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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

[1948 C. C. C. Corn Bulletin 1, Supp. 3]

PART 606—CORN

SUBPART—1948 CORN EXTENDED RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the Corn Extended Reseal Loan Program) to extend reseal loans on 1948-crop corn in farm-storage. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1948 Corn Price Support Program (13 F. R. 5417, 5899, 6227, 6529, 8175, 14 F. R. 917, 3767, 5416 and 7193). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.

AUTHORITY: §§ 606.71 to 606.79 issued under sec. 4, 62 Stat. 1070; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, 1072, sec. 1, Pub. Law 987, 80th Cong.; 15 U. S. C., Sup., 714b, 714c.

§ 606.71 *Applicable sections of 1948 Corn Price Support Program.* The following sections of the 1948 Corn Price Support Program published in 13 F. R. 5417, 5899, 6227, 6529, 8175, 14 F. R. 917, 3767, 5416 and 7193, shall be applicable in their entirety to the 1948 Corn Extended Reseal Loan Program: §§ 606.1 *Administration;* 606.8 *Determination of quantity;* 606.9 *Determination of dockage;* 606.13 *Interest rate;* 606.15 *Safeguarding of the corn;* 606.16 *Insurance;* 606.17 *Loss or damage to the corn;* 606.18 *Personal liability;* 606.20 *Removal of the corn under loan;* 606.21 *Release of the corn under loan;* 606.22 *Purchase of notes;* 606.56 *Approved forms;* 606.58 *Liens;* 606.61 *Transfer of producer's equity;* 606.65 *PMA commodity offices.* Other sections of the 1948 Corn Price Support Program Bulletin shall be applicable to the extent indicated herein.

§ 606.72 *Availability*—(a) *Area.* The extended reseal loan program will be available in all areas where it is determined by the PMA State Committees that the 1948-crop corn under a farm-storage reseal loan can be safely stored for another year.

(b) *Time and source.* The producer who has a reseal loan and who desires to extend such loan must make application to the county committee which approved his reseal loan before the final date for delivery specified in the delivery instruction issued to him by the county committee on Form CL-15.

§ 606.73 *Eligible corn.* To be eligible for an extended reseal loan, the corn must be ear or shelled corn in farm-storage presently under a reseal loan, and must meet eligibility requirements for loans as provided in the 1948 Corn Price Support Program.

The commodity loan inspector shall with the producer inspect the corn. A representative sample of the corn shall be taken and submitted for grade analysis.

§ 606.74 *Approved storage.* Corn covered by any extended reseal loans must be stored in structures located on the farm, or off the farm, provided no warehouse receipt is outstanding, which, as determined by the county committee, are of such substantial and permanent construction as to afford safe storage of the corn. If the storage structure is owned or controlled by some person other than the producer and has not been leased by the producer for a term extending through September 30, 1951, consent for storage for the period ending September 30, 1951, must be obtained by the producer from such other person.

(Continued on p. 3413)

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FEDERAL REGISTER

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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.

CODIFICATION GUIDE—Con.

§ 606.75 *Quantity eligible for extended reseal loans.* The quantity of corn eligible for extended reseal loan will be the quantity shown on the original note and chattel mortgage less any quantity delivered or redeemed.

§ 606.76 *Service charges.* When a reseal loan is extended, the producer will not be required to pay an additional service charge.

§ 606.77 *Set-offs.* Any storage payment due the producer together with all payments for related services for storage of the commodity shall be subject to set-off in the following order of priority:

(a) The producer must designate to CCC or the lending agency as the payee of the proceeds of any storage payment due him for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to him, until such loan is fully repaid.

(b) If a producer is indebted to CCC on any accrued obligation or if any installments past due or next maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds to the extent of such indebtedness or installments.

(c) If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds to the extent of such indebtedness or installments.

Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved by any administrative appeal or by legal action.

§ 606.78 *Storage and track-loading payments*—(a) *Storage payment for 1949–50 storage period.* A producer who extends his farm-storage reseal loan will at the time of extension of the reseal loan receive a storage payment of 10 cents per bushel on the quantity covered by the extended reseal loan.

(b) *Storage payment for 1950–51 storage period.* A producer who participates in the extended reseal loan program and in accordance with the instructions of the county committee, delivers the corn to CCC, on or after July 31, 1951 (or prior to July 31, 1951, pursuant to the demand by the President, CCC for repayment of the loan, provided such demand for repayment is not due to fraudulent representation on the part of the producer or the fact that the corn was damaged, abandoned, or otherwise impaired, due to negligence on the part of the producer) will receive a storage payment of 10 cents per bushel on the quantity delivered.

If the corn is delivered to CCC prior to July 31, 1951, upon request of the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the corn was in store. The prorated storage payment will be computed at the rate of $\frac{1}{360}$ of a cent per bushel per day beginning on October 1, 1950, and through the final date for delivery specified in the delivery instructions, but in no event shall such payment exceed 10 cents per bushel.

(c) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on corn delivered to CCC in accordance with instructions of the county committee on track at a country point.

§ 606.79 *Maturity and satisfaction.* Extended reseal loans will mature on demand but not later than July 31, 1951. The producer must pay off his loan plus interest, from date of disbursement to date of repayment, plus any storage payments received, or deliver the mortgaged corn in accordance with instructions of the county committee.

Credit will be given at the applicable settlement value according to grade and/or quality for the total quantity delivered provided it is 1948 crop corn and was stored in the bin(s) in which the corn under extended reseal loan was stored.

If the settlement value of the corn delivered exceeds the amount due on the extended reseal loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the corn delivered is less than the amount due on the extended reseal loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the corn may be delivered before the maturity date of the extended reseal loan upon prior approval of the county committee.

Issued this 25th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4654; Filed, May 31, 1950; 8:47 a. m.]

PART 613—EGGS

SUBPART—1950 PRICE SUPPORT PROGRAM

This announcement outlines the 1950 price support program for eggs formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Adminstration (hereinafter referred to as PMA) of the United States Department of Agriculture.

Sec.
613.101 Administration.
613.102 Method of support.
613.103 Eligible vendors.
613.104 Grading.

AUTHORITY: §§ 613.101 to 613.104 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 1, 62 Stat. 1247; 7 U. S. C. and Sup. 1282.

§ 613.101 *Administration.* This program will be carried out by PMA through its appropriate branches and commodity offices. Such operations will be under the general direction and supervision of the President, CCC.

§ 613.102 *Method of support.* Egg prices will be supported by means of purchases of dried eggs produced in the continental United States. Such purchases will be made from eligible vendors on the basis of competitive offers in units of not less than minimum carlots as prescribed by applicable railroad tariffs.

CCC will purchase dried eggs during 1950 to the extent necessary to support egg prices to producers at a national annual average farm price of 37 cents per dozen, which level represents approximately 75 percent of parity for eggs as of January 1, 1950.

Details may be obtained from the Poultry Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

§ 613.103 *Eligible vendors.* Purchases will be made from producers, cooperative organizations, or from dealers, including processing firms. Insofar as practicable,

purchases will be made from vendors who certify that producers have been paid average prices on the farm of not less than those specified by CCC. Purchases of dried eggs will be made only from egg manufacturers whose plants have been approved by PMA.

§ 613.104 *Grading.* The quality of all dried eggs purchased under this program shall be evidenced by inspection certificates issued by authorized graders of the U. S. Department of Agriculture. The processing of dried eggs purchased under this program shall be supervised by authorized representatives of the U. S. Department of Agriculture.

Issued this 26th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4685; Filed, May 31, 1950; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 352—TREATMENT OF RESTRICTED OR PROHIBITED PLANTS OR PLANT PRODUCTS TEMPORARILY IN THE UNITED STATES

ORANGES, TANGERINES AND GRAPEFRUIT FROM MEXICO IN TRANSIT TO FOREIGN COUNTRIES VIA THE UNITED STATES

On May 6, 1950, there was published in the FEDERAL REGISTER (15 F. R. 2685), a notice of proposed amendment of § 352.9 (a) (4) of the regulations relating to treatment of restricted or prohibited plants or plant products temporarily in the United States (7 CFR 352.9 (a) (4); 14 F. R. 6109). After due consideration of all relevant matters presented and pursuant to the authority conferred upon me by sections 5 and 9 of the Plant Quarantine Act of 1912 (7 U. S. C. 159, 162), § 352.9 (a) (4) is hereby amended to read as follows:

§ 352.9 *Oranges, tangerines, and grapefruit from Mexico in transit to foreign countries via the United States—* (a) *Entry via ports on the Mexican border.* * * *

(4) *Period of entry.* The entry of oranges, tangerines, and grapefruit from any State in Mexico is authorized throughout the year.

This amendment removes all restrictions as to time of entry on the movement of oranges, tangerines, and grapefruit from any Mexican State through the United States in transit to foreign countries. Existing regulations limit the period of such entry from Mexican States other than Sonora to the period October 1 through April 30.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 5, 37 Stat. 316; 7 U. S. C. 159)

This amendment shall be effective June 1, 1950.

Since this amendment relieves restrictions, it is within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after its publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 25th day of May 1950. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4682; Filed, May 31, 1950; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Regs., Serial No. ER-156]

PART 224—TARIFFS OF AIR CARRIERS; FREE AND REDUCED RATE TRANSPORTATION; ACCESS TO AIRCRAFT FOR SAFETY PURPOSES

TRAFFIC CONTROL AND COMMUNICATIONS PERSONNEL

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 25th day of May 1950.

The Civil Aeronautics Administration has requested the Board to amend Part 224 of the Economic Regulations to correct obsolete position titles referred to in § 224.3 and to expand the present permission granted any air carrier to carry, without charge, not more than once a year, certain personnel of the CAA. The expanded permission would allow air carriers to carry such personnel without charge on additional round-trip flights during a year if the flights have been authorized by the Director of Federal Airways of the CAA.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 224 of the Economic Regulations (14 CFR, Part 224) effective June 30, 1950:

By amending § 224.3 to read as follows:

§ 224.3 *Traffic control and communications personnel.* Any air carrier may carry without charge on any aircraft which it operates any traffic controller or aircraft communicator of the Civil Aeronautics Administration (including supervising officers of such persons) for the purpose of more fully and adequately acquainting such persons with the problems affecting air traffic control and communications: *Provided, however,* That the free carriage hereby authorized shall not be given to the same individual by any one air carrier more than once (round trips being regarded as one trip for this purpose) in each year unless such carriage is requested of the carrier in writing by the Director of Federal Airways, setting forth the information required below, in which case it may be performed to the extent so requested. The requests referred to herein shall set forth:

(a) The name or names of the persons to be carried, and

(b) A statement that such carriage will be for the sole purpose of indoctrinating and training such personnel in air traffic control and communications procedures and is necessary for the sound development of such control and procedures, and

(c) For each person named, the number of trips and the points between which or particular type of aircraft on which carriage is desired.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies sec. 403, 52 Stat. 992; 49 U. S. C. 483)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-4651; Filed, May 31, 1950; 8:46 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter II—Economic Cooperation Administration

[ECA Reg. 2, as Amended Nov. 5, 1949, Amdt. 1]

PART 202—PARCEL POST SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

SCOPE

Section 202.1 of ECA Regulation 2, as amended November 5, 1949, is hereby amended to read as follows, effective July 1, 1950:

§ 202.1 *Scope of the regulations in this part.* This part provides the rules under which the Administrator for Economic Cooperation will pay ocean freight charges from a United States port to initial foreign ports of entry on relief packages originating in the United States (including its territories and insular possessions) and consigned by an individual by parcel post to an individual residing in Austria, those areas of China which the Administrator may deem to be eligible for assistance, Greece, Italy, the Republic of Korea, or the zones of Trieste occupied by the United States, the United Kingdom, or France.

(Sec. 104, 62 Stat. 138; 22 U. S. C. Sup., 1503. Interprets or applies sec. 117, 62 Stat. 153, as amended; 22 U. S. C. Sup., 1515)

PAUL HOFFMAN,
Administrator for
Economic Cooperation.

[F. R. Doc. 50-4707; Filed, May 31, 1950; 8:47 a. m.]

[ECA Reg. 5, as Amended Nov. 5, 1949, Amdt. 1]

PART 205—COMMERCIAL FREIGHT SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

SCOPE

Section 205.1 and the table of rates under § 205.3 of ECA Regulation 5, as amended November 5, 1949, are hereby amended to read as follows, effective July 1, 1950:

§ 205.1 *Scope of the regulations in this part.* This part provides the rules under which the Administrator for Economic Cooperation (hereinafter referred to as the Administrator) will make reimbursement for ocean freight charges from a United States port to initial foreign ports of entry on relief packages originating in the United States, its territories and insular possessions, and consigned to individuals residing in Austria, those areas of China which the Administrator may deem to be eligible for assistance, Greece, Italy, the Republic of Korea, or the zones of Trieste under occupation by the United States, the United Kingdom, or France, which relief packages are assembled and shipped by persons in the manner hereinafter provided.

§ 205.3 *Manner of payment of ocean freight charges.* * * *

Country	Rate per pound	
	Packages containing any food	Packages not containing any food
	Cents	*Cents*
Italy	2	2
Greece	2	2
Trieste	2	2
China (from east coast ports)	3	4.5
China (from west coast ports)	2.2	4.4
Korea (from east coast ports)	2.3	2.6
Korea (from west coast ports)	2.2	2.4

(Sec. 104, 62 Stat. 138; 22 U. S. C. Sup., 1503. Interprets or applies sec. 117, 62 Stat. 153, as amended; 22 U. S. C. Sup., 1515)

PAUL HOFFMAN,
Administrator for Economic Cooperation.

[F. R. Doc. 50-4708; Filed, May 31, 1950; 8:47 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 564—ENLISTED RESERVE CORPS

ELIGIBILITY

Sections 564.2, 564.3, and 564.4 are amended as follows:

§ 564.2 *Eligibility.* Any individual who meets the qualifications prescribed in the regulations in this part may be enlisted or reenlisted in an authorized section of the Enlisted Reserve Corps. Male applicants with or without prior military service and those female applicants who have had prior military service may be enlisted for a specific position vacancy in a unit or for an authorized section of the Enlisted Reserve Corps, unassigned. Female applicants without prior military service must be specifically enlisted for assignment to a T/O & E, T/D, or ORC training unit, and must agree in writing to such assignment and training. Female personnel will be enlisted or reenlisted only in the Women's Army Corps section of the Enlisted Reserve Corps. Assignment of personnel who are not enlisted to fill vacancies in specific units will be governed by current regulations pertaining to assignment.

* * * * *

(b) *Age.* * * *

(3) *Applicants with prior service.* * * *

(iv) *Individuals discharged from Organized Reserve Corps and National Guard of United States.* Individuals last discharged from the Organized Reserve Corps or the National Guard of the United States with an honorable or general discharge may be enlisted in the Enlisted Reserve Corps within 90 days after date of such discharge, without regard to the maximum age restrictions prescribed above, provided they are otherwise eligible for enlistment in the Enlisted Reserve Corps.

* * * * *

(g) *Leadership.* A careful estimate of the potential leadership ability of applicants for enlistment must be made. An enlistee must possess the education, character, and capacity for progression to the senior noncommissioned grades.

§ 564.3 *Ineligibility.* The following individuals are ineligible for enlistment or reenlistment in the Enlisted Reserve Corps, even though they meet the requirements of § 564.2. No waivers will be granted except as otherwise indicated.

(a) [Revoked.]

* * * * *

§ 564.4 *Grade.* Enlistments will be in the grade of recruit, except that:

* * * * *

(g) Applicants without prior * * *. WD Pamphlet 12-16 will be used as a guide to determination of appropriate grade.

* * * * *

(i) Reenlistment after discharge from the National Guard will be as follows:

(1) Individuals who enlist within 90 days from date of last discharge from the National Guard may be enlisted in the Enlisted Reserve Corps in the grade held at the time of discharge from the National Guard.

(2) Individuals who enlist after the expiration of the 90-day period following date of last discharge from the National Guard may be enlisted in the Enlisted Reserve Corps in grades commensurate with their prior training and experience as specifically authorized in WD Pamphlet 12-16.

(j) Any applicant may be enlisted in a grade lower than the grade for which he is eligible for the purpose of accepting assignment to an existing vacancy in an Organized Reserve Corps unit, provided he agrees in writing to accept enlistment in such lower grade.

[C1, SR 140-107-1, May 12, 1950] (R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 55, 39 Stat. 195, as amended, sec. 35, 41 Stat. 780; 10 U. S. C. 421, 423-427)

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

[F. R. Doc. 50-4664; Filed, May 31, 1950; 8:48 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 21—COMMISSIONED OFFICERS

SUBPART Q—FOREIGN SERVICE ALLOWANCES

Effective April 1, 1950, Appendix A (15 F. R. 2058) is amended as follows:

	Subsistence	Quarters	Total	Travel
Colombia				
Deleted from Class IV and placed in Class IX	$3.00	$0.75	$3.75	$7.00
	3.75	2.00	5.75	9.00
El Salvador				
Deleted from Class XXI and placed in Class XXII	None	None	None	8.00
	2.55	1.50	4.05	9.00
Iran				
Deleted from Class XVII and placed in Class XX	None	1.75	1.75	7.00
	3.75	2.00	5.75	10.00
Korea				
Deleted from Class IV and placed in Class VI	3.00	.75	3.75	7.00
	3.75	.75	4.50	7.25

(Sec. 215, 58 Stat. 690; 42 U. S. C. 216)

Dated: May 18, 1950.

