by Headquarters, United States Air Force. Applicants will be notified through channels of their acceptance or nonacceptance.

(b) *Disposition.* Student officers who fail to meet the prescribed standards of training will be eliminated.

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force, Air Adjutant General.

[F. R. Doc. 49–3930; Filed, May 17, 1949; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1733]

PART 108—PATENTS

ISSUANCE OF PERFECT PATENT WHERE RECORD DOES NOT SHOW THAT ORIGINAL WAS SIGNED

The last two paragraphs of § 108.4 (Circular 547, September 2, 1926) are deleted and the following is substituted therefor:

§ 108.4 *Issuance of perfect patent where record does not show that original was signed.* * * *

The Bureau of Land Management will cause a new patent to be issued whenever it appears that a patent was regularly issued and the patent record on file in the Bureau of Land Management is imperfect in that it does not contain the name, or the initials, of the signing and the countersigning officers.

(R. S. 453, 2478; 43 U. S. C. 2, 1201)

MARION CLAWSON,
Director.

Approved: May 12, 1949.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 49-3928; Filed, May 17, 1949; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF FROZEN RED SOUR (TART) PITTED CHERRIES [1]

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948), that the United States Department of Agriculture is considering the revision, as herein proposed, of the current United States Standards for Grades of Frozen Red Sour Pitted Cherries. This revision, if made effective, will be the second issue by the Department of standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 15 days after publication hereof in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.242 *Frozen red sour (tart) pitted cherries.* Frozen red sour (tart) pitted cherries are prepared from properly ripened fruit of the cherry tree of the red sour varietal group (Prunus cerasus); are washed, pitted, and sorted; are properly drained before filling; may be packed with or without packing media; and are frozen and stored at temperatures necessary for the preservation of the product.

(a) *Grades of frozen red sour (tart) pitted cherries.* (1) U. S. Grade A or U. S. Fancy is the quality of frozen red sour (tart) pitted cherries that possess similar varietal characteristics; that possess a good red color; that are practically free from defects; that possess a good character; that possess a normal flavor; and that score not less than 85 points when scored in accordance with the scoring system outlined in this section. In addition to the foregoing requirements, such frozen red sour (tart) pitted cherries may contain not more than 5 percent, by count, of cherries that are less than 9/16 inch in diameter.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of frozen red sour (tart) pitted cherries that possess similar varietal characteristics; that possess a reasonably good red color; that are fairly free from defects; that possess a fairly good character; that possess a normal flavor; and score not less than 70 points when scored in accordance with the scoring system outlined in this section. There is no size requirement for such frozen red sour (tart) pitted cherries.

(3) "U. S. Grade D" or "Substandard" is the quality of frozen red sour (tart) pitted cherries that fail to meet the requirements of "U. S. Grade B" or "U. S. Choice."

(b) *Ascertaining the grade.* (1) The grade of frozen red sour (tart) pitted cherries is determined immediately after thawing to the extent that the cherries may be separated easily and the cherries are free from ice or other solidified packing media. The grade is determined by considering in addition to the requirements of the respective grade (including the requirement for size in U. S. Grade A or U. S. Fancy) the respective ratings of the factors of color, absence of defects, and character.

(2) The relative importance of each factor is expressed numerically on a scale of 100. The maximum number of points that may be given each factor is:

Factors:	Points
(i) Color	20
(ii) Absence of defects	40
(iii) Character	40
Total score	100

(3) "Normal flavor" means that the flavor is characteristic of frozen red sour (tart) pitted cherries and that the frozen cherries are free from objectionable flavors of any kind.

(c) *Ascertaining the rating for each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Frozen red sour (tart) pitted cherries that possess a good red color may be given a score of 17 to 20 points. "Good red color" means that the frozen cherries possess a color that is reasonably uniform and that is bright and typical of properly ripened cherries with not more than 15 percent, by count, of cherries that vary markedly from this color due to under-colored red cherries and cherries showing discoloration due to oxidation, improper processing, or other causes.

(ii) If the frozen red sour (tart) pitted cherries possess a reasonably good red color, a score of 14 to 16 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good red color" means that the frozen cherries possess a color that is fairly uniform and that is reasonably bright and typical of properly ripened cherries with not more than 25 percent, by count, of cherries that vary markedly from this color due to under-colored red cherries and cherries showing discoloration due to oxidation, improper processing, or other causes.

(iii) Frozen red sour (tart) pitted cherries that are definitely off-color or fail to meet the requirements of subvidision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, pits, mutilated cherries, blemished cherries, and cherries that are seriously blemished.

(i) "Cherry" means a whole cherry, whether or not pitted, or portions of such cherries which in the aggregate are equivalent in size to that of a cherry.

(ii) "Harmless extraneous material" means any vegetable substance (including, but not being limited to, a leaf or a stem and any portions thereof) that is harmless.

(iii) "Pit" means a whole pit or portions of pits computed as follows:

(*a*) A single piece of pit shell, whether or not within or attached to a cherry, that is larger than one-half pit shell is considered as one pit;

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(b) A single piece of pit shell, whether or not within or attached to a cherry, that is not larger than one-half pit shell is considered as one-half pit;

(c) Pieces of pit shell, within or attached to a cherry, when their combined size is larger than one-half pit shell is considered as one pit; and

(d) Pieces of pit shell, within or attached to a cherry, when their combined size is not larger than one-half pit shell is considered as one-half pit.

(iv) "Mutilated cherry" means a cherry that is so pitter-torn or damaged by other means that the entire pit cavity is exposed and the appearance of the cherry is seriously affected.