[SEAL] W. P. DEARING,
Acting Surgeon General.

Approved: May 25, 1950.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 50-4662; Filed, May 31, 1950; 8:47 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter IV—Office of Vocational Rehabilitation, Federal Security Agency

PART 401—PLANS AND PROGRAMS OF VOCATIONAL REHABILITATION

FEDERAL REIMBURSEMENT FOR MEDICAL CARE AS A PART OF MAINTENANCE

Pursuant to the authority conferred by the Vocational Rehabilitation Amendments of 1943, Public Law 113, 78th Congress, 1st session, approved July 6, 1943, paragraph (e) of § 401.42 (formerly paragraph (e), § 600.42) of the regulations published on July 29, 1948 (13 F. R. 4353), is hereby amended by inserting a comma, the phrase "not to exceed 30 days" and another comma between the phrases "short periods" and "of medical care" as they appear in the second sentence of such subsection, so that such sentence will read as follows: "Maintenance may include amounts to cover the cost of short periods, not to exceed 30 days, of medical care for acute conditions arising in the course of rehabilitation, which, if not cared for, would constitute a hazard to the achievement of the rehabilitation objective: *Provided*, The State agency has assumed in its State plan the responsibility for such care."

(Sec. 9, 58 Stat. 769, as amended; 50 U. S. C. App., and Sup., 1618)

[SEAL] JOHN L. THURSTON,
Acting Federal Security Administrator.

MAY 25, 1950.

[F. R. Doc. 50-4663; Filed, May 31, 1950; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

NUMBER OF COPIES OF MOTIONS, PETITIONS AND OPPOSITIONS TO BE FILED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission, having under consideration the advisability of amending § 1.748 of its rules and regulations concerning the number of copies of motions, petitions and oppositions that must be filed with the Commission; and

It appearing, that § 1.748 presently requires that seven copies of each motion, petition or opposition thereto shall be filed unless the subject matter requires consideration by the Commission en banc or a Board or Committee of Commissioners, in which event 15 copies shall be filed; and

It further appearing, that the Commission's staff is currently being reorganized and that as a consequence of this reorganization it would be conducive to the efficient and expeditious handling of the Commission's business if eight copies of all motions, petitions and oppositions thereto were filed where the subject matter does not require consideration by the Commission en banc or a Board or Committee of Commissioners; and

It further appearing, that general notice of proposed rule making in accordance with section 4 (a) of the Adminstrative Procedure Act is unnecessary for the reason that the change in the Commission's rules and regulations made herein is concerned with procedure rather than substance; and

It further appearing, that authority for this amendment is contained in sections 4 (i) and 303 (r) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, § 1.748 of the Commission's rules and regulations be amended to read as follows:

§ 1.748 *Number of copies.* Eight copies of each motion, petition, or opposition thereto shall be filed unless the subject matter requires consideration by the Commission en banc or a Board or Committee of Commissioners, in which event 15 copies shall be filed.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154)

Released: May 23, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4689; Filed, May 31, 1950; 8:50 a. m.]

PART 4—EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

REMOTE PICKUP BROADCAST STATIONS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration an amendment to paragraph (d) of § 4.431 of the Commission's rules and regulations to make its provisions applicable to the Virgin Islands;

It appearing, that § 4.431 (d) provides for the special use of remote pickup broadcast stations in Alaska, Hawaii, and Puerto Rico; and

It further appearing, that when § 4.431 (d) was adopted on March 23, 1949, no broadcast stations were licensed in the Virgin Islands, and that no purpose would have been served at that time by making the provisions applicable within the Virgin Islands; and

It further appearing, that recently, construction permits for new broadcast stations to be located within the Virgin Islands have been granted and consequently it would be desirable to include the Virgin Islands within the provisions of § 4.431 (d); and

It further appearing, that the nature of the proposed amendment is such as to render unnecessary the public notice and procedure set forth in section 4 (a) of the Administrative Procedure Act; and that for the same reasons this order may be made effective immediately in lieu of the requirements of section 4 (c) of said act; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (b), (d), (f), (g), and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, § 4.431 (d) is amended to read as follows:

(d) Remote pickup broadcast stations licensed in Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States may be used for any auxiliary broadcast purpose including inter-city relay circuits which may be operated by the licensee for the purpose of maintaining studios at locations other than that of the main studio: *Provided, however*, That such stations shall not be used for transmissions intended to be received by the public directly.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154)

Released: May 23, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4688; Filed, May 31, 1950; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Part 14]

MEAT INSPECTION REGULATIONS

TANKING AND DENATURING CONDEMNED CARCASSES AND PARTS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the authority vested in him by the Meat Inspection Act, as amended (21 U. S. C. 71-91), is considering amending Part 14 of the regulations governing the meat inspection of the United States Department of Agriculture (9 CFR, Part 14) as follows:

1. Section 14.2 would be amended to read as follows:

§ 14.2 *Inedible rendered fats.* Rendered animal fat derived from inedible or condemned materials and possessing the physical characteristics of color, odor, and taste of an edible product shall be denatured to effectually distinguish it from an edible product either with low grade offal during the rendering or by adding to, and mixing thoroughly with, such fat denaturing oil, number 2 fuel oil, or brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary.

2. Section 14.3 would be revoked.

Any person who wishes to submit written data, views, or arguments concerning the foregoing amendments may do so by filing them with the Chief of the Meat Inspection Division, Bureau of Animal Industry, United States Department of Agriculture, Washington 25, D. C., within fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 25th day of May 1950. Witness my hand and seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4653; Filed, May 31, 1950; 8:46 a. m.]

Production and Marketing Administration

[7 CFR, Part 722]

1950 CROP OF COTTON

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ACREAGE ALLOTMENTS AND MARKETING QUOTAS

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1342–1347, 1361–1368, 1372–1375), the Secretary of Agriculture is preparing to formulate marketing quota regulations covering the issuance of marketing cards for the identification of cotton, the collection and refund of penalties, and the records and reports incident thereto on the production and marketing of cotton for the 1950–51 marketing year. The proposed regulations will supplement the regulations pertaining to acreage allotments and marketing quotas for the 1950 crop of cotton, issued December 2, 1949 (14 F. R. 7441), which contain provisions relating to the establishment of national, State, county, and farm acreage allotments.

It is proposed also to amend the regulations issued on December 2, 1949, by (1) deleting the provisions of §§ 722.122, 722.123, 722.125, 722.126, 722.127 and 722.128 and redesignating §§ 722.124, 722.128, 722.129 and 722.130 as §§ 722.122, 722.123, 722.124 and 722.125 respectively. The deleted sections of the earlier regulations have been incorporated in the proposed regulations set forth herein.

The provisions of the regulations being considered for issuance are as follows:

DEFINITIONS AND MISCELLANEOUS PROVISIONS

§ 722.132 *Definitions.* As used in §§ 722.132 to 722.175 and in all forms and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and neuter genders and the singular shall include the plural number:

(a) *Act.* The Agricultural Adjustment Act of 1938 and any amendments thereto heretofore or hereafter made.

(b) *Secretary of Agriculture.* The Secretary or Acting Secretary of Agriculture of the United States.

(c) *Assistant Administrator.* The Assistant Administrator for Production or Acting Assistant Administrator for Production of the Production and Marketing Administration of the United States Department of Agriculture.

(d) *Director.* The Director or Acting Director of the Cotton Branch, Production and Marketing Administration, United States Department of Agriculture.

(e) *State committee.* The group of persons designated as the State committee of the Production and Marketing Administration charged with the responsibility of administering Production and Marketing Administration programs within the State.

(f) *Committee.* A Production and Marketing Administration committee, within and for a county or community, utilized under the Soil Conservation and Domestic Allotment Act. "County committee," "community committee," or "local committee" shall have corresponding meanings in the connection in which they are used.

(g) *Review committee.* The review committee appointed by the Secretary of Agriculture as provided in section 363 of the act.

(h) *Persons.* An individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or State or agency thereof. The term "person" shall include two or more persons having a joint or common interest.

(i) *Owner or landlord.* A person who owns farm land and rents such land to another person or who operates such land.

(j) *Cash tenant, standing-rent tenant, fixed-rent tenant.* A person who rents land from another for a fixed amount of cash or a commodity to be paid as rent.

(k) *Share tenant.* A person other than a sharecropper who rents land from another person and pays as rent a share of the crops or the proceeds thereof.

(l) *Sharecropper.* A person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crops produced thereon or the proceeds thereof.

(m) *Operator.* A person who as landlord or cash tenant or standing or fixed-rent tenant is operating a farm or who as share tenant is operating a whole farm.

(n) *Farm.* All adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Assistant Administrator, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether farmed by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(o) *Farm acreage allotment.* A cotton acreage allotment established for a farm under §§ 722.111 to 722.119b, inclusive, of the regulations pertaining to acreage allotments and marketing quotas for the 1950 crop of cotton (§§ 722.111–722.119b).

(p) *Cotton.* Any cotton other than extra long staple cotton.

(q) *Extra long staple cotton.* All varieties of American Egyptian cotton and all Sea Island and Sealand cotton (1) planted in designated counties or areas with pure strain seed, as set forth and provided for in § 722.120 of the regulations pertaining to acreage allotments and marketing quotas for the 1950 crop of cotton (§§ 722.111–722.120); (2) ginned on a roller-type gin; and (3) in the case of American Egyptian cotton, irrigated throughout the growing season.

(r) *Acreage planted to cotton.* The acreage of land seeded to cotton on the farm, excluding:

(1) Any acreage in excess of the allotment which is (i) destroyed by causes beyond the producer's control prior to the expiration of the period established under subdivision (ii) of this subparagraph for disposing of excess cotton acreage, or (ii) disposed of not later than 15 days, or such longer periods as approved by the county committee, after notice of the measured cotton acreage is mailed to the farm operator; and

(2) Any acreage of extra long staple cotton.

(s) *State and county code number.* The applicable numbers assigned by the Production and Marketing Administration of the Unted States Department of Agriculture to each State and county for the purpose of identification.

(t) *Serial number of the farm or farm serial number.* The serial number assigned to a farm by the county committee.

(u) *Normal yield.* The average yield per acre of lint cotton for the farm, adjusted for abnormal weather conditions, during the five calendar years 1944 to 1948, inclusive. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised, in accordance with instructions issued by the Assistant Administrator, taking into consideration abnormal weather conditions, the normal yield, if any, for the county, and the yield in years for which data are available.

(v) *Normal production of any number of acres.* The normal yield per acre of lint cotton for the farm multiplied by such number of acres.

(w) *Actual yield.* The number of pounds of lint cotton determined by dividing the number of pounds of lint cotton produced on the farm in 1950 by

the acreage planted to cotton on the farm in 1950.

(x) *Actual production of any number of acres.* The actual yield of lint cotton per acre for the farm multiplied by such number of acres.

(y) *Producer.* A person who as landlord, cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, or sharecropper is entitled to all or a share of the 1950 crop of cotton or of the proceeds thereof.

(z) *Farm with no farm marketing excess.* A farm on which the acreage planted to cotton in 1950 is not in excess of the farm acreage allotment established therefor.

(aa) *Farm with a farm marketing excess.* A farm on which the acreage planted to cotton in 1950 is in excess of the farm acreage allotment therefor.

(bb) *Farm marketing quota.* A cotton marketing quota established under the act for the farm for the 1950 crop of cotton.

(cc) *Farm marketing excess.* The amount of cotton determined for any farm under §§ 722.140 and 722.142, whichever is applicable.

(dd) *Penalty.* The penalty provided in section 346 (a) of the act.

(ee) *Lint cotton.* The fiber taken from seed cotton by ginning.

(ff) *Seed cotton.* The harvested fruit of the cotton plant before ginning.

(gg) *Carry-over cotton.* The amount of unmarketed cotton from any previous crop which the producer thereof has on hand.

(hh) *Ginning.* The process by which lint cotton is separated from the seed.

(ii) *Ginner.* A person engaged in the business of ginning cotton.

(jj) *Gin bale number or mark.* The number on the bale tag or any other mark made or used by the ginner to identify a bale of cotton.

(kk) *Warehouse receipt number.* The number on the warehouse receipt and the warehouse bale tag made or used by the warehouseman to identify a bale of cotton.

(ll) *Buyer.* A person who buys cotton from a producer.

(mm) *Transferee.* A person who receives cotton from a producer by barter, or exchange, or gift inter vivos.

(nn) *Market.* To dispose of cotton in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos.

(1) The term "sale" means any transfer of title to cotton by a producer to another by any means other than barter or exchange or gift inter vivos.

(2) The terms "barter" and "exchange" mean transfer of title to cotton by a producer to another in return for cotton or any other commodity, service, or property in cases where the value of the cotton or such other commodity, service, or property is not considered in terms of money, or the transfer of title to cotton by a producer to another in payment of a fixed rental or other charge for land.

(3) The term "gift inter vivos" means any transfer of title, accompanied by delivery, to cotton by a producer to another which takes effect imediately and irrevocably and is made without any consideration or compensation therefor.

(4) "Marketed", "marketing", and "for market" shall have corresponding meanings to the term "market" in the connection in which they are used.

(oo) *Marketing year.* The period beginning on August 1, 1950, and ending July 31, 1951, both dates inclusive.

(pp) *Treasurer of county committee.* The treasurer of the Production and Marketing Administration County Committee.

§ 722.133 *Issuance of forms and instructions.* The Director shall cause to be prepared and issued such forms as may be deemed necessary, and shall cause to be prepared such instructions as are necessary for carrying out these regulations. The forms and instructions shall be approved by, and the instructions shall be issued by the Assistant Administrator. Copies of such forms and necessary instructions shall be furnished free to persons needing them upon request made to the office of the appropriate State or county committee or the Director.

§ 722.134 *Extent of calculation and rule of fractions.* In making any computation in connection with the regulations in this part, the amount of lint cotton shall be rounded to the nearest whole pound and the amount of penalties or refunds shall be rounded to the nearest whole cent. Fractions of exactly five-tenths of a pound or cent shall be dropped. The acreages of all fields or sub-divisions of cotton on the farm shall be computed in hundredths of an acre, and thousandths of an acre shall be dropped. The total acreage of cotton on the farm shall be expressed in tenths of an acre, and hundredths of an acre shall be dropped.

IDENTIFICATION AND MEASUREMENTS OF FARMS

§ 722.135 *Identification of farms.* Each farm as operated for the 1950 crop of cotton shall be identified by a farm serial number, assigned by the county committee, which shall not be changed, and all records pertaining to marketing quotas for the 1950 crop of cotton shall be identified by the farm serial number.

§ 722.136 *Measurements of farms.* The county committee shall provide for measuring the acreage planted to cotton on each cotton farm in the county in accordance with the procedure approved for use by the Assistant Administrator. The county committee shall provide for the measurement prior to planting of an acreage on the farm equal to the farm cotton acreage allotment if requested by the farm operator, and any farm on which the acreage planted to cotton does not exceed such measured acreage shall be deemed to be in compliance with the farm acreage allotment. The county committee shall also provide for the remeasurement upon request by the farm operator of the acreage planted to cotton on the farm but the operator shall be required to reimburse the county committee for the expense of such remeasurement if the planted acreage is found to be in excess of the allotted acreage upon such remeasurement. If the acreage planted to cotton on the farm is in excess of the farm acreage allotment, the county committee shall notify the farm operator by mail of such excess and shall further notify such operator that unless the planted acreage of cotton on the farm is adjusted to the farm acreage allotment within 15 days from the date of the mailing of such notice, the farm acreage allotment will be deemed to be overplanted. In cases where the operator and the other producers cannot dispose of the excess cotton acreage within the 15-day limit because of adverse weather, or other reasons beyond their control, and a request in writing for additional time is filed, the county committee may allow an additional period not to exceed 15 days for disposing of the excess acreage. No cotton acreage shall be so disposed of after any cotton has been harvested from such acreage. Notice so given shall constitute notice to each producer having an interest in the 1950 cotton crop produced or to be produced on the farm.

§ 722.137 *Reports and records of farm measurements.* The county committee shall keep a record of the measurements made on all farms and shall file with the State committee a written report on Form MQ–94—Cotton, setting forth for each overplanted farm (a) the farm serial number, (b) the name of the operator, (c) the total acreage in cultivation, (d) the farm acreage allotment, and (e) the acreage planted to cotton in 1950.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

§ 722.138 *Marketing quotas in effect.* Marketing quotas for the 1950 crop of cotton shall be applicable to any cotton of that crop notwithstanding that it may be available for marketing prior to the beginning of the marketing year or subsequent to the end of the marketing year.

§ 722.139 *Farm marketing quota.* The farm marketing quota for any farm for the 1950 crop of cotton shall be that number of pounds of lint cotton produced on the farm less the amount of the farm marketing excess for the farm. The farm marketing quota for any farm shall be increased by the amount of cotton which the producers on the farm have on hand from the 1949 or any prior crop of cotton.

§ 722.140 *Farm marketing excess—*(a) *Where measurements are made.* The farm marketing excess for the 1950 crop of cotton for any farm shall be the normal production of the acreage planted to cotton on the farm in excess of the farm acreage allotment therefor. Where, upon application of the producer in accordance with § 722.142, it is established by the producer that the normal production of the excess acreage is larger than the amount by which the actual production of cotton in 1950 on the farm exceeds the normal production of the farm acreage allotment therefor, the farm maketing excess shall be adjusted downward to the smaller amount.