(v) "Blemished cherry" means a cherry the skin of which is blemished by scab, hail injury, discoloration, scar tissue, or other means and the flesh beneath any such blemishes is materially discolored. The term "blemished cherry" also means any cherry the skin of which is blemished by scab, hail injury, discoloration, scar tissue, or other means when the aggregate area covered by such blemishes exceeds the area of a circle 9/32 inch in diameter and the flesh beneath none of such blemishes is materially discolored. Such term does not include a cherry that possesses very light discoloration or insignificant discoloration of any size which does not extend into the flesh and which does not materially affect the appearance or eating quality of the cherry.

(vi) "Seriously blemished" means that a blemished cherry is blemished to such an extent that the aggregate blemished area on a cherry exceeds the area of a circle 9/32 inch in diameter and such blemish seriously affects the appearance or eating quality of the cherry.

(vii) Frozen red sour (tart) pitted cherries that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that there may be present (a) not more than 1 piece of harmless extraneous material for each 60 ounces of net contents; (b) not more than 1 pit for each 20 ounces of net contents; and (c) not more than a total of 10 percent, by count, of cherries that are mutilated cherries and blemished cherries of which not more than 4 percent, by count, of all cherries are seriously blemished.

(viii) If the frozen red sour (tart) pitted cherries are fairly free from defects, a score of 28 to 33 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that there may be present (a) not more than 1 piece of harmless extraneous material for each 20 ounces of net contents; (b) not more than 1 pit for each 20 ounces of net contents; and (c) not more than a total of 20 percent, by count, of cherries that are mutilated cherries and blemished cherries of which not more than 15 percent, by count, of all cherries are blemished.

(ix) Frozen red sour (tart) pitted cherries that fail to meet the requirements of subdivision (vii) of this subparagraph with respect to pits or the requirements of subdivision (viii) of this subparagraph for any reason may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Character.* The factor of character refers to the degree of maturity of the cherries and the physical characteristics of the flesh of the cherries in frozen red sour (tart) pitted cherries.

(i) Frozen red sour (tart) pitted cherries that possess a good character may be given a score of 34 to 40 points. "Good character" means that the frozen red sour (tart) pitted cherries possess a firm, fleshy texture typical of frozen red sour (tart) pitted cherries which had been properly prepared and properly processed from properly ripened red sour cherries.

(ii) If the frozen red sour (tart) pitted cherries possess a fairly good character, a score of 28 to 33 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the frozen red sour (tart) pitted cherries are not soft, tough, very thin-fleshed, or leathery in character but may possess a fairly firm, fairly fleshy texture.

(iii) Frozen red sour (tart) pitted cherries that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(d) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen red sour (tart) pitted cherries, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(e) *Score sheet for frozen red sour (tart) pitted cherries.*

Size and kind of container		
Container mark or identification		
Label (Style of pack. Ratio of fruit to sugar, etc., if shown)		
Net weight (ounces)		
Size [2]		
Factors	**Score points**	
I. Color	20	(A) 17–20 [1] (B) 14–16 (D) [1] 0–13
II. Absence of defects	40	(A) 34–40 [1] (B) 28–33 (D) [1] 0–27
III. Character	40	(A) 34–40 [1] (B) 28–33 (D) 0–27
Total score	100	
Normal flavor		
Grade		

[1] Indicates limiting rule.

[2] See size limitation for U. S. Grade A or U. S. Fancy only.

Issued at Washington, D. C., this 13th day of May 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49-3945; Filed, May 17, 1949; 8:51 a. m.]

NOTICES

DEPARTMENT OF STATE

[Public Notice 6]

DELEGATION OF SIGNING AUTHORITY

Under the authority contained in R. S. 161 (5 U. S. C. 22), the delegation of signing authority set forth in section 3 of Public Notice 5 (14 F. R. 2070) is revised as follows:

SEC. 3. *For the New York Regional Administrative Office.* (a) Authority to issue and sign contracts and purchase orders is delegated to the following officers:

(1) All kinds—Regional Administrative Officer and Chief of the Procurement and Supply Branch.

(2) All kinds of purchase orders and contracts except open-end contracts, contracts of a special nature, and contracts involving policy determinations—Chief of the Purchase Section.

(b) Authority to sign Government bills of lading is delegated to the following officers:

(1) Chief of the Procurement and Supply Branch.

(2) Chief of the Purchase Section.

(3) United States Despatch Agent under circumstances cited in section 2 (e).

This notice shall become effective immediately upon publication in the FEDERAL REGISTER.

For the Secretary of State.

JOHN E. PEURIFOY,
Assistant Secretary of State.

MAY 12, 1949.

[F. R. Doc. 49-3941; Filed, May 17, 1949; 8:51 a. m.]

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 49-20]

PROPOSED REGULATIONS FOR PREVENTING COLLISIONS AT SEA

MERCHANT MARINE COUNCIL PUBLIC HEARING

1. The International Conference on Safety of Life at Sea, held in London from April 23 to June 10, 1948, had before it and used as a basis for discussion the present "International Regulations for Preventing Collisions at Sea." The present International Rules for Navigation at Sea are contained in the act of August 19, 1890, as amended (33 U. S. C. 61-142). The Conference considered it desirable to revise these regulations and accordingly approved the "International Regulations for Preventing Collisions at Sea, 1948," but decided not to annex the revised regulations to the "International Convention for the Safety of Life at Sea, 1948." Therefore, the ratification of the Convention by the United States Senate will not make effective the "International Regulations for Preventing Collisions at Sea, 1948."