(b) *Where measurements cannot be made.* Whenever the determination of the acreage planted to cotton in excess

of the allotment for any farm is prevented by the producer, the farm marketing excess shall be the total number of pounds of cotton produced in 1950 on the farm. In the event the producer establishes, in accordance with § 722.142, the total number of pounds of cotton produced in 1950 on the farm, the farm marketing excess shall be the number of pounds of cotton produced on the farm in excess of the normal production of the farm acreage allotment therefor.

§ 722.141 *Notice of farm marketing quota and farm marketing excess.* Written notice of the farm marketing quota established for a farm shall be mailed to the operator of such farm. Written notice of the farm marketing excess for a farm shall be mailed to the operator of such farm. Notice so given shall constitute notice to each producer having an interest in the 1950 cotton crop produced or to be produced on the farm. Each notice shall contain a brief statement of the procedure whereby application for a review of the farm marketing quota, farm marketing excess, or any determination made in connection therewith, may be had in accordance with section 363 of the act. A record of each notice containing the date of mailing the notice to the operator of the farm shall be kept among the permanent records of the county committee and upon request a copy thereof shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper is interested in the cotton produced in 1950 on the farm for which the notice is given. Such notice shall contain the information necessary in each case to inform the producer as to the basis for the determinations set forth in the notice and the effect thereof.

§ 722.142 *Farm marketing excess adjustment*—(a) *Adjustment in the amount of the farm marketing excess.* Any producer having an interest in the cotton produced in 1950 on any farm for which there is a farm marketing excess may, within 30 days after the harvesting of cotton is completed on the farm, apply in writing for a downward adjustment in the amount of the farm marketing excess on the basis of the amount of cotton produced in 1950 on the farm and, unless application for an adjustment in the farm marketing excess is made within such 30-day period, the farm marketing excess as determined on the basis of the normal production of the excess cotton acreage for the farm shall be final as to the producers on the farm. The county committee shall keep a record of each application so made and the date thereof. The county committee shall establish a time and place at which each application will be considered and shall notify the applicant of the time and place of the hearing. Insofar as practicable, applications shall be considered in the order in which made.

(b) *Procedure in connection with an application for an adjustment in the farm marketing excess.* The county committee shall consider each application on the basis of facts known by or made available to it and on the basis of such evidence as may be presented to it by the applicant. The actual production of cotton of any farm shall be determined in view of the relevant facts, including the normal yield per acre, if any, established for the county; the average actual yield per acre for the county for the five years 1944–48; the past production on the farm; the actual yields per acre in 1950 for other farms in the community which are similar with regard to farming practices followed, type of soil, and productivity; the harvesting, ginning, and sales of the cotton produced on the farm; farming practices followed on the farm; and weather and other factors affecting the production of cotton on the farm and in the locality in which the farm is situated. In the consideration of any application for an adjustment in the farm marketing excess, the producers shall have the burden of proof. The evidence presented by the applicant may be in the form of written statements or other documentary evidence or of oral testimony in a hearing before the county committee during its consideration of the application. In order to expedite the consideration of applications, the county committee shall receive, in advance of the time fixed for consideration of the application, any written statement or documentary evidence offered by or on behalf of the applicant, and the application may be disposed of upon the basis of such statement or evidence, together with other information bearing on or establishing the facts, which is available to the county committee, unless the applicant appears before the county committee at the time fixed for considering the application and requests a hearing for the purpose of offering documentary evidence or oral testimony in support of the application. Every such hearing shall be open to the public. The county committee shall make its determination in connection with each application not later than five calendar days next succeeding the day on which the consideration of the application was concluded. The determination of the county committee shall be in writing and shall contain (1) a concise statement of the grounds upon which the applicant sought an adjustment in the amount of the farm marketing excess, (2) a concise statement of the findings of the county committee upon the questions of fact, and (3) the determination of the county committee as to the farm marketing quota and the farm marketing excess. A notice showing the result of the determination made as aforesaid shall be mailed or delivered to the operator of the farm and also to the applicant if he is not such operator.

§ 722.143 *Publication of the farm acreage allotment, normal yield, marketing quota, and marketing excess.* A record of the acreage allotment, normal yield, marketing quota, and marketing excess established for each farm in the county shall be made available for public inspection in the office of the county committee for a period of not less than 30 calendar days. The records containing the information shall be kept where the public may freely examine them. At the end of the 30-day period the records shall be filed in the office of the county committee and remain available for further inspection upon request. There may be used for this purpose listing sheets, copies of notices, or other compilations upon which the pertinent data are shown.

§ 722.144 *Marketing quotas not transferable.* A farm marketing quota established for a farm may not be assigned or otherwise transferred in whole or in part to any other farm.

§ 722.145 *Successors-in-interest.* Any person who succeeds to the interest of a producer in a farm or in a cotton crop produced on a farm, for which a farm marketing quota and a farm marketing excess were established, shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and marketing excess and be subject to the penalty and the lien on the farm marketing excess and to the restrictions on the marketing of cotton.

§ 722.146 *Review of quotas*—(a) *Right to review by review committee.* Any producer on a farm with a farm marketing excess who is dissatisfied with the determination of (1) the acreage planted to cotton, (2) the normal yield, or (3) the actual yield may, within 15 calendar days after the notice of the farm marketing excess is mailed to him, apply in writing for a review by a review committee of any such determination. Unless application for review is made within such period, such determinations shall be final as to the producers on such farm. Application for review and the review committee proceedings shall be in accordance with the review regulations (MQ–51; 7 CFR 711.1–711.34), as issued and revised by the Secretary.

(b) *Court review.* If the producer is dissatisfied with the determination of the review committee, he may, within 15 days after notice of such determination is mailed to him by registered mail, institute proceedings against the review committee to have the determination of the review committee reviewed by a court in accordance with section 365 of the act.

MARKETING CARDS AND MARKETING CERTIFICATES

§ 722.147 *Issuance of marketing cards*—(a) *Producers eligible to receive marketing cards.* The operator and all other producers on a farm shall be eligible to receive a marketing card (Form MQ–76—Cotton (1950)), if (1) no farm marketing excess is determined for the farm, or (2) an amount equal to the penalty on the farm marketing excess has been received by the treasurer of the county committee for the county in which the farm is located. A marketing card shall be issued to the operator of the farm and, if the county committee determines that it will serve a useful purpose, marketing cards shall also be issued to the other producers on the farm. Each marketing card shall be serially numbered and shall show (1) the names of the State and county and the serial number of the farm, (2) the signature of the issuing officer for the county committee or the signature of a member of the county committee, (3) the name and address of the producer to whom issued, and (4) the countersignature of the producer to whom the card is issued, or his

duly authorized agent, or a statement by the county committee giving an explanation of the reason for which the countersignature cannot be made.

(b) *Multiple farm producers eligible to receive marketing cards.* Any producer who is a cotton producer on more than one farm in a county shall not be eligible to receive a marketing card for any such farm in the county, until, in accordance with the provisions of paragraph (a) of this section, he is eligible to receive a marketing card for each of such farms. The other producers on a farm for which the multiple producer would otherwise be eligible to receive a marketing card shall receive marketing cards with respect to the farm notwithstanding the ineligibility of the multiple farm producer, unless the county committee determines that, in order to enforce the provisions of the act, such producers, including the multiple farm producer, should not receive marketing cards for such underplanted farms. Where a producer is engaged in the production of cotton in more than one county (in the same State or two or more States), the procedure outlined in this section for issuing marketing cards for multiple farms in a county may be followed with respect to all such farms, wherever situated, if the county committees of the respective counties so decide, or if the State committee has reason to believe that the procedure would be necessary to enforce the provisions of the act. The State committee may require any multiple farm producer to file with it a list of all farms on which he is engaged in the production of cotton, together with any other information deemed necessary to enforce the act.

(c) *Producers to whom marketing cards will not be issued to enforce the provisions of the act.* Notwithstanding any other provisions of this section, no marketing card shall be issued to any producer, if the county committee determines that such action is necessary to enforce the provisions of the act.

§ 722.148 *Issuance of marketing certificates.* A marketing certificate is to be used to permit the marketing of cotton not subject to the penalty where the producer of such cotton is not eligible to receive a marketing card or where the producer is eligible to receive, or has been issued a marketing card but the use of a marketing card is not practicable in a particular transaction. The county committee shall, upon request, issue a marketing certificate (Form MQ–91—Cotton) to (a) any producer who is eligible to receive a marketing card and who desires to market cotton by telegraph, telephone, mail, or by any other means or method other than directly to and in the presence of the buyer or transferee, (b) any producer who is not engaged in the production of cotton in the 1950 crop year and who desires to market cotton from any prior crop which he has on hand, (c) any producer who has an interest as a cotton producer in a farm with a farm marketing excess and who desires to market cotton from any prior crop which he has on hand, (d) any producer who desires to market cotton produced by him on a farm with no farm marketing excess and he or another producer on such farm also has an interest as a cotton producer in a farm with a farm marketing excess, (e) any producer who desires to market extra long staple cotton, and who also has an interest as a cotton producer in a farm with a farm marketing excess, (f) any producer who desires to market cotton produced by him on a farm with a farm marketing excess, where he establishes that the staple of such cotton is one and one-half inches or more in length by the presentation to the county committee of Form 1 or Form A, issued by the Board of Cotton Examiners, U. S. Department of Agriculture, to that effect, and where he further establishes that such cotton was ginned on a roller-type gin, (g) any producer who was not issued a marketing card because the county committee deemed such action necessary to enforce the provisions of the act and who desires to market his share of the cotton produced on a farm with no marketing excess or on a farm on which the penalty on the farm marketing excess has been paid, and (h) any other producer who has cotton not subject to the penalty or on which the penalty has been paid and such producer is not eligible to receive a marketing card. Each such certificate shall show (a) the name and address of the producer to whom issued, (b) the names of the county and State and the serial number of the farm, (c) the serial number of the marketing card issued for the farm, where applicable, (d) the description and amount of cotton to be marketed, (e) the date and the signature of the producer, and (b) the date and the signature of the issuing officer of the county committee or the signature of a member of the county committee. The original of the marketing certificate and the producer's and the county office copies shall be furnished the producer to whom the marketing certificate is issued, and such producer, upon marketing the cotton described in the marketing certificate, shall deliver the original and the copies to the buyer.

§ 722.149 *Lost, destroyed, or stolen marketing cards or certificates*—(a) *Report of loss, destruction, or theft.* In case a marketing card or certificate delivered to a producer is lost, destroyed, or stolen, any person having knowledge thereof shall, insofar as he is able, immediately notify the county committee of the following: (1) The name of the producer to whom the marketing card or certificate was issued; (2) the serial number of the marketing card or certificate; and (3) whether in his knowledge or judgment it was lost, destroyed, or stolen and by whom.

(b) *Investigation and findings of county committee.* The county committee shall make or cause to be made a thorough investigation of the circumstances of such loss, destruction, or theft. If the county committee finds, on the basis of the investigation, that such marketing card or marketing certificate was in fact, lost, destroyed, or stolen, it shall cancel such marketing card or certificate by giving notice to the producer to whom the card or certificate was issued that it is void and of no effect. The notice to that effect shall be in writing, addressed to the producer at his last known address, and deposited in the United States mails. If the county committee also finds that there has been no collusion or connivance in connection therewith on the part of the producer to or for whom the marketing card or certificate was issued, it shall issue to or for him a marketing card or certificate to replace the lost, destroyed or stolen marketing card or certificate. Each marketing card or certificate issued under this section shall bear across its face in bold letters the word "Duplicate". In case a marketing card or certificate is canceled, as provided in this section, the county committee shall immediately notify the ginners and buyers in the county, or in the immediate vicinity, that the marketing card or certificate is canceled and of the issuance of any duplicate. A rerport of the findings and action of the county committee shall be kept among its records. Any ginner or buyer or any other person coming into possession or control of a canceled marketing card or certificate shall immediately return it to the county committee which issued it.

§ 722.150 *Cancellation of marketing cards issued in error.* In the event any marketing card or certificate was erroneously issued, the producer to whom it was issued shall, upon request, forthwith return it to the county committee and it shall be forthwith canceled by the county committee by endorsing thereon in bold characters the notation "Canceled". The county committee shall notify the producer that it is void and of no effect by depositing written notice of the cancellation in the United States mails, registered and addressed to the producer at his last known address. A copy of the notice, containing a notation thereon of the date of mailing, shall be kept among the records of the county committee. The county committee shall immediately notify the ginners and buyers in the county, or in the immediate vicinity, that the marketing card or certificate is canceled.

IDENTIFICATION OF COTTON

§ 722.151 *Time and manner of identification.* Each producer of cotton shall, at the time he markets any cotton, identify the cotton to the buyer or transferee, in the manner hereinafter provided, as being subject to or not subject to the penalty provided in § 722.155 and the lien for the penalty as provided in § 722.156.

§ 722.152 *Identification by marketing card.* A marketing card (Form MQ–76—Cotton) shall, when presented to the buyer by the producer to whom issued, be evidence to the buyer that the cotton produced on the farm for which the marketing card was issued may be purchased without the payment of any penalty by the buyer and that such cotton is not subject to the lien for the penalty.

§ 722.153 *Identification by marketing certificate.* A marketing certificate (Form MQ–91—Cotton) shall, when presented to the buyer by the producer to whom it was issued, be evidence to the buyer that the cotton described on the marketing certificate may be purchased without the payment of any penalty by

the buyer and that such cotton is not subject to the lien for the penalty.

§ 722.154 *Cotton not identified by a marketing card or marketing certificate.* All cotton marketed by a producer which is not identified by a marketing card or a marketing certificate shall be taken by the buyer or transferee thereof as cotton subject to the penalty and the lien for the penalty. The buyer or transferee of such unidentified cotton shall collect the penalty from the producer or deduct it from the purchase price of the cotton. The buyer or transferee shall report the purchase of all such unidentified cotton on Form MQ–82—Cotton and remit the penalty collected or deducted to the treasurer of the county committee.

PENALTY

§ 722.155 *Rate of penalty.* The rate of the penalty is 50 percent of the parity price for cotton as of June 15, 1950, as provided in section 346 (a) of the act.

§ 722.156 *Lien for the penalty.* Until the amount of the penalty is paid, all cotton produced on a farm, for which a farm marketing excess is established, and marketed shall be subject to the penalty at the rate provided in § 722.155 and a lien on the entire crop produced on the farm shall be in effect in favor of the United States.

§ 722.157 *Interest on unremitted penalty.* The person liable for the payment or collection of the penalty shall be liable also for interest thereon at the rate of 6 percent per annum from the date the penalty becomes due or payable as the case may be until the date of the payment of such penalty. The computation of interest on penalty due under § 722.158 shall be made from the day following the date on which the penalty became due and on penalty due under § 722.159 from the day following the final date for remitting such penalty.

§ 722.158 *Payment of penalty by producers*—(a) *Producers liable for payment of penalty.* Each producer having an interest in the 1950 crop of cotton on any farm for which a farm marketing excess has been determined shall be liable to pay the amount of the penalty on the farm marketing excess. The amount of the penalty which any producer shall pay shall nevertheless be reduced by the amount of the penalty which is paid by another producer or a buyer of cotton produced on the farm.

(b) *Time when penalty becomes due.* The farm marketing excess for any farm shall be regarded as available for marketing and the penalty thereon shall be paid not later than March 15, 1951.

(c) *Apportionment of the penalty.* The county committee may, upon application of any producer made prior to the expiration of the time allowed for the remittance of the penalty on the farm marketing excess, determine his proportionate share of the penalty on the farm marketing excess if, pursuant to the application, the producer establishes that he is unable to arrange with other producers on the farm for the payment of the penalty on the entire farm marketing excess; that his share of the cotton crop produced on the farm is marketed by him separately; and that he exercises no control over the marketing of the shares of the other producers in the cotton crop. The producer's proportionate share of the penalty on the farm marketing excess shall be that proportion of the entire penalty on the farm marketing excess which his share in the cotton produced in 1950 on the farm bears to the total amount of cotton produced in 1950 on the farm. When the producer pays his proportionate share of the penalty, he shall not be liable for the remainder of the penalty on the farm marketing excess and he shall be entitled to receive a marketing certificate, issued in accordance with § 722.148 to be used by him only in the marketing of his proportionate share of the cotton crop produced in 1950 on the farm.

§ 722.159 *Payment of penalty by buyers*—(a) *Buyers liable for payment of penalty.* Each person within the United States who buys from the producer any cotton subject to the lien for the penalty shall be liable for and shall pay the penalty thereon. Cotton shall be taken as subject to the lien for the penalty unless the producer presents to the buyer a marketing card (Form MQ–76—Cotton) or a marketing certificate (Form MQ–91—Cotton) as prescribed in §§ 722.152 and 722.153.

(b) *Payment of penalty on account of lien for the penalty.* Each person within the United States who buys or acquires cotton from the producer which is subject to the lien for the penalty shall pay the amount of the penalty on each pound thereof in satisfaction of the lien thereon.

(c) *Time when penalty becomes due.* The penalty to be paid by any buyer pursuant to paragraphs (a) and (b) of this section shall become due at the time the cotton is marketed and shall be remitted not later than 7 calendar days next succeeding the end of the calendar week in which the cotton was marketed. Cotton shall be deemed to be sold when either title to or actual or constructive possession of the cotton is delivered by or on behalf of the producer or any part of the purchase price is paid. Cotton shall be deemed to have been marketed by barter or exchange when it is delivered to the transferee of the cotton by actual or constructive delivery or the transferor has received any part of the property, goods, or services for which the cotton is being bartered or exchanged. Cotton shall be deemed to have been marketed by gift inter vivos when there is an actual or constructive delivery of the cotton to the transferee during the lifetime of the producer. Cotton shall be deemed to have been marketed in processed form when the producer, or some person on his behalf, converts cotton into an article of trade and thereby causes the cotton to lose its identity as seed cotton or lint cotton. An article of trade within the meaning of this provision is any article made in whole or in part from cotton for the purpose of marketing such article.

(d) *Manner of deducting penalty and issuance of receipts.* The buyer may deduct from the price paid for any cotton an amount equivalent to the amount of the penalty to be paid by the buyer pursuant to paragraphs (a) and (b) of this section. Any buyer who deducts an amount equivalent to the penalty shall issue to the person from whom the cotton was purchased a receipt for the amount so deducted which shall be on Form MQ–82—Cotton.

§ 722.160 *Remittance of penalty to the treasurer of the county committee.* The treasurer of any county committee, for and on behalf of the Secretary, shall receive the penalty and issue the person remitting the penalty a receipt therefor. The penalty shall be remitted only in legal tender, or by check, draft, or money order drawn payable to the order of the Treasurer of the United States. All checks, drafts, or money orders tendered in payment of the penalty shall be received by the treasurer of the county committee subject to collection and payment at par, and the receipt (Form MQ–95—Cotton) issued in connection therewith shall bear a notation to that effect and a description of the check, draft, or money order.

§ 722.161 *Deposit of funds.* All funds received by the treasurer of the county committee in connection with penalties for cotton shall be scheduled and transmitted by him on the day received or not later than the morning of the next succeeding business day, to the State committee, which, in accordance with applicable instructions, shall cause such funds to be deposited to the credit of the Treasurer of the United States. In the event the funds so received are in the form of cash, the treasurer of the county committee shall deposit such cash in the county committee bank account and a separate check, payable to the Treasurer of the United States in the amount of such cash deposited, shall be drawn on such bank account by the treasurer of the county committee for transmittal to the State committee. The treasurer of the county committee shall make and keep a record of each amount received by him, showing the name of the person who remitted the funds, the identification of the farm or farms in connection with which the funds were received, and the names of the persons who marketed the cotton in connection with which the funds were remitted.

§ 722.162 *Refunds of money in excess of the penalty*—(a) *Determination of refunds.* The county committee and the treasurer of the county committee, upon their own motion or upon the request of any interested person, shall review the amount of money received in connection with the penalty for any farm to determine for each producer the amount thereof, if any, which is in excess of the penalty incurred. The excess amount shall be refunded. Any refund shall be made only to persons who bore the burden of the payment and who have not been reimbursed therefor. The excess sum shall be first applied, insofar as the sum will permit, so as to make refunds to eligible persons other than producers and the remainder, if any, shall be applied so as to make refunds to the eligible producers. The amount to be refunded

to each producer shall be either (1) the amount agreed upon in writing by each and every cotton producer on the farm or (2) in the event that such producers cannot agree to the division of such refund or if all of the producers on the farm are not available to apply for such refund, the amount determined by apportioning the excess among all of the producers on the farm on the basis of the amount of the penalty borne by each producer, as determined by the county committee. No refund shall be made to any buyer or transferee of any amount which he collected from the producer, deducted from the price or other consideration for the cotton, or for which he was liable.

(b) *Certification of refunds.* One member of the county committee, acting for the committee, shall notify the State committee of the amount which the county committee determines may be refunded to each producer with respect to the farm, and the State committee shall cause to be certified to the Chief Disbursing Officer of the Treasury Department for payment such amounts as are approved by it. No refund of money shall be certified under this section unless the money has been collected and transmitted to the State committee.

§ 722.163 *Refund of penalty erroneously, illegally, or wrongfully collected.* Whenever, pursuant to a claim filed with the Secretary within the time prescribed in section 372 of the act after payment to him of the penalty collected from any person, the Secretary finds that the penalty was erroneously, illegally, or wrongfully collected, he shall certify to the Secretary of the Treasury for payment to the claimant, in accordance with regulations prescribed by the Secretary of the Treasury, such amount as the Secretary finds the claimant is entitled to receive as a refund of all or a portion of the penalty. Any claim filed pursuant to this section shall be made in accordance with regulations prescribed by the Secretary.

§ 722.164 *Report of violations and court proceedings to collect penalty.* It shall be the duty of the county committee to report in writing to the State committee each case of failure or refusal to pay the penalty or to remit the same as provided in the regulations in this part to the Secretary when collected. It shall be the duty of the State committee to report each such case in writing to the Director with a view to the institution of proceedings by the United States Attorney for the appropriate district, under the direction of the Attorney General of the United States, to collect the penalties, as provided in section 376 of the act.

RECORDS AND REPORTS

§ 722.165 *Records to be kept and reports to be made by ginners*—(a) *Necessity for records and reports.* Each ginner shall, in conformity with section 373 (a) of the act, keep the records and make the reports the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

(b) *Nature and availability of records.* Each ginner shall keep, as part of or in addition to the records maintained by him in the conduct of his business, a record which shall show, with respect to each bale, or any lot of cotton less than a bale, ginned by him the following information: (1) The date of ginning; (2) the name of the operator of the farm on which the cotton was produced; (3) the name of the producer of the cotton; (4) the county and State in which the farm on which the cotton was produced is located; (5) the gin bale number or mark; (6) the serial number of the gin ticket or receipt prepared or issued by the ginner for the bale or any lot of cotton less than a bale; (7) the gross weight of each bale or lot of cotton less than a bale ginned by ginner; (8) the nature of the bagging and ties used on each bale. The records so made shall be kept available for examination and inspection by the Secretary, or by any authorized representative of the Secretary, until December 31, 1952, for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this part, or of obtaining the information required to be furnished in any report pursuant to the regulations in this part but not so furnished. Such records shall be kept for such longer period of time as may be requested in writing by the Director.

(c) *Requests for reports.* Each ginner, upon written request of the State committee, or upon written request of the county committee with approval of the State committee, shall make a report showing the information required to be kept in paragraph (a) of this section, or any part thereof as specified in the request, with respect to cotton ginned for the person or persons specified in the request or for the period of time specified in the request. This report shall be filed not later than the date designated by the State or county committee in the written request for such report.

(d) *Manner of submitting reports.* The treasurer of the county committee for the county in which the cotton covered by the report was produced, or his successor in office, is hereby authorized and empowered to receive, for and on behalf of the Secretary, each report required pursuant to this section. Each report shall be delivered directly to the said treasurer or addressed to him and deposited in the United States mails.

(e) *Penalty for failure or refusal to keep records or make reports.* Any person engaged in the business of ginning who fails to keep any record or make any report as required by this section or who makes any false report or false record shall, as provided for in section 373 (a) of the act, be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 for each such offense.

§ 722.166 *Records to be kept and reports to be made by buyers*—(a) *Necessity for records and reports.* Each person who buys seed cotton or lint cotton from the producer thereof shall, in conformity with section 373 (a) of the act, keep the records and make the reports the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

(b) *Nature of and availability of records.* Each buyer shall keep, as a part of or in addition to the records maintained by him in the conduct of his business, a record which shall show with respect to each bale, or any lot of cotton less than a bale, which is purchased by him from the producer thereof the following information: (1) The name and address of the producer from whom the cotton was purchased; (2) the date on which the cotton was purchased; (3) the original gin bale number or, if there is no gin bale number, the gin bale mark or other information showing the origin or source of the cotton and, in the case of cotton purchased in the seed, the number of pounds of seed cotton and the known or estimated amount of lint in such seed cotton; (4) the number of pounds of lint cotton in each bale, or lot of cotton less than a bale, purchased from the producer; (5) the amount of any penalty required to be collected under the regulations in this part and the amount of any penalty collected in connection with the cotton purchased from the producer; and (6) the serial number of the marketing card or marketing certificate by which the cotton was identified when marketed. It shall be presumed that the cotton was not identified in the manner provided in the regulations in this part if the serial number of the marketing card or marketing certificate does not appear on the records required by this paragraph. The record so made shall be kept available for examination and inspection by the Secretary, or by any authorized representative of the Secretary, until December 31, 1952, for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this part, or of obtaining the information required to be furnished in any report pursuant to the regulations in this part but not so furnished. Such records shall be kept for such longer period of time as may be requested in writing by the Director. The county committee shall, upon the request of any buyer, furnish to him without cost blank copies of Form MQ–100—Cotton which may be used by him for the purpose of keeping the record required pursuant to this paragraph.

(c) *Reports in connection with cotton not identified by marketing cards or certificates.* The buyer of cotton which is not identified in the manner provided by the regulations in this part when marketed shall, with respect to each purchase, make a written report on Form MQ–82—Cotton of the following information: (1) The name and address of the producer from whom the cotton was purchased; (2) the date on which the cotton was purchased; (3) the original gin bale number or, if there is no gin bale number, the gin bale mark or other information showing the origin or source of the cotton; (4) the net weight of each bale, or lot of cotton less than a bale; and (5) the amount of the penalty collected in connection with the cotton purchased. The report shall be executed in triplicate, one copy shall be given to the producer, one copy thereof shall be retained by the buyer, and the buyer shall mail or deliver the original to the treasurer of the county committee for the

county in which such cotton was produced.

(d) *Reports in connection with cotton identified by marketing certificates.* The buyer of cotton which is identified when marketed by a certificate on Form MQ–91—Cotton, as provided in § 722.153, shall make a report in connection with the transaction by executing the certificate in triplicate and by mailing or delivering the county office copy to the treasurer of the county committee for the county in which the certificate was issued. The original Form MQ–91—Cotton shall be retained by the buyer and the producer's copy shall be delivered to the producer to whom the certificate was issued. The manner in which Form MQ–91—Cotton shall be executed and distributed, in case the marketing is to a buyer not within the United States, is provided for in § 722.169 (c).

(e) *Receipts to producers for penalties.* Where the cotton is not identified by a marketing card or marketing certificate at the time of marketing, the producer's copy of the executed Form MQ–82—Cotton shall be the receipt from the buyer to the producer for the penalty collected. The buyer shall report the giving of each such receipt to the producer by forwarding the county office copy of the Form MQ–82—Cotton to the treasurer of the county committee for the county in which such cotton was produced, as provided in paragraph (c) of this section.

(f) *Time for making reports.* Each report required by the foregoing provisions of this section shall be made not later than 7 calendar days next succeeding the end of the calendar week in which the cotton covered thereby was marketed.

(g) *Buyer's special reports.* In the event the county committee, or the State committee, has reason to believe that any buyer failed or refused to collect or to remit the penalty required to be collected by him for any cotton which he purchased, or otherwise in any manner failed or refused to comply with the regulations in this part, the buyer shall, within fifteen days after a written request therefor by such committee is deposited in the United States mails, registered and addressed to him at his last-known address, make a report verified as true and correct on Form MQ–100—Cotton to such committee with respect to cotton purchased or acquired by him from the person or persons specified in the request or purchased or acquired by him during the period of time specified in the request. Such report shall include the following information for each bale, or lot of cotton less than a bale, purchased by such buyer: (1) The name and address of the producer from whom the cotton was purchased; (2) the date on which the cotton was purchased; (3) the original gin bale number, or if there is no gin bale number, the gin bale mark of other information showing the origin or source of the cotton and, in the case of cotton purchased in the seed, the number of pounds of seed cotton and the known or estimated amount of lint in such seed cotton; (4) the number of pounds of lint cotton in each bale, or lot of cotton less than a bale, purchased from the producer; (5) the amount of penalty required to be collected under the regulations in this part and the amount of any penalty collected in connection with the cotton purchased from the producer; and (6) the serial number of the marketing card or marketing certificate by which the cotton was identified when marketed.

(h) *Manner of submitting reports.* The treasurer of the county committee for the county in which the cotton covered by the report was produced, or his successor in office, is hereby authorized and empowered to receive, for and on behalf of the Secretary, each report required pursuant to this section. Each report shall be delivered directly to the said treasurer or addressed to him and deposited in the United States mails. Notwithstanding any other provision of this paragraph, each report on MQ–82—Cotton in connection with the purchase of cotton marketed without the use of the means of identification provided by the regulations in this part may be mailed or delivered directly to the treasurer of the county committee from whom the unexecuted copy of the form was obtained.

(i) *Penalty for failure or refusal to keep records or make reports.* Any person engaged in the business of purchasing cotton from producers who fails to keep any record or make any report as required by this section or who makes any false report or false record shall, as provided for in section 373 (a) of the act, be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 for each such offense.

§ 722.167 *Records to be kept and reports to be made by transferees.* Each transferee who acquires seed cotton or lint cotton from the producer thereof shall keep the same records and make the same reports which are required to be kept and made by buyers pursuant to § 722.166 in every case in which the penalty is collected by the transferee as provided for in § 722.159, and in every other case shall execute the applicable certificates which are necessary to enable the producer to keep the records and make the reports required of him.

§ 722.168 *Records to be kept by warehousemen and others.* Each warehouseman, processor, compressor, common carrier, and other person, as defined in section 373 (a) of the act, who buys, stores, compresses, transports as a common carrier, or otherwise deals with cotton from, for, or on behalf of the producer thereof shall make available, for examination and inspection by the Secretary or by any authorized representative of the Secretary, the records kept in his business concerning such cotton, for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this part or of obtaining the information required to be furnished in any report pursuant to the regulations in this part but not so furnished. The Secretary, in conformity with section 373 (a) of the act, hereby finds such records to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

§ 722.169 *Records to be kept and reports to be made by producers*—(a) *Necessity for records and reports.* Each person who produces in 1950, or who has produced in any previous year, cotton which is subject to the provisions of the regulations in this part shall, in conformity with section 373 (b) of the act, keep the records and make the reports prescribed by this section, which records and reports the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

(b) *Farms for which marketing cards are issued.* A record and report of the cotton marketed in connection with a farm for which one or more marketing cards were issued shall not be required unless requested by the county committee, as provided in paragraph (e) of this section.

(c) *Cotton marketed to persons not within the United States.* In each case where cotton for which a marketing certificate has been issued pursuant to § 722.148 is marketed to any person not within the United States, the producer shall enter the name and address of the buyer or transferee and indicate that such person is not within the United States in the space provided for the signature of the buyer or transferee on each copy of the marketing certificate. The producer shall retain his copy of the certificate and the county office and buyer's copies shall be mailed or delivered by such producer to the treasurer of the county committee for the county in which the certificate was issued not later than 15 calendar days next succeeding the day on which the cotton was marketed.

(d) *Farm operator's report.* The operator of the farm in connection with which a farm marketing excess is determined shall, upon written request of the county committee, file with the treasurer of the county committee for the county in which the farm is situated a farm operator's report on Form MQ–98—Cotton showing for the farm the following information or any part thereof as specified in such request:

(1) The date harvesting of cotton was completed on the farm, the date of the last ginning of cotton produced on the farm, and the acreage planted to cotton on the farm; (2) the total number of pounds of lint cotton ginned from the 1950 crop of cotton; (3) the name and address of each ginner who ginned such cotton and the number of and net weight of the bales ginned by him; (4) the total amount of cotton marketed in the seed; (5) the total amount of lint cotton marketed; (6) the amount of unmarketed cotton on hand; (7) the total number of pounds of lint cotton produced in the 1950 crop year; (8) the name and address of each buyer or transferee of lint or seed cotton and the amount thereof marketed to him; and (9) the amount of penalty paid by the producer or collected by the buyer or transferee. In each case where the producer is making an application for a downward adjustment in the farm marketing excess pursuant to § 722.142, such application shall be made on a farm operator's report (Form MQ–98—Cotton)

not later than 30 days after harvesting of cotton on the farm has been completed. Upon written request of the county committee, the operator of any other farm shall make a report on Form MQ–98—Cotton in the manner specified above in this paragraph not later than the date designated by the county committee in its request.

(e) *Manner of submitting reports.* The treasurer of the county committee for the county in which the cotton covered by the report was produced or his successor in office, is hereby authorized and empowered to receive, for and on behalf of the Secretary, each report required pursuant to this section. Each report shall be delivered directly to such treasurer or addressed to him and deposited in the United States mails.

§ 722.170 *Data to be kept confidential.* Except as otherwise provided herein, all data reported to or acquired by the Secretary pursuant to and in the manner provided in these regulations in this part shall be kept confidential by all officers and employees of the United States Department of Agriculture, members of county committees, other local committees, and State committees, county agents, and the employees of such committees and county agents' offices, and shall not be disclosed to anyone not having an interest in or responsibility for any cotton, farm, or transaction covered by the particular data, record, information, report, or form, and only such data so reported or acquired as the Secretary deems relevant shall be disclosed by them to anyone not having such an interest or not being employed in the administration of the act and then only in a suit or administrative hearing under the provisions of the act.

§ 722.171 *Enforcement.* It shall be the duty of the county committee to report in writing to the State committee forthwith each case of failure or refusal to make any report or keep any record as required by the regulations in this part and each case of making any false report or record. It shall be the duty of the State committee to report each such case in writing, in quintuplicate, to the Director with a view to the institution of proceedings by the United States Attorney for the appropriate district, under the direction of the Attorney General of the United States, to enforce the provisions of the act.