2. The Merchant Marine Council of the United States Coast Guard will hold a public hearing regarding the "International Regulations for Preventing Collisions at Sea, 1948," in Room 4120, Coast Guard Headquarters, 13th and E Streets NW., Washington, D. C., on June 14, 1949. The meeting will convene at 9:30 a. m., daylight saving time.

3. The purpose of this public hearing is (a) to determine if it is desirable to recommend to Congress that the "International Regulations for Preventing Collisions at Sea, 1948" be accepted by the United States; and (b), if such acceptance is desirable, the type of legislative action which should be sponsored by the Commandant of the Coast Guard. All interested parties are invited to be present or to be represented at the hearing. The proposed "Regulations for Preventing Collisions at Sea, 1948" are contained in a pamphlet entitled "International Conference on Safety of Life at Sea, April 23-June 10, 1948," issued by the Department of State and obtainable from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at a cost of fifty-five cents per copy.

Dated: May 12, 1949.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 49-3957; Filed, May 17, 1949; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

CLASSIFICATION ORDER, AMENDED

MAY 12, 1949.

1. Pursuant to authority delegated to me by the Director, Bureau of Land Management, by Order No. 319, dated July 19, 1948 (43 CFR, 50.451 (b) (3)), 13 F. R. 4278, and in accordance with the provisions of the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, I hereby amend the above captioned order originally approved as of March 22, 1944, and classify, as hereinafter indicated, the following described public lands in the Santa Fe, New Mexico Land District, comprising 94.12 acres:

SMALL TRACT CLASSIFICATION ORDER NO. 36

NEW MEXICO NO. 3, AMENDED

For Lease and Sale, For Home and Business Sites

That part of the NE¼ of Section 19, T. 1 N., R. 12 W., N. M. P. M., in Catron County, New Mexico lying north of and adjacent to the north side of the right-of-way of U. S. Highway No. 60 and more particularly described as Tracts 5 to 11 inclusive, Tracts 13 to 22 inclusive, and Tracts 25 to 46 inclusive. Tracts Nos. 12, 23 and 24 are excepted from the above classification and are reserved for community use.

(a) The area classified lies 160 miles south and west of Albuquerque, via U. S. Highway 85 to Socorro and U. S. Highway 60 from Socorro to the land. The community is known as Pie Town and lies 58 miles west of Magdalena, New Mexico, which is the nearest railroad shipping point. Passenger, bus and freight truck lines operating on regular schedules connect the area via the highways with all points east, west and south.

The community has a small hotel, restaurants, mercantile stores, gasoline service stations and garages and other business facilities. There is an accredited grade school and an accredited high school is available at Quemado, 23 miles east via school bus. The First Baptist Church is the only organized religious denomination and owns a substantial building. There are no public utilities. Electric power is furnished, if desired, by three small privately owned plants. Fuel is butane gas, wood or coal and water adequate for household purposes is obtained by drilling wells to depths varying from 150 to 250 feet. The elevation above sea level is approximately 7,000 feet. The annual precipitation of moisture is approximately 15 inches. Winters are long and cold but dry and sunny. The summers are short and cool. The soil is a shallow sandy loam with rock base. The topography is gently rolling to level and vegetation consists of grama and other grasses, and occasional stunted growths of pinon, cedar and juniper, none of which are large enough to be classed as timber.

2. These lands were originally classified for lease only and were so classified prior to enactment of the veterans preference law of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284), as amended, and therefore, the original classification order contained no provision for veterans preference, and persons who filed applications or obtained leases under the original order are not affected by the preference provisions of the above-mentioned act.

(a) Lessees and/or their legally qualified assigns and other successors in interest who hold leases which were issued pursuant to the original classification order No. 36, New Mexico No. 3, dated March 22, 1944, shall be entitled upon compliance with the terms of the leases, and upon application filed at or after one year from the date the lease issued, to purchase the tract described in the lease at the appraised value set out in the Table of Appraisements hereafter appearing in this order. All lessees holding leases of this type shall continue to pay rental at the rate and in the manner provided by the terms of the lease up to the date of expiration of the lease or the issuance of patent for the lands, whichever is the earlier.

(b) In the event of renewal of the type of lease described in subsection (a) above, rental for homesites will be fixed at $5.00 per annum, payable for the entire period of the lease in advance. The rentals for sites used for combination home and business purposes or for business purposes only shall be at the minimum rate of $20.00 per annum, payable yearly in advance plus any additional rentals due under the Schedule of Rentals hereinafter set out in this order. The requirement for $500.00 worth of improvement contained in the original order and in the original leases shall be replaced in all future leases with the requirements provided by present regulations as hereinafter set out.

3. Applications filed prior to the date of this order on which leases have not been issued: All applications filed by qualified persons prior to the date of this amended order shall be considered and treated as preference right applications and with the exceptions set out in subsections (a) and (b) of section 2 above shall be acted upon by the Manager in accordance with the terms of the original classification order.

(a) Applicants who, prior to the date of this order, have applied for two tracts of the classified area shall be required to file an election as to the tract which they desire to retain in the application and to amend their applications accordingly. Such applicants shall be given a period of thirty days from the date of receipt of notice by them in which to make the election and amend the application. Failure, neglect or refusal to do so within the time allowed will be grounds for rejection of the application in its entirety.

(b) All leases issued pursuant to applications so amended shall contain an option to purchase the lands at or after one year from the date of the lease at the price set out in the Table of Appraisements contained in this order.

(c) As to all leases and applications defined above, this order shall become effective upon the date it is signed.

4. Applications filed subsequent to the date of this order: As to the lands not

covered by the leases and applications hereinabove referred to, this order shall not become effective to permit the leasing of such land under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on July 14, 1949. At that time such lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of ninety days from 10:00 a. m. on July 14, 1949, to close of business on October 12, 1949, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C., sec. 279), as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed prior to the date of this order or thereafter, up to and including 10:00 a. m. on July 14, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at the hour of 10:00 a. m. on October 12, 1949, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference-right filings.* Applications under the Small Tract Act filed by the general public subsequent to the date of this order up to the close of business on October 12, 1949, shall be treated as simultaneously filed.

5. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitute evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in sections 2 and 3, which shall be filed in the district land office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased lands, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances are presentable, substantial and appropriate for the use for which the lease is issued.

8. Rentals: All leases issued under the provisions of this order shall be for a period of not more than five years. With the exception of the existing leases mentioned in subsection 2 (a) hereof, the annual rental for home sites shall be $5.00 payable for the entire lease period in advance. The rentals for tracts which are used for combination home and business sites or for business only shall conform to the following schedule:

SCHEDULE OF RENTALS

Gross income of $5,000 or under charge 1% of gross income but not less than $20.00.

Gross income of from $5,001 to $15,000 charge of 1% on first $5,000 and ½% from $5,001 to $15,000.

Gross income of over $15,000 charge 1% on first $5,000, ½% from $5,001 to $15,000 and ¼% for over $15,000.

The minimum rental of $20.00 per year as fixed by the above schedule will be payable in advance for the first year of the life of the lease and will be payable annually in advance for all succeeding years and if in any year the gross proceeds of the business conducted by the lessee on the tract shall amount to or exceed a sum of $2,001 additional rentals on the per centum basis shall be collected.

In order to facilitate such collection, a clause will be written into the lease requiring the lessee to make an annual report of the amount of gross proceeds derived from his business and this report shall be submitted to the Manager not later than 60 days from the date of expiration of each year of the life of the lease.

Such leases will also contain a provision permitting authorized representatives of the Secretary of the Interior or the Bureau of Land Management to inspect the premises and examine the books of the lessee at any time during customary business hours.

Lessees of combination home and business sites shall be given notice by regular mail of rentals due at least 30 days in advance of the due date.

Failure, neglect or refusal of the lessee to comply with the provisions of the last three paragraphs or any of them, after 30 days from receipt of notice of such failure, neglect or refusal, shall be grounds for cancellation of the lease in the discretion of the officer of the Bureau of Land Management authorized to sign the lease.

Any unearned rentals shall be credited upon the purchase price when patent is issued.

9. All leases issued subsequent to the date of this order shall contain an option to purchase the tract described in the lease following construction of the required improvements and upon application filed at the prices set out below:

TABLE OF APPRAISEMENTS

Tract No.	Acreage	Appraised price	Tract No.	Acreage	Appraised price
5	1.14	$235.00	28	2.49	$100.00
6	0.96	180.00	29	2.49	100.00
7	1.21	195.00	30	2.49	100.00
8	1.45	225.00	31	2.49	75.00
9	1.67	245.00	32	2.49	75.00
10	1.89	250.00	33	2.49	75.00
11	2.10	300.00	34	2.49	75.00
13	1.45	220.00	35	2.49	75.00
14	1.65	245.00	36	2.49	75.00
15	1.85	250.00	37	2.49	75.00
16	2.04	280.00	38	2.49	75.00
17	2.24	300.00	39	2.49	75.00
18	2.24	320.00	40	2.49	75.00
19	2.49	100.00	41	2.49	75.00
20	2.49	100.00	42	2.49	75.00
21	2.49	100.00	43	2.49	75.00
22	2.49	100.00	44	2.49	75.00
25	2.49	100.00	45	2.49	75.00
26	2.49	100.00	46	2.49	75.00
27	2.49	100.00			

10. No lease shall be issued and no tracts shall be sold except in conformity with the plat of survey on file in the District Land Office at Santa Fe, New Mexico. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All fissionable material sources and all minerals shall be reserved to the United States, together with the right to prospect for, mine and remove the same under applicable laws and regulations.

12. All inquiries relating to these lands shall be addressed to the Manager, United States District Land Office, Santa Fe, New Mexico.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 49-3929; Filed, May 17, 1949; 8:46 a. m.]

Bureau of Reclamation

[No. 42]

NOTUS AND PAYETTE DIVISIONS, BOISE PROJECT, IDAHO

PUBLIC NOTICE OF TERMS GOVERNING DELIVERY OF WATER FOR 1949 IRRIGATION SEASON

1. On February 27 and March 9, 1948, public notices Nos. 38 and 39 were issued, one announcing the availability of water under the contract of October 3, 1927, between the United States and the Black Canyon Irrigation District, as amended by the contract of July 15, 1936, to the lands comprising the gravity areas of the Payette Division and a portion of the

Notus Division which is to be served by works of the Payette Division; the other announcing the rental charge, in addition to the construction charge, against the land covered by public notice No. 38, for all lands to which water would be delivered in 1948. The charges under the latter notice were to remain in effect until further notice. These notices were issued having regard for the provisions of the Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) prohibiting the delivery of water upon the completion of any new project or new division of a project until a contract approved by the Secretary of the Interior had been made with an irrigation district providing for payment by the district of all the costs of constructing and operating and maintaining the irrigation works.