SPECIAL PROVISIONS AND EXEMPTIONS

§ 722.172 *Experimental cotton farms.* The penalty shall not apply to the marketing of any cotton of the 1950 crop grown only for experimental purposes on land owned or leased by a publicly owned agricultural experiment station and produced at public expense by employees of the experiment station, or if the cotton was produced by farmers pursuant to an agreement with a publicly owned experiment station whereby the experiment station bears the costs and risks incident to the production of the cotton and the proceeds from the crop inure to the benefit of the experiment station: *Provided*, That such agreement shall be approved by the State committee prior to the issuance of a marketing card for the farm.

§ 722.173 *Acreage planted to cotton—*(a) *Underplanting the farm acreage allotment.* For any farm on which the acreage planted to cotton in 1950 is less than the farm acreage allotment for the 1950 crop of cotton by not more than the larger of 10 percent of the allotment or one acre, an acreage equal to the farm acreage allotment shall be deemed to be the acreage planted to cotton on the farm, and the additional acreage added to the cotton acreage history for the farm shall be added to the cotton acreage history for the county and State.

(b) *No credit for overplanting the farm acreage allotment.* Any acreage planted to cotton in 1950 in excess of the farm acreage allotment for the 1950 crop of cotton shall not be taken into account in establishing State, county, and farm acreage allotments for the 1951 and subsequent crops of cotton.

§ 722.174 *Availability of records.* The State and county committees shall make available for inspection by owners or operators of farms receiving cotton acreage allotments all records pertaining to cotton acreage allotments and marketing quotas.

§ 722.175 *Designation of representatives of the Secretary to examine records—*(a) *Designation of representatives.* In order to carry out the provisions of §§ 722.165, 722.166, 722.167, and 722.168, relating to the examination of records, the Director, with the approval of the Assistant Administrator, is hereby authorized and directed to designate in writing an appropriate number of persons, from the following classes of officers or employees of the Department of Agriculture, to act as the authorized representatives of the Secretary for the purposes of said provisions:

(1) Members of the State committees.

(2) Administrative officers or employees of the State committee employed in the work of administering cotton marketing quotas or as investigators in connection therewith.

(3) Officers or employees of the Cotton Branch, Production and Marketing Administration, United States Department of Agriculture.

(4) Members of the staff of the Assistant Administrator.

(5) Officers or employees of the Office of Compliance and Investigation, Production and Marketing Administration, United States Department of Agriculture, in cases where exceptional circumstances warrant such designations.

(6) Officers or employees of the Office of the Solicitor, United States Department of Agriculture.

(b) *Proof of designation.* Each person designated pursuant to this section shall be furnished with a copy of his designation, certified by the Director as proof of his authority to act as such authorized representative of the Secretary.

(c) *Authorization to administer oaths.* Each person designated pursuant to this section to act as the authorized representative of the Secretary is hereby authorized and empowered, pursuant to the act of Congress approved January 31, 1925 (sec. 1, 43 Stat. 803; 5 U. S. C. 521), to administer to or take from any person an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of the cotton marketing quota provisions of the act or the regulations in this part.

Prior to the final adoption and issuance of the regulations set forth above consideration will be given to any data, views, or recommendations pertaining thereto which are submitted in writing to the Director, Cotton Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 15 days following the date of publication of this notice in the FEDERAL REGISTER, in order to be considered.

Issued at Washington, D. C., this 26th day of May 1950.

[SEAL] FRANK K. WOOLLEY,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 50–4684; Filed, May 31, 1950; 8:50 a. m.]

[7 CFR, Part 962]

FRESH PEACHES GROWN IN THE STATE OF GEORGIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1950–51 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement and Order No. 62 (7 CFR, Part 962), regulating the handling of fresh peaches grown in the State of Georgia, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $9,940.00 will be necessarily incurred by the aforesaid Industry Committee for its maintenance and functioning during the fiscal period beginning on March 1, 1950, under the aforesaid marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships peaches shall pay in accordance with the provisions of the aforesaid marketing agreement and order during the aforesaid fiscal period, the rate of assessment at $0.02 per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk, shipped by him as the first handler thereof during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals may do so by submitting the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day following publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used

herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Issued this 26th day of May 1950.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 50-4683; Filed, May 31, 1950; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Part 43]

RECENT FLIGHT EXPERIENCE AND AIRCRAFT RATING REQUIREMENTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments of Part 43 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate, to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by July 5, 1950, will be considered by the Board before taking further action on the proposed rules. Copies of such communications will be available after July 7, 1950, for perusal by interested persons at the Dockets Section of the Board, Room 5412, Commerce Building, Washington, D. C.

The recent flight experience requirements of § 43.68, other than those for flight instruction and instrument flight, are limited to flights carrying passengers. In this respect they do not establish suitable minimum requirements to satisfy the standards provided in Annex 1 to the Convention on International Civil Aviation. In addition, the established requirements differ to some extent, and without substantial reason therefor, from recent flight experience requirements for pilots in other parts of these regulations. The proposed amendment of § 43.68 is designed to establish suitable minimum requirements for ensuring continued maintenance of competency, and to make the recent flight experience requirements of Part 43 more consistent with other parts of the Civil Air Regulations.

This proposal is also designed to clarify the aircraft rating requirements for the holders of pilot certificates with private or commercial ratings. We have been advised that the provisions of § 43.63 have been interpreted as requiring all private and commercial pilots to hold type ratings for all aircraft, in addition to appropriate category and class ratings, regardless of the maximum certificated take-off weight of the aircraft to be flown. Such an interpretation was not intended at the time that section was adopted, nor does it conform to the requirements of other parts of the Civil Air Regulations regarding the issuance of aircraft type ratings. Type ratings are issued only where the aircraft to be flown has a maximum certificated take-off weight of over 12,500 pounds. Therefore, it is proposed to amend § 43.63 to state more clearly that type ratings are required to be held only when the aircraft to be flown has a maximum certificated take-off weight of over 12,500 pounds.

In addition, we propose to add definitions of the terms "night" and "maximum certificated take-off weight" to obviate the necessity of referring to other parts of the Civil Air Regulations to find the meaning thereof.

It is proposed to amend Part 43 as follows:

1. By amending § 43.63, excepting footnotes 1 and 2 thereto, to read as follows:

§ 43.63 *Rating requirements.* A private or commercial pilot shall not pilot an aircraft carrying passengers other than an aircraft of the category and class, and type if the aircraft has a maximum certificated take-off weight of over 12,500 pounds, for which he is rated: *Provided,* That a holder of a pilot certificate with appropriate category and class ratings issued by the Administrator prior to May 1, 1949, shall not, until May 1, 1953, be required to have a type rating to pilot aircraft of over 12,500 pounds maximum certificated take-off weight for which he has appropriate category and class ratings.[1] Such pilot may pilot other aircraft without passengers unless limitations placed on his certificate prohibit him from doing so.[2]

2. By amending § 43.68, excepting paragraphs (c) and (d) thereof, to read as follows:

§ 43.68 *Recent flight experience.* This section establishes recent flight experience requirements for all individuals flying aircraft within the United States.

(a) *Pilot in command.* (1) No individual who has not acted as pilot in command of an aircraft within the preceding 12 months shall act as pilot in command unless he has demonstrated in flight to an appropriately rated pilot his competency to fly an aircraft.

(2) No individual shall act as pilot in command in an aircraft carrying passengers unless within the preceding 90 days he has made at least 3 take-offs, and 3 landings to a full stop in:

(i) The type aircraft to be flown, if the aircraft has a maximum certificated take-off weight of over 12,500 pounds, or

(ii) Aircraft of the same category and class and of a rated horsepower within fifty percent of the horsepower of the aircraft to be flown, if the aircraft has a maximum certificated take-off weight of 12,500 pounds or less.

(b) *Night flight.* No individual shall act as pilot in command at night in aircraft carrying passengers unless, within the preceding 90 days, he has made at least 3 take-offs and 3 landings to a full stop at night. The take-offs and landings required for night flight may be considered in determining compliance with paragraphs (a) (2) (i) and (ii) of this section.

3. By adding the following paragraphs to § 43.70:

(o) *Maximum certificated take-off weight.* Maximum certificated take-off weight shall mean the maximum take-off weight authorized by the terms of the aircraft airworthiness certificate. (See § 43.10 (b) (1).)

(p) *Night.* Night is the time between the ending of evening twilight and the beginning of morning twilight as published in the Nautical Almanac converted to local time for the locality concerned.[1]

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205 (a), 52 Stat. 984, 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012, 49 U. S. C. 551-560)

Dated: May 26, 1950, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 50-4703; Filed, May 31, 1950; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 12]

[Docket No. 9295]

AMATEUR RADIO SERVICE

NOTICE OF ORAL ARGUMENT

In connection with the oral argument in the above-entitled matter scheduled for 9:30 a. m. June 2, 1950, in Room 6121, New Post Office Building, 12th Street and Pennsylvania Avenue, NW., Washington, D. C., the parties set forth below have filed notice that they will present oral argument in the proceeding. The order of presentation of oral argument, and the maximum time permitted in substantial accordance with the time requested by the respective parties, will be as follows:

	Minutes
General Counsel, Federal Communications Commission	50
Academy of Model Aeronautics	5
American Radio Relay League, Inc.	75
C. G. Harrison	15
National Amateur Radio Council, Inc.	10
Society of American Radio Amateurs	10
L. H. Whan	15

Adopted: May 23, 1950.

Released: May 23, 1950.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4687; Filed, May 31, 1950; 8:50 a. m.]

[1] The Nautical Almanac containing tables indicating the ending of evening twilight and the beginning of morning twilight may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington 25, D. C. Information is also available concerning such tables in the offices of the Civil Aeronautics Administration or the United States Weather Bureau.

[47 CFR, Part 17]

[Docket No. 9671]

CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA TOWERS AND/OR THEIR SUPPORTING STRUCTURES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission proposes to issue new rules to be designated Part 17, rules governing the construction, marking and lighting of antenna towers and/or their supporting structures.

3. The purpose of these rules is to prescribe certain procedures and standards with respect to the Commission's consideration of proposed antenna structures which will serve as a guide to persons intending to apply for radio station licenses. The standards have been developed in conjunction with the Air Coordinating Committee and the Civil Aeronautics Administration, Department of Defense, and other government agencies.

4. The proposed rules, authority for which is contained in sections 4 (i), 301, 303 (q) and 309 of the Communications Act of 1934, as amended, are set forth below.

5. Following the text of the proposed rules is a general information circular concerning aeronautical studies which includes the procedures which the Airspace Subcommittee of the Air Coordinating Committee proposes to follow when matters are referred to it by the Commission for advice and recommendation. These procedures are for informational purposes only and are not to be considered part of the Commission's rules.

6. Any interested person who is of the opinion that the proposed rules should not be adopted or should not be adopted in the form set forth below may file with the Commission on or before July 3, 1950, a statement or brief setting forth his comments. At the same time persons favoring the rules as proposed may file statements in support thereof. The Commission will consider any such comments that are received before taking any final action in the matter and if any comments are received which will warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: May 23, 1950.

Released: May 24, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

SUBPART A—GENERAL INFORMATION

§ 17.1 *Basis and purpose.* (a) The rules in this part are issued pursuant to the authority contained in Title 3 of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to issue licenses for radio stations when it is found that the public interest, convenience or necessity would be served thereby, and to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation.

(b) The purpose of the rules in this part is to prescribe certain procedures and standards with respect to the Commission's consideration of proposed antenna structures which will serve as a guide to persons intending to apply for radio station licenses. The standards have been worked out in conjunction with the Civil Aeronautics Administration, the Department of Defense and other Government agencies.

§ 17.2 *Definitions*—(a) *Airport reference point.* The airport reference point is a point selected and marked at the approximate center of the airport landing area and is normally established at the mid-point of the center line of the instrument runway.

(b) *Antenna structures.* The term "antenna structures" includes the radiating system and its supporting structures.

(c) *Approach surfaces and approach areas.* The approach surface is an imaginary inclined plane through the air space located directly above the approach area. The dimensions of the approach area are measured horizontally.

(1) *Length.* The approach area has a length of 10,000 feet beginning 200 feet (1,000 feet for regular Department of Defense Air Bases) from the end of each runway and extending outward, ending at a point 10,200 feet (11,000 feet for regular Department of Defense Air Bases) from the end of the runway on the extended center line of the runway. In addition the approach areas of all runways which may be used for instrument operation shall extend outward an additional 40,000 feet. The approach area requirements for instrument runways shall apply to all runways which may be used for instrument operations and to both ends of such runways.

(2) *Width.* The approach area is symmetrically located with respect to the extended runway center line, and for all instrument runways has a total width of 1,000 feet (1,500 feet for regular Department of Defense Air Bases) at the end adjacent to the runway. The approach area flares uniformly to a total width of 4,000 feet at the end of the 10,000-foot section and to a total width of 16,000 feet at the end of the additional 40,000-foot section. For all other runways not intended for instrument operation, the approach area has a total width at the end adjacent to the runway, and at the approach end, respectively, as follows: For express air carrier service and larger airports, 500 feet and 2,500 feet; for trunk line air carrier service airports, 400 feet and 2,400 feet; for feeder air carrier service airports, 300 feet and 2,300 feet; for secondary airports, 250 feet and 2,250 feet and for personal airports, 200 feet and 2,200 feet.

(3) *Slope.* For instrument runways the slope of the approach surface along the runway center line extended is 1:50 for the inner 10,000-foot section and 1:40 for the outer 40,000-foot section. All other runways, not intended for instrument operation, which meet or exceed the minimum runway length requirements for feeder air carrier service shall have a slope of 1:40. On airports with shorter runway lengths than those specified for feeder air carrier service, the slope of the approach surface is 1:20 for all runways.

(d) *Conical surface.* The conical surface is an imaginary surface through the air space extending upward and outward from the periphery of the horizontal surface and having a slope of 1:20 measured in a vertical plane passing through the airport reference point. Measuring radially outward, from the periphery of the horizontal surface, the conical surface extends for a horizontal distance of 7,000 feet for intercontinental express airports, intercontinental airports and Department of Defense Air Bases; and 5,000 feet for continental, express, trunk line and feeder airports, and 3,000 feet for all smaller airports.

(e) *Designated air traffic control areas.* Areas established and designated by the Administrator of Civil Aeronautics for air traffic control purposes. Information concerning the location of these areas can be obtained from CAA publications and by contacting the CAA regional office.

(f) *Established airport elevation.* The established elevation of the airport is the elevation of the highest point of the usable landing area.

(g) *Established coastal corridors.* Certain established corridors in which low level flight is required for Department of Defense and Coast Guard air operations conducted from air stations located within 20 statute miles of the Atlantic, Pacific and Gulf Coast. These corridors will be ten miles in width extending from coastal air stations to the nearby sea coast. Information with respect to these established corridors will be published along with the information on civil airways.

(h) *Civil airways.* A system of aerial routes designated by the Administrator of Civil Aeronautics for Air Navigation and Traffic Control purposes. Information concerning the location of civil airways can be obtained from aeronautical charts, CAA publications, and by contacting the CAA regional offices.

(i) *Final approach minimum flight altitude.* An altitude designated by appropriate Federal authority which is normally established from the highest point within five statute miles of the center line of the final approach course of the radio facility used for final let-down for an airport, and extending for a distance of ten statute miles along this course outward from the radio facility. The radio facilities used for final let-down and the final approach minimum flight altitudes are published in Instrument Approach and Landing Charts and the Flight Information Manual.

(j) *Horizontal surface.* The horizontal surface is an imaginary plane through the air space, circular in shape, with its height 150 feet above the established airport elevation and having a radius from the airport reference point as indicated in the following table:

	Feet
Intercontinental express airports and Department of Defense Air Bases	13,000
Intercontinental airports	11,500
Continental Airports	10,000
Express airports	8,500
Trunk Line airports	7,000
Feeder airports	6,000
All smaller airports	5,000

The category of every airport in accordance with the above classification is designated by the Administrator of Civil Aeronautics.

(k) *Instrument approach area.* An approach area where instrument approaches are authorized. The dimensions of the approach area and instrument approach area are contained in paragraph (c) of this section.

(l) *Landing area.* A landing area means any locality, either of land or water, including airports and intermediate landing fields, which is used, or intended to be used, for the landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

(m) *Minimum flight altitude.* Minimum altitudes designated by the Administrator of Civil Aeronautics to provide aircraft a safe clearance of all obstructions within the area designated. The necessary information concerning the locations of these areas and the established minimum flight altitude can be obtained from the CAA publications and by contacting the CAA regional offices.

(n) *Transitional surfaces.* The transitional surfaces are imaginary inclined planes through the air space having a slope of 1:7 measured upward and outward in a vertical plane at right angles to the axis of the runway. The transitional surfaces, symmetically located on either side of the runway, extend upward and outward from a line on either side of the runway which is parallel to and level with the runway center line. These parallel lines are at a horizontal distance from the runway center line equal to one-half of the minimum width of the approach area indicated in paragraph (c) (2) of this section. Transitional surfaces extend from the edges of all approach surfaces upward and outward to the intersection with the horizontal surface or the conical surface. The approach surfaces for instrument runways projecting through and beyond the limits of the conical surface shall have 1:7 transitional surfaces extending a distance of 5,000 feet measured horizontally from the edge of the approach surfaces and at right angles to the runway axis.

§ 17.3 *Form to be used to describe proposed antenna structures.* All applications for radio facilities shall be accompanied by FCC Form ------ in all cases when:

(a) The antenna structures proposed to be erected will exceed an over-all height of 170 feet above ground level, or

(b) The antenna structures proposed to be erected will exceed an over-all height of one foot above ground for each 200 feet of distance, or fraction thereof, from the nearest boundary of any landing area.