2. By reason of the failure of those who voted at the election held on March 4 to approve, by the requisite two-thirds majority, the form of contract presented at that election, and because the District's existing obligation for construction cost falls short of covering construction costs already incurred, it now appears that by the time the works to serve the Payette Division are completed the requirements of the Federal Reclamation Laws as to contracts will not be met if the present situation remains uncorrected. The works, however, are not yet completed and probably will not be before the end of the 1949 irrigation season, and in the interval a temporary arrangement for furnishing water can be put into effect. Exercising my general supervisory authority over the works of the Payette Division, I have determined that, notwithstanding the inadequacy of the existing repayment contract and outside of the provisions of that contract, water will be furnished for the 1949 irrigation season only on a temporary rental basis as follows:

(a) For the 300 acres of land or any part thereof referred to in article 24 of the contract of October 3, 1927 (these being lands in the Notus Division served by the works of the Payette Division), the minimum water rental charge for the irrigation season of 1949 for water delivered to or for the farms by Government forces will be $1,140 for the irrigation season, which amount will permit the delivery of not to exceed 900 acre-feet of water. Six hundred thirty dollars of this amount will be payable by the District in advance of the delivery of water, and $510 will be payable one-half on or before December 31, 1949, and one-half on or before July 1, 1950. Additional water for such lands will be furnished for the 1949 irrigation season at the rate of 90 cents per acre-foot and shall be payable by the District to the United States on or before December 31, 1949. Water for these lands will be delivered and measured into the Notus canal through feeders in Conway Gulch and near Sand Hollow.

(b) For lands served by gravity canals in the Payette Division, the minimum rental charge for the 1949 irrigation season for water delivered to or for the farms by Government forces will be $3.80 per irrigable acre, said payment to be made by each landowner for his total irrigable area. The said minimum charge per irrigable acre shall be payable whether or not water is used and will entitle the water users to three acre-feet of water per irrigable acre for the 1949 irrigation season. Two dollars and ten cents per irrigable acre will be payable by the District in advance of the delivery of water and $1.70 per irrigable acre will be payable one-half on or before December 31, 1949, and one-half on or before July 1, 1950. Additional water will be furnished during the 1949 irrigation season at the rate of 90 cents per acre-foot, and shall be payable by each landowner to the District on or before December 20, 1949. Payments by the District to the United States for such excess water shall be made on or before December 31, 1949. The minimum charge on account of lands which do not receive water for the irrigation season of 1949 shall be payable by the District to the United States on or before December 31, 1949, and the District shall make the necessary assessments therefor against the lands involved.

(c) For the rental of water during the irrigation season of 1949 for new lands under the pump system of the Payette Division, in instances in which the progress of canal and lateral construction will permit the delivery of water, there will be a minimum charge of $2.10 per acre of land irrigated, payable by the District in advance of the delivery of water, upon a minimum area of 10 acres. On individual ownerships comprising less than 10 acres, however, payment shall be made upon the total irrigable area of such owners. Payment up to the total acreage in an ownership may be made by the District in advance of the delivery of water in multiples of 10 acres. For the advance payment of water rentals outlined above, the maximum of three acre-feet of water per irrigable acre will be furnished. Ninety cents per acre-foot will be charged for any water furnished to any tract or farm unit in these units in excess of three acre-feet per acre. The amount charged for such excess water will be payable by each individual landowner to the District on or before December 20, 1949, and charges for such excess water shall be paid by the District to the United States on or before December 31, 1949.

3. The rates above established conform to those that would have prevailed had delivery been made pursuant to notices Nos. 38 and 39 and with respect to lands in the Notus Division served by works of the Payette Division and gravity areas of the Payette Division. All collections in excess of the cost of operation and maintenance for those lands will be applied as a return of construction cost, being credited, first, against the instalment that would have been due for 1949 under the contract of October 3, 1927, as amended, and public notice No. 38.

4. The foregoing arrangements are a temporary expedient for the 1949 irrigation season only. The Bureau of Reclamation is now making an economic study and, based thereon, expects to propose a long-range repayment plan to the District's board of directors before the end of this irrigation season. The present arrangements are made with the understanding that all reasonable effort will be made by the Bureau of Reclamation and the District's board of directors to agree on a long-range repayment plan and to present it to the District's electors before the end of this irrigation season.

5. Water for Payette Division lands will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

6. If the charges or any part thereof are not paid on or before the due date, there shall be added on the following day a penalty of one-half of one per centum of the amount unpaid, and a like penalty of one-half of one per centum of the amount unpaid on the first day of each calendar month thereafter, so long as such default shall continue.

7. Individual landowners in the Payette Division will make their applications for water and the payments required by this public notice direct to their irrigation district office. Applications by the irrigation district for water and payments by the Dstrict to the United States on the basis of this public notice will be received at the office of the Bureau of Reclamation, 214 Broadway, Boise, Idaho.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

MARCH 25, 1949.

[F. R. Doc. 49-3960; Filed, May 17, 1949; 8:56 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 3238 et al.]

PENINSULA AIRPORT COMMISSION OF VIRGINIA ET AL.; SERVICE TO NEWPORT NEWS, VA., CASE

NOTICE OF HEARING

In the matter of the application of the Peninsula Airport Commission of Virginia for service to the Peninsula Area of Virginia, and of the applications of Capital Airlines, Inc., Eastern Air Lines, Inc., and Piedmont Aviation, Inc., for certificates of public convenience and necessity or amendments thereof authorizing service to Newport News, Va., under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that the above-entitled proceeding is assigned for hearing on May 25, 1949, at 10:00 a. m. (e. d. s. t.) in Room 2065, Temporary Building No. 4, Seventeenth Street and Constitution Avenue NW., Washington, D. C., before Examiner James M. Verner.

Without limiting the scope of the issues presented by the pleadings in this consolidated proceeding, particular attention will be directed to whether the public convenience and necessity require in whole or in part amendments of present certificates or the issuance of new certificates of public convenience and necessity as requested by:

(1) Peninsula Airport Commission in Docket No. 3238;

(2) Capital Airlines, Inc., in Docket No. 3690;

(3) Piedmont Aviation, Inc., in Docket No. 3715;

(4) Eastern Air Lines, Inc., in Docket No. 3732.

For further details of the services proposed, and the route modifications requested, interested parties are referred to the prehearing conference report of the examiner, the Board's orders, the applications and other pleadings which are on file with the Civil Aeronautics Board and to be found in the Dockets hereinabove listed.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding must file with the Board on or before May 25, 1949, a statement setting forth the issues of fact or law he desires to controvert.

Dated at Washington, D. C., May 11, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 49-3959; Filed, May 17, 1949; 8:55 a. m.]

[Docket No. 3308]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Pan American Airways, Inc., over its Latin American routes, and the Board's Show Cause Order Serial No. E-2753 (temporary rate).

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above proceeding is assigned to be held on May 19, 1949, at 10:00 a. m. (e. d. s. t.) in Room 1011, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner R. Vernon Radcliffe.

Dated at Washington, D. C., May 12, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 49-3958; Filed, May 17, 1949; 8:55 a. m.]

FEDERAL POWER COMMISSION

CITIZENS ELECTRIC CORP.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ELECTRIC PLANT ACQUISITION ADJUSTMENTS

MAY 13, 1949.

Notice is hereby given that, on May 12, 1949, the Federal Power Commission issued its order entered May 11, 1949, approving and directing disposition of amounts classified in Account 100.5, Electric Plant Acquisition Adjustments in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-3939; Filed, May 17, 1949; 8:50 a. m.]

[Docket Nos. G-884, 887]

SOUTHERN NATURAL GAS CO. AND ATLANTIC GULF GAS CO.

ORDER POSTPONING DATE OF HEARING

MAY 11, 1949.

On April 18, 1949, and on April 21, 1949, Atlantic Gulf Gas Company and Southern Natural Gas Company (Applicants), respectively, filed a motion for a continuance requesting a postponement for ninety days of the hearing set for May 16, 1949, on the above-docketed applications.

The Commission finds: A postponement for ninety days of the above consolidated hearing should be granted.

The Commission orders: The consolidated hearing on the above-docketed applications, heretofore set for May 16, 1949, be and the same is hereby continued to commence at 10:00 a. m. (e. d. s. t.), on August 22, 1949, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: May 12, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-3936; Filed, May 17, 1949; 8:48 a. m.]

[Docket No. G-1161]

TENNESSEE GAS TRANSMISSION CO.

ORDER POSTPONING HEARING

MAY 11, 1949.

On May 11, 1949, East Tennessee Natural Gas Company and Tennessee Natural Gas Lines, Inc., filed a motion for continuance until May 26, 1949, of the hearing set for May 12, 1949, by order of the Commission issued in the above-entitled docket on April 15, 1949. As grounds for the postponement the moving parties state that due to conditions beyond their control counsel and company officials are engaged in urgent matters outside of Washington, D. C., some of which previously had been postponed to permit their attendance at hearings before this Commission in Docket No. G-1065 in the matter of East Tennessee Natural Gas Company, and therefore counsel and company officials cannot attend the hearing on the date scheduled.

The Commission finds: Good cause has been shown for postponing the date for hearing as set in Commission order issued April 15, 1949, to May 26, 1949, but that said order should not be otherwise modified.

The Commission orders: The hearing now set for May 12, 1949, at 9:30 a. m. (e. d. s. t.) be and the same is hereby postponed until May 26, 1949, at 9:30 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: May 12, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-3935; Filed, May 17, 1949; 8:48 a. m.]

[Docket Nos. G-1185, 1186]

EQUITABLE GAS CO. AND WEST TEXAS GAS CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

MAY 13, 1949.

Notice is hereby given that, on May 12, 1949, the Federal Power Commission issued its findings and orders entered May 11, 1949, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-3937; Filed, May 17, 1949; 8:48 a. m.]

[Project No. 719]

WESTERN MACHINERY CO. AND JESSE I. SMITH

NOTICE OF ORDER APPROVING TRANSFER OF LICENSE (MAJOR)

MAY 13, 1949.

Notice is hereby given that, on May 12, 1949, the Federal Power Commission issued its order entered May 11, 1949, approving transfer of license (major) in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-3938; Filed, May 17, 1949; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2124]

KEWANEE PUBLIC SERVICE CO. AND ILLINOIS POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of May 1949.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Illinois Power Company ("Illinois"), a subsidiary of North American Light & Power Company, a registered holding company, and by Illinois' subsidiary, Kewanee Public Service Company ("Kewanee"). Declarants have designated sections 12 (c), 12 (f) and 12 (g) of the act and Rules U-42 and U-45 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 26, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May

26, 1949, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Kewanee has outstanding in the hands of the public $588,000 principal amount of First Mortgage Bonds and 5,504 shares of 7% Cumulative Preferred Stock, $50 par value; all of its outstanding Common Stock is owned by Illinois.