§ 17.4 *Commission consideration of proposed antenna structure with respect to possible hazard to air navigation.* (a) All applications which in the light of the criteria set forth below require aeronautical study shall be referred by the Commission through appropriate channels to the cognizant subcommittee of the Air Coordinating Committee for its recommendation.

(b) All applications which do not require aeronautical study in view of the criteria set forth below will be deemed not to involve a hazard to air navigation and will be considered by the Commission without reference to the cognizant subcommittee of the Air Coordinating Committee.

(c) Whenever a recommendation for approval of any application that has been submitted to the cognizant subcommittee of the Air Coordinating Committee has been received from that Committee, the application will be deemed not to involve a hazard to air navigation and will be processed by the Commission accordingly.

(d) Whenever a report recommending denial of any application or any report which indicates a lack of agreement among the members of the cognizant subcommittee of the Air Coordinating Committee has been received from that Committee, the applicant will be so advised and the Commission will take such further action as might be appropriate.

SUBPART B—CRITERIA FOR DETERMINING RADIO TOWER LIMITATION IN CONNECTION WITH AIR NAVIGATION

§ 17.11 *Antenna structures over 500 feet in height.* Antenna structures over 500 feet in height above the ground will require special aeronautical study irrespective of their location. In the special aeronautical study, the circumstance that an antenna structure will be shielded by natural formations or existing man-made structures will be taken into account.

§ 17.12 *Antenna structures over 170 feet up to and including 500 feet in height.* Antenna structures over 170 feet up to and including 500 feet in height above the ground will not require special aeronautical study except in the following areas:

(a) Certain areas within the Civil Airways and designated air traffic control areas in the country where antenna structures less than 500 feet in height would necessitate the raising of the minimum flight altitude.

(b) Established coastal corridors.

(c) Airport and airport approach areas of all airports now in existence, under construction or improvement, or provided for by airport construction or improvement plans, on file with the CAA as of the filing date of the application for radio facilities.

§ 17.13 *Antenna structures 170 feet in height and under.* Antenna structures 170 feet and under in height above the ground will not require special aeronautical study, except in the areas outlined in § 17.14.

§ 17.14 *Antenna structures in airports and approach areas.* Antenna structures within airports and approach areas will require aeronautical study if they project above the following heights above ground or surfaces (in case of conflict the lowest height will prevail).

(a) In instrument approach areas, more than 100 feet above the ground or 100 feet above the elevation of the approach end of the runway, whichever gives the higher elevation of the structure, within three statute miles of the runway end, and increasing in height above ground in the proportion of 25 feet for each additional statute mile of distance outward from the runway but not to exceed 250 feet within ten miles of the runway end. The approach area requirements for instrument runways shall apply to both ends of all runways being used for instrument operation under construction or provided for by existing airport construction or improvement plans.

(b) More than 170 feet above the ground or the established airport elevation, whichever gives the higher elevation of the structure, within three statute miles of the reference point of a feeder or larger class airport and increasing in height above ground in the proportion of 100 feet for each additional statute mile of distance from the airport but not to exceed a maximum of 500 feet above ground.

(c) Antenna structures of an elevation which would increase the final approach minimum flight altitude.

(d) In addition to the requirements mentioned above, antenna structures which project above the landing area or any of the imaginary surfaces outlined below will require special aeronautical study. (Under most conditions, the limits prescribed in paragraphs (a), (b), and (c) of this section will be the determining factor. However, in the areas immediately adjacent to the runways and under certain conditions where the terrain raises rapidly in the airport areas, the surfaces outlined below become a more limiting factor from the absolute height of requirements).

(1) Approach surface.
(2) Horizontal surface.
(3) Conical surface.
(4) Transitional surface.

§ 17.15 *Existing structures.* (a) Nothing in these criteria concerning antenna structures or locations shall apply to those structures now existing or to those structures authorized prior to the effective date of these criteria.

(b) No change in any of these criteria or relocation of airports shall at any time impose a new restriction upon any then existing or authorized antenna structure or structures.

SUBPART C—SPECIFICATIONS FOR OBSTRUCTION MARKING AND LIGHTING OF ANTENNA STRUCTURES

§ 17.21 *Painting and lighting, when required.* Antenna structures shall be painted and lighted when:

(a) They require special aeronautical study; or

(b) They exceed 170 feet in height above the ground.

§ 17.22 *Particular specifications to be used.* (a) Where aeronautical study is not required, the Commission will assign painting and lighting specifications as set forth hereafter.

(b) Where aeronautical study is required, the Commission will, insofar as is consistent with the safety of life and property in the air, also assign painting and lighting specifications listed hereafter.

(c) However, where antenna installations are of such a nature that their painting and lighting in accordance with these specifications are confusing or endanger rather than assist airmen, the Commission will specify the type of painting and lighting to be used in the individual situation.

§ 17.23 *Antenna structures 100 feet and under in height.* (a) Antenna structures 100 feet and under in height above the ground, located in areas set forth in § 17.14 shall be painted and lighted as follows:

(1) The structure shall be painted throughout its height with alternate bands of international orange and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be approximately one-seventh the height of the structure and the white bands shall be approximately one-half the width of the international orange bands, provided, the international orange bands shall not be more than 40 feet nor less than 5 feet in width.

(2) The number of bands may be reduced for structures less than 35 feet in height but the minimum width of 5 feet for each international orange band shall be maintained.

(3) For night marking there shall be installed at the top of the tower two 100-watt lamps (#100–A21/TS), enclosed in aviation red Fresnel or prismatic (heat resisting preferred) obstruction light globes. The two lights shall burn simultaneously and shall be positioned so as to insure unobstructed visibility of at least one of the lights from aircraft at any angle of approach.

§ 17.24 *Antenna structures above 100 feet up to and including 170 feet in height.* (a) Antenna structures above 100 feet up to and including 170 feet in height above the ground located in areas set forth in § 17.14 shall be painted and lighted as follows:

(1) The structure shall be painted throughout its height with alternate bands of international orange and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be approximately one-seventh the height of the structure and the white bands shall be approximately one-half the width of the international orange bands, provided, the international orange bands shall not be more than 40 feet.

(2) For night marking there shall be installed at the top of the tower at least two 100-watt lamps (#100 A21/TS) enclosed in aviation red Fresnel or prismatic (heat resisting preferred) obstruction light globes. The two lights shall burn simultaneously and shall be positioned so as to insure unobstructed visibility of at least one of the lights from aircraft at any angle of approach.

(3) On levels at approximately two-thirds and one-third of the over-all height of the tower, there shall be installed at least two 100-watt lamps (#100 A21/TS) enclosed in aviation red Fresnel or prismatic (heat resisting preferred) obstruction light globes. Each light shall be mounted so as to insure unobstructed visibility of at least one light on each level from aircraft at any angle of approach.

§ 17.25 *Antenna structures over 170 feet up to and including 400 feet in height.* (a) Antenna structures over 170 feet up to and including 400 feet in height above the ground shall be painted and lighted as follows:

(1) The structure shall be painted throughout its height with alternate bands of international orange and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be approximately one-seventh the height of the structure and the white bands shall be approximately one-half the width of the international orange bands, provided, the international orange bands shall not be more than 40 feet.

(2) For night marking there shall be installed at the top of the structure one 300 m/m electric code beacon equipped with two 500-watt lamps (PS–40, Code Beacon type), both lamps to burn simultaneously, and aviation red color filters. Where a rod or other construction of not more than 20 feet in height and incapable of supporting this beacon is mounted on top of the structure and it is determined that this additional construction does not permit unobstructed visibility of the code beacon from aircraft at any angle of approach, there shall be installed two such beacons positioned so as to insure unobstructed visibility of at least one of the beacons from aircraft at any angle of approach. The beacon shall be equipped with a flashing mechanism producing not more than 40 flashes per minute nor less than 12 flashes per minute with a period of darkness equal to ½ of the luminous period.

(3) On levels at approximately two-thirds and one-third of the over-all height of the tower there shall be installed at least two 100-watt lamps (#100 A–1/TS) enclosed in aviation red Fresnel or prismatic (heat resisting preferred) obstruction light globes. Each light shall be mounted so as to insure unobstructed visibility of at least one light at each level from aircraft at any angle of approach.

(4) All lights shall be controlled by a light-sensitive device adjusted so that the lights will be turned on at a north sky light intensity level of about thirty-five foot candles and turned off at a north sky light intensity level of about fifty-eight foot candles.

§ 17.26 *Antenna structures over 400 feet up to and including 500 feet in height.* (a) Antenna structures over 400 feet up to and including 500 feet in height above the ground shall be painted and lighted as follows:

(1) The structure shall be painted throughout its height with alternate bands of international orange and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be approximately one-seventh the height of the structure and the white bands shall be approximately one-half the width of the international orange bands.

(2) For night marking there shall be installed at the top of the structure one 300 m/m electric code beacon equipped with two 500-watt lamps (PS–40, Code Beacon type), both lamps to burn simultaneously, and aviation red color filters. When a rod or other construction of not more than 20 feet in height and incapable of supporting this beacon is mounted on top of the structure and it is determined that this additional construction does not permit unobstructed visibility of the code beacon from aircraft at any angle of approach, there shall be installed two such beacons positioned so as to insure unobstructed visibility of at least one of the beacons from aircraft at any angle of approach. These beacons shall be equipped with a flashing mechanism producing not more than 40 flashes per minute nor less than 12 flashes per minute with a period of darkness equal to ½ of the luminous period.

(3) At approximately one-half of the over-all height of the tower, one similar flashing 300 m/m electric code beacon shall be installed in such position within the tower proper that the structural members will not impair the visibility of this beacon from aircraft at any angle of approach.

(4) On levels at approximately three-fourths and one-fourth of the over-all height of the tower, at least one 100-watt lamp (#100 A21/TS) enclosed in aviation red Fresnel or prismatic (heat resisting preferred) obstruction light globe shall be installed on each outside corner of the tower at each level.

(5) All lights shall be controlled by a light sensitive device adjusted so that the lights will be turned on at a north sky light intensity level of about thirty-five foot candles and turned off at a north sky light intensity level of about fifty-eight foot candles.

§ 17.27 *Antenna structures over 500 feet in height.* Antenna structures over 500 feet in height above the ground shall be painted and lighted in accordance with specifications to be determined by the Commission after aeronautical study.

§ 17.28 *Antenna farms and multiple structure antenna arrays.* In the case of antenna structures which are so grouped as to present a common poten-

tial menace to air navigation, the foregoing requirements for painting and lighting may be modified as a result of aeronautical study.

§ 17.29 *Inspection of tower lights and associated control equipment.* The licensee of any radio station which has an antenna structure requiring illumination pursuant to the provisions of section 303 (q) of the Communications Act of 1934, as amended, as outlined elsewhere in this part:

(a) Shall make a visual observation of the tower lights at least once each 24 hours to insure that all such lights are functioning properly as required.

(b) Shall report immediately by telephone or telegraph to the nearest Airways Communication Station or office of Civil Aeronautics Administration any observed failure of a code or rotating beacon light or top light not corrected within thirty minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) Shall inspect at intervals not to exceed three months all automatic or mechanical control devices associated with the tower lighting to insure that such apparatus is functioning properly.

§ 17.30 *Recording of tower light inspections in the station record.* The licensee of any radio station which has an antenna structure requiring illumination shall make the following entries in the station record of the inspections required by § 17.28:

(a) The time the tower lights are turned on and off each day if manually controlled.

(b) The time the daily check of proper operation of the tower lights was made.

(c) In the event of any observed failure of a tower light:

(1) Nature of such failure.

(2) Date and time the failure was observed.

(3) Date, time and nature of the adjustments, repairs, or replacements were made.

(4) Identification of Airways Communication Station (Civil Aeronautics Administration) notified of the failure of any code or rotating beacon light not corrected within thirty minutes, and the date and time such notice was given.

(5) Date and time notice was given to the Airways Communication Station (Civil Aeronautics Administration) that the required illumination was resumed.

(d) Upon completion of the periodic inspection required at least once each three months:

(1) The date of the inspection and the condition of all tower lights and associated tower lighting control devices.

(2) Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

§ 17.31 *Cleaning and repainting.* All towers shall be cleaned or repainted as often as necessary to maintain good visibility.

§ 17.32 *Time when lights shall be exhibited.* All lighting shall be exhibited from sunset to sunrise unless otherwise specified.

§ 17.33 *Spare lamps.* A sufficient supply of spare lamps shall be maintained for immediate replacement purposes at all times.

§ 17.34 *Lighting equipment.* The lighting equipment, color of filters, and shade of paint referred to in the specifications are further defined in the following government and/or Army-Navy Aeronautical Specifications, Bulletins, and Drawings (lamps are referred to by standard numbers):

Aviation red	Army-Navy Specification	AN-C-56.[1]
Outside white	Federal Specifications	TT-P-40, Type 1 or 2.[2]
International orange	Federal Specifications	TT-P-59.[2 3]
Code beacon	CAA Specification	466 (Sec. II-d-Style 4).[4]
100 watt lamp		#100 A21/TS.[5]
111 watt lamp		#111 A21/TS (3,000 hours).
500 watt lamp		#500 PS 40/45.[5]
620 watt lamp		#620 PS 40/45 (3,000 hours).
Obstruction light globe, prismatic	Army-Navy Drawing	AN2541-2.[1]
Obstruction light globe, fresnel	Army-Navy Drawing	AN2541-12.[1]
Single multiple obstruction light fitting assembly.	Army-Navy Drawing	AN2547-2.[1]
Obstruction light fitting assembly	Army-Navy Drawing	AN2547-4.[1]

[1] Copies of Army-Navy specifications or drawings can be obtained by contacting General, Air Matériel Command, Wright Field, Dayton, Ohio, or the Bureau of Aeronautics, Navy Department, Washington 25, D. C. Information concerning Army-Navy specifications or drawings can also be obtained from the Office of Federal Airways, Civil Aeronautics Administration, Department of Commerce, Washington 25, D. C.

[2] Copies of this specification can be obtained from the Government Printing Office for 5 cents.

[3] At the Air Routes and Ground Aids Division Meeting of the International Civil Aviation Organization during November 1949, the designation "Aviation Surface Orange," was adopted to replace "International Orange."

[4] Copies of this specification can be obtained from the Office of Federal Airways, Civil Aeronautics Administration, Department of Commerce.

[5] It is strongly recommended that the 111-watt and 620-watt, 3,000 hour lamps, be substituted for the 100-watt and 500-watt lamps used in these specifications in view of the extended life, lower maintenance cost, and greater safety which they provide.

§ 17.35 *Painting and lighting existing structures.* Nothing in the criteria set forth in §§ 17.11 to 17.15 concerning antenna structures or locations shall apply to painting and lighting those structures authorized prior to the effective date of those criteria, except where lighting and painting requirements are reduced by those criteria, in which case the lesser requirements may apply.

General Information Concerning Aeronautical Studies

Information concerning the applicability of the criteria set forth in proposed Part 17 of the Commission's rules to individual site locations may be obtained from the commanding officers of Department of Defense Air Bases in the vicinity and the Administrator of the CAA Regional Office concerned.

When the proposed Part 17 of the Commission's rules is made final, a complete directory of CAA Regional Offices will be made available to all applicants for radio facilities. A list of charts and publications which may assist in determining the location of a proposed antenna site in relation to airport and approach areas will also be available when Part 17 is finalized.

Procedures to be Utilized by Those Concerned with "Aeronautical Study" of Radio Antenna Tower Applications (Approved for the Air Coordinating Committee by its Technical Division on February 7, 1950)

1. All applications requiring aeronautical study to be submitted by the FCC to the appropriate Regional ACC/ASP Subcommittee.

2. The Secretariat of the Regional Airspace Subcommittee will endeavor to obtain informal clearance. If informal clearance is obtained, the case will be forwarded with the clearance to the FCC in Washington, D. C.

Note: If a single objection is interposed, either by a voting member or liaison representative, the case will be processed in the manner outlined in the succeeding paragraphs.

3. If informal clearance is not obtained, the case will be placed on the agenda for consideration at the next meeting of the Regional Airspace Subcommittee.

4. When the case is considered by the Regional Subcommittee:

a. The applicant will be expected to appear at the meeting and explain in full detail the reasons for his choice of site and the necessity for the construction of the proposed tower.

b. Those having objections will be required to appear in person and explain in detail the reasons for their objections (objectors should appreciate that, in event of failure to reach agreement, they should be prepared to appear as a witness at any subsequent proceedings and fully justify their objections).

5. The Regional ASP Subcommittee will submit its recommendations to the Washington ASP Subcommittee and will simultaneously send copies of such findings directly to the FCC with the understanding that the FCC will withhold action thereon for a period of 9 days after receipt by the Secretary of the Washington Airspace Subcommittee. Unless otherwise advised by ASP before the expiration of this period, the FCC will consider that ACC unanimously approved the findings of the Regional Subcommittee.

6. The Washington ASP Subcommittee will notify the FCC direct of its action on all cases considered even though the action to be reported was not arrived at by unanimous decision of the Subcommittee.

7. The FCC to notify the applicant of approval or disapproval or if requested by the applicant, the current status of the pending application.

8. It will be further understood and agreed if either the Regional Subcommittee in its initial findings or the ASP Subcommittee in its review thereof recommends disapproval of the application, reasons therefor must be given.