Illinois proposes to make a capital contribution to Kewanee in cash in an amount (not to exceed $200,000) which, together with Kewanee's treasury funds, will provide the necessary funds to redeem Kewanee's Preferred Stock, which is redeemable at any time on 60 days' notice at $53 per share (or an aggregate of $291,712) plus accrued dividends.

The capital contribution is proposed to be credited by Kewanee to its Common Stock account, and dividends to the redemption date and redemption premiums on the Preferred Stock are to be charged by Kewanee to its earned surplus; an amount equal to the capital contribution is to be charged by Illinois to its investment in the Common Stock of Kewanee.

The Commission has heretofore found that an inequitable distribution of voting power existed in Kewanee and ordered Kewanee on July 23, 1946, pursuant to section 11 (b) (2) of the act, to recapitalize on a basis of a single class of stock, namely common stock (without reference to its outstanding mortgage bonds). Declarants state that the retirement of Kewanee's Preferred Stock will eliminate the question of inequitable distribution of voting power, simplify Kewanee's capital structure, and eliminate Kewanee's annual Preferred Stock dividend requirement of $19,264.

Declarants request that the proposed transactions be approved by this Commission at the earliest convenient date and that the Commission's order become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-3933; Filed, May 17, 1949; 8:48 a. m.]

[File No. 70-2125]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN GAS & ELECTRIC CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of May 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Wisconsin Electric Power Company ("Wisconsin Electric"), a registered holding company, and its subsidiary, Wisconsin Gas & Electric Company ("Wisconsin Gas"). Applicants-declarants have designated sections 6, 7, 9, and 10 of the act and Rule U-43 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 31, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 31, 1949, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Wisconsin Electric proposes to buy and Wisconsin Gas proposes to issue and sell 50,000 additional shares of its Common Stock, par value $20 per share, for $1,000,000 to Wisconsin Electric, the owner of all the presently outstanding Common Stock of Wisconsin Gas. The proceeds are to be used by Wisconsin Gas for reimbursement of its Treasury for capital expenditures heretofore made and for those to be made during the remainder of 1949 and for repayment of bank loans in the aggregate amount of $500,000, due June 15, 1949. Wisconsin Gas estimates that its capital expenditures for the last nine months of 1949 will be in excess of $1,600,000.

Applications have been made to the Public Service Commission of Wisconsin requesting authorizations for the proposed issue and sale of Common Stock by Wisconsin Gas and the proposed acquisition of such stock by Wisconsin Electric.

Applicants-declarants have requested that the Commission's order herein be issued on or before June 1, 1949, and that it become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-3932; Filed, May 17, 1949; 8:48 a. m.]

[File No. 70-2134]

PHILADELPHIA CO. AND DUQUESNE LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 10th day of May A. D. 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), and the general rules and regulations promulgated thereunder, by Philadelphia Company, a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and Duquesne Light Company ("Duquesne"), a subsidiary of Philadelphia Company. The applicants-declarants have designated sections 6 (a), 7, 9 (a), 10, 12 (b) and 12 (c) of the act and Rules U-42 and U-45 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 26, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by such joint application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter such joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

By a lease dated January 1, 1902, Monongahela Light and Power Company (Monongahela"), leased its electric properties and franchises to The Allegheny County Light Company ("Allegheny"), for a term of 900 years. On February 8, 1902, Philadelphia Company guaranteed to Monongahela the prompt payment of the rental under the lease and the faithful performance of the covenants of the lease. On May 11, 1927, Allegheny sold its properties and franchises, including its interest in said lease, to Duquesne, which assumed the obligations of Allegheny thereunder, Philadelphia Company agreeing with Monongahela that it would guarantee the prompt payment by Duquesne of the rental under the lease and the faithful performance by Duquesne of the lessee's covenants which include, inter alia: to pay interest on Monongahela's bonds; to pay rentals; to pay taxes, including income taxes; to pay insurance; to unite with Monongahela in the issue of new bonds for the purpose of taking up Monongahela's outstanding bonds at their maturity; and to pay interest on the new bonds of Monongahela, the lien of which, if issued, shall be superior to the rights of the lessee.

At the time of the execution of the lease, Monongahela had outstanding an issue of $1,700,000 face amount of First Mortgage Five Per Cent Gold Bonds ("the bonds"), dated June 1, 1899 and maturing June 1, 1949. Said bonds, which are presently outstanding in the amount of $1,698,000, are secured by a First Mortgage, dated June 1, 1899, from

Monongahela to The Union Trust Company of Pittsburgh (now Mellon National Bank and Trust Company), Trustee. Said First Mortgage is a first lien on the properties and franchises of Monongahela and is prior and paramount to Duquesne's leasehold interest therein.

The applicants-declarants state that most of the property described in the lease was dismantled many years ago in the course of operations because of obsolescence, or else was retired or replaced, and since neither Allegheny nor Duquesne ever made any segregation between the property covered by the lease and their own property, it is impossible to describe accurately the property now covered by the lease, a substantial part of which is stated to be represented by replacements included in the property account of Duquesne.

Philadelphia Company and Duquesne, neither of which owns any of the outstanding securities or voting stock of Monongahela, propose the following transactions in the alternative:

Alternative 1. Duquesne proposes to lend to Monongahela $1,698,000 to be applied by Monongahela to the payment at maturity on June 1, 1949, of bonds and in satisfaction of the mortgage securing said bonds. In consideration of said loan, Monongahela will issue a promissory note to Duquesne in the principal amount of $1,698,000, which will bear no interest, and will be payable on a date within a period of less than one year from the date of execution. Said proposed note of Monongahela shall also be subject (a) to Duquesne's covenant, in event of default by Monongahela under said note, to subordinate Duquesne's claim under the note to whatever rights Monongahela's stockholders may have under the aforesaid January 1, 1902, lease, so long as said lease shall remain in effect, and (b) to Monongahela's covenant not to incur any indebtedness other than that incurred in the ordinary course of its business as that business is conducted at the date of execution of said note, so long as said note remains outstanding and unpaid.

Philadelphia Company proposes to consent to said action proposed to be taken by Monongahela and Duquesne.

Duquesne states that it is presently negotiating for the purchase, subject to requisite regulatory approvals, of the outstanding stock of Monongahela. Duquesne represents that, upon Monongahela becoming a subsidiary of Duquesne, it contemplates that appropriate steps would be taken to convey in fee simple to Duquesne the aforementioned leased property, to terminate its leave from Monongahela and to dissolve Monongahela.

Alternative 2. 1. Duquesne shall purchase all of Monongahela's bonds and hold them until a plan is worked out satisfactory to Monongahela, Duquesne and Philadelphia Company for the refinancing of said bonds, or Duquesne shall deposit with the Trustee under the mortgage securing said bonds sufficient money to pay the same at maturity;

2. Neither Duquesne nor Philadelphia Company shall enforce or permit to be enforced, any remedy under said mortgage or said bonds;

3. Duquesne and Philadelphia Company shall indemnify and hold harmless Monongahela from any liability arising out of the failure to pay said bonds and discharge on June 1, 1949, the mortgage under which they are secured;

4. Duquesne shall have the right to pay 5% interest per annum on said bonds until they are refunded;

5. Duquesne shall cause the time for payment of said bonds, which it purchases, to be extended;

6. Duquesne shall cause said bonds to be delivered to the Trustee, under the mortgage securing them, for cancellation, or else shall deposit with the Trustee sufficient money to pay off at maturity such of the bonds as have not been presented for payment, and shall receive in exchange for the bonds so surrendered and for bonds for the payment of which moneys have been deposited with the Trustee, new bonds of Monongahela in the par amount of the bonds so surrendered and for which payment has been provided; and

7. Duquesne shall unite with Monongahela in the issuance of new bonds for the purpose of taking up said bonds maturing June 1, 1949, in accordance with the provisions of the aforesaid lease dated January 1, 1902.

It is represented by the applicants-declarants that with respect to alternative 1, no regulatory body other than this Commission has jurisdiction over the proposed transactions, and with respect to alternative 2, no regulatory body, other than this Commission and the Pennsylvania Public Utility Commission, has jurisdiction over the proposed transactions. If alternative 2 is elected, the applicants-declarants propose to file additional information by amendment.

Philadelphia Company and Duquesne have requested that the Commission's order herein be issued as soon as possible and be effective on issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-3931; Filed, May 17, 1949; 8:47 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY

PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section IIb, *Management Division* which appeared at 14 F. R. 1623, is amended by adding the following sentence at the end of the first sentence: "These powers may also be exercised by the Deputy Assistant Commissioner for Management."

Section IIc, *Disposition Division* which appeared at 14 F. R. 1623, is amended by adding the following sentence at the end of the first sentence: "These powers may also be exercised by the Deputy Assistant Commissioner for Disposition."

Section IId, *Field Operations Division* which appeared at 14 F. R. 1623, is amended by deleting the number "1" in the third line of the sentence beginning "Assistant Commissioners for Field Operations are authorized * * *"

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

MAY 11, 1949.

[F. R. Doc. 49-3927; Filed, May 17, 1949; 8:45 a. m.]

UNITED STATES MARITIME COMMISSION

AMERICAN PRESIDENT LINES, LTD.

NOTICE OF HEARING ON APPLICATION

A prehearing conference will be held in Room 4823, Commerce Building, Washington, D. C., on Wednesday, June 15, 1949, at 10 o'clock a. m., before an examiner of the Commission on an application of American President Lines, Ltd., to continue to operate, without an operating-differential subsidy, Atlantic-Straits Freight Service "C-2", Trade Route No. 17 now being operated under interim approval expiring December 31, 1949. Under the terms of paragraph 6 of Operating-Differential Subsidy Agreement dated October 6, 1938, as amended, American President Lines, Ltd., must obtain written approval of the United States Maritime Commission to operate unsubsidized vessels, owned or controlled by American President Lines, Ltd., in the subsidized service of that company or in the foreign commerce of the United States in competition with any other service, route, or line receiving financial aid under the Merchant Marine Act, 1936.

The Commission, by resolution adopted May 18, 1948, authorized American President Lines, Ltd., to operate without subsidy in the above-mentioned trade subject to certain conditions, one of which was: "No non-subsidized voyage in said C-2 Service of Trade Route No. 17 shall be commenced after June 30, 1949."

Upon application of American President Lines, Ltd., dated March 17, 1949, to amend said resolution by eliminating the above condition, the Commission, on May 6, 1949, granted an extension of the permission to December 31, 1949, and directed that an administrative hearing be held before an examiner on the application of American President Lines, Ltd.

The prehearing conference will be conducted in conformity with § 201.59 of the Commission's rules of procedure. All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to be heard at such conference may, on or before June 6, 1949, file with the Commission written request to appear and be heard. At such prehearing conference, among other matters, a date will be set for the hearing, which will be conducted in conformity with the Commission's rules of procedure, particularly § 201.111 thereof (12 F. R. 6076).

Dated: May 13, 1949.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 49-3956; Filed, May 17, 1949; 8:54 a. m.]