9. Whenever ASP reports unanimous agreement regarding a radio tower application, it may be considered by the FCC as an ACC Decision; however, findings which indicate a lack of agreement among the ASP members may also be submitted to the FCC with the understanding that such findings only represent the separate views of the member agencies.

[F. R. Doc. 50-4686; Filed, May 31, 1950; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR, Parts 1, 7]

PERSONS NOT ATTORNEYS; EXECUTION OF CERTAIN PLEADINGS

NOTICE OF PROPOSED RULE MAKING

MAY 26, 1950.

The National Association of Motor Carrier Counsel has filed with the Commission, May 19, 1950, a petition for amendment of the rules of practice or a special rule in section 5 applications, which petitions the Commission to do either of the following:

1. Amend the general rules of practice to include a provision that any person admitted to practice before the Commission and who is not a licensed attorney-at-law shall not be qualified to execute any pleading to be filed with the Commission which requires an opinion as to the legality of the requested action by the Commission and which involves the construction of laws not a part of the Interstate Commerce Act (§ 1.8), or

2. Specify in Exhibit C of Forms BMC–44 and 45 that the opinion of counsel may be executed only by a duly licensed attorney-at-law (§§ 7.44 and 7.45).

Any person desiring to make a representation concerning this petition may do so in writing by filing fifteen copies with the Commission and transmitting a copy to Mr. Harold G. Hernly, President of the Association mentioned, 1624 I Street NW., Washington 6, D. C., on or before thirty days from this date. Such representation should comply with Rule 15 of the general rules of practice of the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50–4667; Filed, May 31, 1950; 8:48 a. m.]

NOTICES

DEPARTMENT OF STATE

Bureau of German Affairs

[Public Notice 48]

SECURITIES AND CURRENCIES OF NON-GERMAN ISSUE LOCATED IN WESTERN GERMANY

The following proclamations and regulations issued by the Allied High Commission for Germany and by the United States High Commissioner for Germany are deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

SECURITIES AND CURRENCIES OF NON-GERMAN ISSUE LOCATED IN WESTERN GERMANY

1. All persons not subject to Control Council Law number 5 who own non-German currencies or securities in currency not of German issue held by the Military Governments under the provisions of Military Government Law number 53, are invited to submit application for the recognition of their title to such currencies or securities. Application could be filed with the appropriate office of Military Government up to December 31, 1948.

2. Under an agreement of the Allied High Commission the time limit for submission of such applications has been extended to June 30, 1950. Applications which have already been submitted need not be repeated.

3. In announcing this extended period for submission of applications, the Allied High Commission draws attention to the fact that persons (natural and juristic) in the following categories are included within the definition of "persons not subject to Control Council Law number 5":

(A) German citizens outside Germany, if they submit proof that they have been residing outside Germany since before September 1, 1939, and did not aid Germany during the war. A certificate from a governmental authority in the country or countries of residence establishing the above must be submitted with the application;

(B) Corporations organized under the laws of any country other than Germany, regardless of the percentage of German interest, if any, in such corporations. Corporations should present evidence of the amount of non-German interest.

4. The Allied High Commission also announces that it is prepared to consider applications from victims of Nazi persecution resident in Germany, provided evidence is submitted:

(i) That such persons were deprived of liberty pursuant to any German law, decree or regulation discriminating against religious or racial groups or other organizations, and

(ii) That such persons did not enjoy full rights of German citizenship at any time between September 1, 1939, and the abrogation of such law, decree or regulation, and

(iii) That such persons did not act against the Allied cause during the war, and

(iv) That their cases merit favorable consideration.

5. Consideration will also be given to applications from corporations in Germany which are 25 percent or more beneficially owned by United Nations nationals or victims of Nazi persecution as defined in paragraph 4 above, or which present proof of treatment by Germany as enemy or under enemy control.

6. Filing of a claim with the Allied High Commission does not imply recognition of title, or that title will subsequently be recognized. Moreover, recognition of title by the Allied High Commission does not imply recognition of the applicant's claim by the country of issue or the current validity of securities or currencies in the country of issue.

7. A person desiring recognition of title to securities or currencies will be required to submit evidence to demonstrate exclusive ownership of the currencies and securities involved and the freedom of such currencies and securities from claims for external or internal restitutions.

8. External restitution claims are those filed by governments eligible for restitution to cover property removed from such countries during their occupation by Germany. Exemption from external restitution may be shown by submission of proof that the property has been owned exclusively since September 1, 1939, and was not removed from a country occupied by the Germans during the German occupation. Internal restitution claims are those filed by persons for recovery of property taken from them under duress in Germany for racial, religious or political reasons at any time after January 30, 1933. Exemptions from internal restitution may be shown by proof of continuous ownership since that date.

9. The Allied High Commission has further agreed to permit removal from Germany of foreign currencies and foreign securities title to which has been recognized when the recognized owner is not a resident of Germany.

10. Applications should be addressed in the United States Zone of Occupation to: Office of the United States High Commissioner for Germany, Office of Economic Affairs, Finance Division, Foreign Securities Section, APO 742, c/o Postmaster, New York, N. Y.

In the British Zone of Occupation to: HQ, Investigation Branch, Finance Division, HQ R/B Duesseldorf, 318 HQ, CCG (BE) BAOR 4.

In the French Zone of Occupation to: Caisse Central des Titres Etrangeres, Landau, Pfalz.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy,
Director, Bureau of German Affairs.

MAY 24, 1950.

[F. R. Doc. 50–4648; Filed, May 31, 1950; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

CLASSIFICATION ORDER

MAY 24, 1950.

1. Pursuant to the 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), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as hereinafter indicated, the following described lands in the Santa Fe, New Mexico land district, embracing approximately 40 acres,

NEW MEXICO SMALL TRACT CLASSIFICATION No. 26

For lease and sale for home, cabin, business sites, or combination home and business site purposes:

T. 15 S., R. 5 W., N. M. P. M., New Mexico, Sec. 25, NW¼NE¼.

2. These lands are situated approximately 12 miles south of Truth or Consequences (Hot Springs), New Mexico. The area is reached from that point over U. S. Highway No. 85 which traverses the forty-acre tract in a northeasterly and southwesterly direction about its center. The shores of Caballo Reservoir lie one-

half mile east of the lands and the shores of Elephant Butte Reservoir 15 miles north of the lands. Recreational activities such as swimming and hunting in season and year-round boating and fishing are carried on at both reservoirs. The nearby town of Truth or Consequences is noted for its hot springs and has all resort, business, educational, religious and recreational facilities necessary for a good sized population. The town is also the seat of Sierra County. Electricity and telephone services may be obtained from nearby lines. Water suitable and adequate for domestic use is obtainable by drilling wells. The topography of the land is generally flat, but is cut by numerous small drainages or arroyos. The soil is an alluvial deposit of sandy to rocky material. The elevation above sea level is approximately 4,000 feet. The mean annual precipitation of moisture is 9½ inches. Temperatures range from a maximum of 109° F. to a low of 5° F.

3. As to applications regularly filed prior to 8:30 a. m. Mountain standard time on November 21, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

4. As to the land not covered by applications referred to in paragraph 3, this order shall not become effective to permit leasing under the Small Tract Act of June 1, 1938, as amended, until 10:00 a. m. on July 26, 1950. At that time such lands shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-one day preference period for qualified veterans of World War II from 10:00 a. m. on July 26, 1950 to the close of business on October 25, 1950.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m. on November 21, 1949, to the close of business on July 26, 1950.

5. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m. October 26, 1950.

(a) Advance period for simultaneous non-preference right filings from 8:30 a. m. November 21, 1949 to 10:00 a. m. on July 26, 1950.

6. Applications filed within the periods mentioned in paragraphs 4 (b) and 5 (a) above will be treated as simultaneously filed.

7. 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 constitutes 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.

8. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 feet by 660 feet, with the longer dimensions extending east and west.

9. Preference right leases referred to in paragraph 3 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 8.

10. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision, notwithstanding the direction specified in paragraph 8.

11. Leases will be for a period of five years.

(a) Where applications are filed for homesites only, the annual rental of $5.00 will be payable for the entire lease period in advance of the issuance of the lease.

(b) Where applications are filed for business sites only, the minimum rental of $20.00 per annum shall be charged, payable for the first year in advance of the issuance of the lease and payable for all succeeding years not later than 30 days in advance of the expiration of the preceding lease year, or the entire rental for the 5-year lease period may be paid in advance at the option of the lessee.

(c) Where applications are filed for combination home and business sites the rental for homesite purposes shall be $5.00 per annum payable for the entire lease period in advance, and $20.00 additional per annum for the privilege of using the land for business purposes, the rental for business purposes to be paid on the same terms and conditions as set forth in 11 (b).

(d) In any and all cases where applications are filed and leases issued for business sites only, or for combination home and business sites, the $20.00 business rental shall be the minimum rental for that purpose, and the lessee shall be obligated to pay additional rental at the rate fixed in the schedule of rentals in effect at the date of approval of his lease if his gross receipts from the business conducted on the leased tract shall exceed $2,000.00 per annum. Such lessees or their authorized representatives shall, within 60 days after the expiration of each lease year, submit to the Manager of the New Mexico Land and Survey Office a statement of the amount of his gross receipts for the preceding year. Authorized representatives of the Department of the Interior shall, at all times within customary business hours, have the right to inspect and examine the lessee's accounts and to inspect the premises leased.

12. Leases issued for these lands will contain an option to purchase clause at the appraised value of $50.00 per tract, application for which may be filed at or after the expiration of one year from the date the lease is issued: *Provided*, That improvements, appropriate to the purpose for which the lease is issued and which meet with the approval of the Regional Administrator shall have been constructed upon the lands, prior to filing of the application for purchase.

(a) Leases issued under the terms of this order shall not be subject to assignment unless and until improvements as mentioned above in this paragraph shall have been completed.

(b) Leases for lands upon which the improvements above mentioned shall not have been constructed at or before the expiration thereof shall not be renewed, except for sufficient showing of cause for failure to erect said improvements during the life of the lease.

13. Lessees and/or their successors in interest shall comply with all Federal, State, County and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized official of the Bureau of Land Management.

14. Rights-of-way for road and street purposes are reserved as follows:

(a) Right-of-way 150 feet wide as shown on plat on file in New Mexico Land and Survey Office for U. S. Highway No. 85, said right-of-way having been approved as of November 29, 1932. All tracts traversed by the above right-of-way shall be subject thereto.

(b) Right-of-way 33 feet in width around the perimeter and on either side of the east-west center line of the NW¼NE¼ of Section 25, as shown by sketch of the subdivision on file in the Land Office.

(c) The last mentioned right-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to issuance of patent. If not so located, they may be subject to location after patent has issued. The said last mentioned right-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.

15. Survey of individual tracts shall be at the expense of the applicant.

16. All leases and patents issued shall contain a reservation to the United States of all fissionable material sources, and all minerals together with the right to prospect for, mine and remove the same under applicable laws and regulations.

17. All inquiries relating to these lands shall be addressed to the Manager, New Mexico Land and Survey Office, Santa Fe, New Mexico.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 50-4645; Filed, May 31, 1950; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Forest Service

TOIYABE NATIONAL FOREST

REMOVAL OF TRESPASSING HORSES, MULES, AND BURROS

Whereas, a number of horses, mules, and burros are trespassing and grazing on lands in the Austin Ranger District in Nye, Eureka, and Lander Counties, and the Tonopah Ranger District in Nye

County, within the Toiyabe National Forest, State of Nevada, and

Whereas, these horses, mules, and burros are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), the following order is issued for the occupancy, use, protection, and administration of land in the Austin Ranger District in Nye, Eureka, and Lander Counties, and the Tonopah Ranger District in Nye County, Toiyabe National Forest, State of Nevada:

Temporary closure from livestock grazing. (a) The Austin Ranger District in Nye, Eureka, and Lander Counties, and the Tonopah Ranger District in Nye County, in the Toiyabe National Forest, State of Nevada, are hereby closed from June 1, 1950, to December 31, 1950, to the grazing of horses, mules, and burros excepting those that are lawfully grazing on or crossing land in such Districts pursuant to the regulations of the Secretary of Agriculture, or which are used in connection with operations authorized by such regulations, or used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses, mules, and burros found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such hores, mules, and burros shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Toiyabe National Forest is located.

Done at Washington, D. C., this 25th day of May 1950. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4653; Filed, May 31, 1950; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Designation Order 46]

DESIGNATION OF MOTIONS COMMISSIONER FOR JUNE 1950

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 23d day of May 1950:

It is ordered, Pursuant to section 0.111 of the statement of delegations of authority, that Frieda B. Hennock, Commissioner, is hereby designated as Motions Commissioner for the month of June 1950.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a susbtitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4690; Filed, May 31, 1950; 8:50 a. m.]

CLASS B FM BROADCAST STATIONS

CHANNLL ALLOCATIONS TO INDIANAPOLIS, IND.

In the matter of amendment of revised tentative allocation plan for Class B FM broadcast stations to change channel allocations to Indianapolis, Indiana.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration an amendment to its revised tentative allocation plan for Class B FM broadcast stations to change the channel allocations to Indianapolis, Indiana, as follows:

	Channel No.	
	Delete	Add
Indianapolis, Ind.	222	

It appearing, that the proposed amendment to the allocation plan is desirable in order to permit the grant of the pending application of Jordan College of Music (BPED-153) for Channel 220 (91.9 mcs.); and

It further appearing, that of the nine Class B channels heretofore allocated to Indianapolis, Indiana, none is presently assigned and no Class B applications are pending and that deletion of Channel 222 will leave eight vacant Class B channels for use in Indianapolis; that all 8 previously issued construction permits for Class B stations to be located in Indianapolis, Indiana, have been surrendered for cancellation, so that deletion of Channel 222 from Indianapolis will not adversely affect to an appreciable extent, any existing stations, applicants or the public; and

It further appearing, that the nature of the proposed amendment is such as to render unnecessary the public notice and procedure set forth in section 4 (a) of the Administrative Procedure Act; and that for the same reasons this order may be made effective immediately in lieu of the requirements of section 4 (c) of said act; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (c), (d), (f) and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, the revised tentative allocation plan for Class B FM broadcast stations is amended so that the allocation to Indianapolis, Indiana, is changed as follows:

General Area	Channel No.	
	Delete	Add
Indianapolis, Ind.	222	

Released: May 24, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J SLOWIE,
Secretary.

[F. R. Doc. 50-4702; Filed, May 31, 1950; 8:52 a. m.]

[Docket Nos. 9556, 9557, 9686]

NARRAGANSETT BROADCASTING CO. (WALE) ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Narragansett Broadcasting Company (WALE), Fall River, Massachusetts, for renewal of license, Docket No. 9556, File No. BR-2076; Bay State Broadcasting Company, Fall River, Massachusetts, Docket No. 9557, File No. BP-7315; Eastern Connecticut Broadcasting Company (WICH), Norwich, Connecticut, Docket No. 9686, File No. BP-7599; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application of Eastern Connecticut Broadcasting Company for a construction permit to install a new vertical antenna and change transmitter location at Station WICH, Norwich, Connecticut:

It appearing, that the Commission on January 18, 1950, designated the above-entitled application of Narragansett Broadcasting Company for renewal of license for hearing in a consolidated proceeding with the above-entitled application of the Bay State Broadcasting Company, which latter application requests the facilities now held by the Narragansett Broadcasting Company;

It further appearing, that at the request of both the Narragansett and the Bay State Broadcasting Companies, the aforementioned hearing, originally scheduled for March 6, 1950, was on February 17, 1950, continued to May 8, 1950; and that on the further request of the Narragansett Broadcasting Company, the hearing was on April 28, 1950, continued until July 10, 1950;

It further appearing, that the above-entitled application of the Eastern Connecticut Broadcasting Company may involve serious objectionable interference to the above-entitled Narragansett Broadcasting Company's existing operation, if a renewal of station license for Station WALE is granted; and that the Eastern Connecticut Broadcasting Company's application may also involve serious objectionable interference with the above-entitled Bay State Broadcasting Company proposal;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application of Eastern Connecticut Broadcasting Company is designated for hearing in a consolidated proceeding with the above-entitled applications of Narragansett Broadcasting Company and Bay State Broadcasting Company, commencing at 10:00 a. m. on July 10, 1950, at Fall River, Mass., upon the following issues:

1. To determine the technical, financial and other qualifications of the corporate applicant, its officers, directors and stockholders, to operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WALE, Fall River, Massachusetts, and Station WHMP, Northhampton, Massachusetts, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable intereference with the other applications in this proceeding or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That Pioneer Valley Broadcasting Company, licensee of Station WHMP, Northhampton, Massachusetts, is made a party to this proceeding with reference to the WICH, Norwich, Connecticut, proposal only.

It is further ordered, That the Commission's order of January 18, 1950, designating the above-entitled applications of Narragansett Broadcasting Company and Bay State Broadcasting Company for hearing, as modified, is amended to include the application of Eastern Connecticut Broadcasting Company.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4694; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9661]

CAPITAL BROADCASTING CO. (WNAV)

CORRECTED ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Capital Broadcasting Company (WNAV), Annapolis, Maryland, for modification of license; Docket No. 9661, File No. BML-1378.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of May 1950;

The Commission having under consideration the above-entitled application of The Capital Broadcasting Company requesting a modification of the license of Station WNAV, Annapolis, Maryland, to increase power from 500 watts to 1 kilowatt and to change the directional antenna for nighttime operation; and

It appearing, that, the applicant is legally, technically, financially and otherwise qualified except as to the evidence that may be adduced under Issue No. 5 herein to construct and operate Station WNAV as proposed but that the proposed operation may involve objectionable interference with one or more existing stations or otherwise not be in compliance with the Commission's rules and Standards;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application of The Capital Broadcasting Company is designated for hearing to commence at 10:00 a. m., September 20, 1950, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WNAV as proposed and the character of other broadcast services available to those areas and populations.

2. To determine whether the operation of WNAV as proposed would involve objectionable interference with Stations WLAK, Lakeland, Florida, and WVAM, Altoona, Pennsylvania, or with any other existing broadcast stations or pending applications for standard broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of WNAV as proposed would involve objectionable interference with Canadian Station CHEX, Peterborough, Ontario, and, if so, whether such interference would be in contravention of any international treaties or the Commission's rules and standards.

4. To determine whether the installation and operation of WNAV as proposed would be in compliance with the Commission's rules and standards with particular reference to the percentage of population within the proposed blanket contours, coverage of the Baltimore, Maryland, metropolitan area and the ratio of the population within the area between the nighttime normally protected countours and interference-free contours to the population which would receive satisfactory service.

5. To determine the overlap, if any, that will exist between the operation of Station WNAV, as proposed, and Station WCEM, Cambridge, Maryland, or with any other existing or proposed station owned, operated or controlled by the same interests as Station WNAV, and whether such overlap, if any, is in contravention of the Commission's rules.

It is further ordered, That, Lakeland Broadcasting Corporation, licensee of WLAK, Lakeland, Florida; The General Broadcasting Corporation, licensee of WVAM, Altoona, Pennsylvania, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4691; Filed, May 31, 1950; 8:50 a. m.]

[Docket No. 9685]

CAPITAL CITY BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Capital City Broadcasting Company, Inc., Menomonie, Wisconsin, for construction permit; Docket No. 9685, File No. BP-7588.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application of Capital City Broadcasting Company, Inc., for a new standard broadcast station to operate on 1450 kc, with 250 watts power, unlimited time at Menomonie, Wisconsin;

It appearing, that, the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on October 23, 1950, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WDLB, Marshfield, Wisconsin, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, Dairylands Broadcasting Service, Inc., licensee of Station WDLB, Marshfield, Wisconsin, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4693; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9687]

MONROE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Nicholas Tedesco tr/as The Monroe Broadcasting Company, Monroe, Wisconsin, for construction permit; Docket No. 9687, File No. BP-7600.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to be operated on 1260 kilocycles with a power of 500 watts, daytime only at Monroe, Wisconsin;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on October 24, 1950, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WHBF, Rock Island, Illinois, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That the Rock Island Broadcasting Company, licensee of Station WHBF, Rock Island, Illinois, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4695; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9688]

MASTER BROADCASTING CORP. (WRIO)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Master Broadcasting Corporation (WRIO), Rio Piedras, Puerto Rico, for construction permit; Docket No. 9688, File No. BP-7491.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application which requests a construction permit to change the facilities of Station WRIO, Rio Piedras, Puerto Rico, from frequency 1140 kilocycles, 500 watts 1 kilowatt-LS power, unlimited time to frequency 1320 kilocycles, 1 kilowatt power, unlimited time:

It appearing, that the application is in compliance with the Standards of Good Engineering Practice, but that The Master Broadcasting Corporation has entered into a time brokerage contract with one Rafael Quinones Vidal which may constitute a surrender of control of Station WRIO in contravention of section 310 (b) of the Communications Act of 1934 as amended;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at 10:00 a. m. on October 26, 1950, at Washington, D. C., upon the following issues:

1. To obtain full information as to a certain contract or agreement entered into by and between The Master Broadcasting Corporation and Rafael Quinones Vidal on or about February 8, 1950, and as to any other contracts, agreements or understandings between The Master Broadcasting Corporation and Rafael Quinones Vidal.

2. To determine, on the basis of information adduced pursuant to issue 1, whether control of Station WRIO, Rio Piedras, Puerto Rico, or the rights and responsibilities incident to such control have been transferred without the consent of the Commission, and in contravention of the provisions of the Communications Act of 1934, as amended.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4696; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9689]

MID-CAROLINA BROADCASTING CO. (WSAT)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Mid-Carolina Broadcasting Company (WSAT) Salisbury, North Carolina, for construction permit; Docket No. 9689, File No. BP-7584.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application for a construction permit to install a directional antenna for night use and to increase hours of operation from daytime only to unlimited time at Station WSAT, Salisbury, North Carolina;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station WSAT as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on October 27, 1950, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to (1) the nighttime coverage to the City of Salisbury, North Carolina and (2) the relative percentage of population residing in the area between the normally protected and the actual service contours and the population residing in the actual nighttime limitation contour.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4697; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9690]

BILLINGS BROADCASTING CO. (KBMY)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Don C. Foote, John W. Foote, Horace S. Davis and Rockwood Brown, co-partners d/b as Billings Broadcasting Company (KBMY), Billings, Montana, for construction permit; Docket No. 9690, File No. BP-7437.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application for a construction permit to change frequency from 1240 kc. to 920 kc., to increase power from 250 watts to 1 kw. unlimited time, to install a directional antenna for night operation and install a new transmitter at Station KBMY, Billings, Montana;

It appearing, that, the applicant is legally, technically, financially and

otherwise qualified to operate Station KBMY as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on October 30, 1950 at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the population residing within the proposed 250 mv/m and the 500 mv/m blanket contours.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4698; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9691]

NORTHERN BERKSHIRE BROADCASTING CO. (WMNB)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Herbert B. Clark, Robert Hardman and James Gordon Keyworth d/b as Northern Berkshire Broadcasting Co. (WMNB), North Adams, Massachusetts, for modification of license; Docket No. 9691, File No. BML-1419.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above-entitled application requesting a modification of license to increase power from 100 watts to 250 watts (Class IV) on 1230 kc at Station WMNB, North Adams, Massachusetts;

It appearing, that the applicant is technically, financially and otherwise qualified to operate Station WMNB as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on October 9, 1950, at Washington, D. C., upon the following issues;

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of Station WMNB as proposed would involve objectionable interference with Station WTSV, Claremont, New Hampshire, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the natur and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Granite State Broadcasting Company, Inc., licensee of Station WTSV, Claremont, New Hampshire, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4699; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9692]

ST. JOSEPH VALLEY BROADCASTING CORP. (WJVA)

ORDER DESIGNATING APPLICATION FOR STATED ISSUES

In re application of St. Joseph Valley Broadcasting Corporation (WJVA), South Bend, Indiana, for renewal of license; Docket No. 9692, File No. BR-1877.

At a session of the Federal Communications Commission held in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration the above entitled application for renewal of license; and

It appearing, that Station WJVA has been granted temporary extension of license to June 1, 1950; and

It further appearing, that the Commission is unable to determine from consideration of the above application that grant of renewal of license to the above named applicant would be in the public interest;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above entitled application be designated for hearing at a time and place to be specified by a subsequent order of the Commission upon the following issues:

1. To determine who are the present owners of the stock of the applicant corporation and when and from whom said stock was acquired.

2. To determine whether the license granted to the applicant corporation or the rights or responsibilities incident thereto, have been in any manner, either directly or indirectly, transferred, assigned or disposed of without the consent of the Commission, as provided by the Communications Act of 1934, as amended, and particularly section 310 (b) thereof.

3. To determine whether the statements and representations made in the various applications, documents, and reports filed with the Commission on behalf of the applicant corporation by its officers, directors, and/or agents, have fully and accurately reflected the facts concerning ownership, transfer, and/or control of the stock of the applicant.

4. To determine whether all contracts and agreements which have been entered into by applicant's officers, directors, stockholders, and/or agents, relative to the sale and transfer of the stock of the applicant corporation or the financing thereof have been reported to the Commission as required by the rules and regulations.

5. To determine whether the applicant corporation's officers, directors and stockholders have, in filing various applications, documents and reports with the Commission, fully complied with the Commission's rules and regulations concerning the filing of such applications, documents and reports.

6. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience, or necessity would be served by granting the above-entitled application.

It is further ordered, That the license of Station WJVA is extended to September 1, 1950, pending hearing in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4692; Filed, May 31, 1950; 8:51 a. m.]

[Docket Nos. 9402-9404, 9468, 9469, 9405]

G. A. RICHARDS ET AL.

ORDER SCHEDULING DE NOVO HEARING

In re applications of G. A. Richards, transferor and Harry J. Klingler, Lawrence P. Fisher and John A. Hannah, transferees, for consent to the transfer of control of KMPC, The Station of the Stars, Inc., Los Angeles, California, Docket No. 9402, File No. BTC-756; WJR, The Goodwill Station, Inc., Detroit, Michigan, Docket No. 9403, File No. BTC-754; WGAR Broadcasting Company, Cleveland, Ohio, Docket No. 9404, File No. BTC-755; KMPC, The Station of the Stars, Inc., Los Angeles, California, for renewal of license of Radio Station KMPC, Los Angeles, California, Docket No. 9468, File No. BR-18; WJR, The Goodwill Station, Inc., Detroit, Michigan, for renewal of license of Radio Station WJR, Detroit, Michigan, Docket No. 9469, File No. BR-331; WGAR Broadcasting Company, Cleveland, Ohio, for renewal of license of Radio Station WGAR, Cleveland, Ohio, Docket No. 9405, File No. BR-283.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May 1950;

The Commission having under consideration (1) its Order of May 4, 1950, assigning James D. Cunningham, Examiner, to preside at the further hearing of the above-entitled proceeding, and scheduling said further hearing to be held on June 5, 1950, in Los Angeles, California; (2) a motion and memorandum of points and authorities in support thereof, filed May 9, 1950, by the applicants herein, requesting that the Commission's Order of May 4, 1950, be modified to provide that the case will be heard de novo, and that the record of the recent hearing before the late Chief Examiner be stricken from the record; and (3) a statement by the Commission's General Counsel, filed May 15, 1950, stating that the Commission is under no legal obligation to grant a hearing de novo, but interposing no objection to the grant of a hearing de novo, as a matter of Commission discretion;

It appearing, that in view of the circumstances in this proceeding, a de novo hearing would best effectuate the orderly dispatch of the Commission's business and of this proceeding, and that such a hearing would therefore be in the public interest;

It is ordered, That (1) the applicants' motion is granted; (2) the entire record of this proceeding held before the late Chief Examiner in Los Angeles, California, during the period March 13, 1950, to April 1, 1950, is stricken; and (3) a de novo hearing shall be held in this proceeding, commencing on June 5, 1950, at Los Angeles, California.

Released: May 24, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4700; Filed, May 31, 1950; 8:51 a. m.]

[Docket No. 9539]

WESTERN UNION TELEGRAPH CO. ET AL.

ORDER SETTING DATE FOR RESUMPTION OF HEARING

In the matter of the Western Union Telegraph Company, and American Telephone and Telegraph Company et al., establishment of physical connections and through routes and charges applicable thereto, pursuant to section 201 (a) of the Communications Act of 1934, as amended, with respect to intercity video transmission service; Docket No. 9539.

The Commission having under consideration the hearing in the above-entitled proceeding; and

It appearing, that on May 3, 1950, said hearing then in progress was continued to a date to be determined;

It is ordered, This 24th day of May 1950, that the hearing in said proceeding be resumed on June 7, 1950, at 10:00 a. m., eastern daylight time, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4701; Filed, May 31, 1950; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6271]

IOWA PUBLIC SERVICE CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF SECURITIES

MAY 25, 1950.

Notice is hereby given that, on May 23, 1950, the Federal Power Commission issued its order entered May 22, 1950, supplementing order of May 10, 1950, published in the FEDERAL REGISTER on May 17, 1950 (15 F. R. 2964), authorizing issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-4640; Filed, May 31, 1950; 8:45 a. m.]

[Docket No. E-6295]

LUZ Y FUERZA DE REYNOSA, S. A., AND CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION FOR AUTHORIZATION TO EXPORT ELECTRIC ENERGY

MAY 25, 1950.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act, 16 U. S. C. 791a–825r, Luz y Fuerza de Reynosa, S. A., and Central Power and Light Company, on May 19, 1950, filed with the Federal Power Commission a joint application for authorization to transmit electric energy from a point adjacent to the Rio Grande near Donna Irrigation Pump (Progresso), Hidalgo, Texas, to a point on the bank of the Rio Grande in Tamaulipas, Mexico, opposite the Donna Irrigation Pump, in quantities up to 10,000,000 kilowatt hours per year at a rate not to exceed 2,500 kilowatts, to supply the needs of Secretaria de Recursos Hidraulicos de Mexico for the Rio Bravo Construction Camp, and for resale in the camp area.

Any person desiring to be heard or to make any protest with reference to the proposed application should, on or before June 14, 1950, file with the Federal Power Commission a petition of protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-4639; Filed, May 31, 1950; 8:45 a. m.]

[Docket Nos. G-1156, G-1302]

MICHIGAN-WISCONSIN PIPE LINE CO. AND MICHIGAN CONSOLIDATED GAS CO.

ORDER FIXING DATES FOR ORAL ARGUMENT AND FOR FILING OF BRIEFS

MAY 24, 1950.

On May 3, 1950, in the course of hearings in the proceeding at Docket No. G-1302, counsel for Michigan-Wisconsin Pipe Line Company (Michigan-Wisconsin) and Michigan Consolidated Gas Company (Michigan Consolidated), pursuant to the provisions of paragraph (c) of § 1.30 of the Commission's rules of practice and procedure, orally moved that the Commission omit the intermediate decision procedure and forthwith render the final decision in this matter. At the same time said counsel also requested that the Commission hear oral argument and permit opportunity for the filing of briefs in such proceedings.

It was further requested that further proceedings at Docket No. G-1302 be separated as follows: First, that the Commission promptly hear oral argument and permit opportunity for the filing of briefs with respect to all issues involved in a consideration of the joint application for certificates of public convenience and necessity, except those pertaining to rates and other issues involved in the filing of a satisfactory tariff by Michigan-Wisconsin and issues related to the request of Michigan-Wisconsin for authority to operate storage fields in Michigan; and, second, that oral argument be heard and the filing of briefs be permitted at some later date with respect to the issues excepted from the first proposed argument as above-mentioned.

Such motions were concurred in by counsel for the Public Service Commission of Michigan. The Commission's staff counsel took no position with respect to the motion.

In support of his motion, counsel for the applicants urged that the requested separation of the issues would enable the Commission to make an earlier disposition of the application for certificates. And, consequently, if the certificates are issued at Docket No. G-1302, the commencement of construction and operation of the proposed facilities may be thus advanced so as to permit the storage of greater volumes of gas to meet anticipated demands next winter.

Prior to the commencement of hearings at Docket No. G-1302, further hearings were held at Docket No. G-1156 pursuant to an order of the Commission issued on January 30, 1950, with respect to the following limited issues, which issues are set forth in more detail in said order:

(a) The provisions of the rate schedule or rate schedules, general terms and conditions, and form of service agreement to comprise parts of a tariff to be filed by Michigan-Wisconsin.

(b) Whether the public convenience and necessity will be best served by operation of the Austin and Goodwell Storage Fields (1) by Michigan-Wisconsin under lease, or (2) by Michigan Consolidated.

By order issued April 5, 1950, upon the motion of Michigan-Wisconsin, the Commission directed that an oral argument should be had with respect to the issues involved in the further hearings at Docket No. G–1156 and an opportunity should be given for the filing of briefs, together with proposed findings and conclusions, if any, with respect to such matters. The Commission also, by such order, granted the motion of Michigan-Wisconsin for a waiver of the intermediate decision procedure at Docket No. G–1156.

The Commission finds: The said motion of Michigan-Wisconsin and Michigan Consolidated at Docket No. G–1302 should be granted only insofar as it requests (1) waiver of the intermediate decision procedure, and (2) opportunity for oral argument and for the filing of briefs.

The Commission orders:

(A) The intermediate decision procedure be and the same is hereby omitted in these proceedings in accordance with the provisions of § 1.30 (c) of the Commission's rules of practice and procedure.

(B) Oral argument be had before the Commission on June 15, 1950, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., with respect to the issues referred to in paragraphs (a) and (b) first above, as more fully set forth in our order issued on January 30, 1950, at Docket No. G–1156.

(C) Oral argument be had before the Commission on June 15, 1950, at such hour as the Commission may on that date designate, in the said Hearing Room of the Federal Power Commission, with respect to all issues present in the proceeding at Docket No. G–1302.

(D) Briefs, together with proposed findings and conclusions, if any, shall be filed on or before June 12, 1950: *Provided, however,* That each brief so filed shall be confined to either the issues involved in the proceeding at Docket No. G–1156, or those issues involved in the proceeding at Docket No. G–1302.

Date of issuance: May 25, 1950.

By the Commission.

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

[F. R. Doc. 50–4644; Filed, May 31, 1950; 8:46 a. m.]

[Docket Nos. ID–588, ID–1018]

H. M. SAWYER AND M. C. FUNK

NOTICE OF AUTHORIZATIONS

MAY 25, 1950.

Notice is hereby given that, on May 24, 1950, the Federal Power Commission issued its orders entered May 23, 1950, in the above-designated matters, authorizing Applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

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

[F. R. Doc. 50–4643; Filed, May 31, 1950; 8:45 a. m.]

[Docket No. ID–994]

ROY G. RINCLIFFE

NOTICE OF AUTHORIZATION

MAY 25, 1950.

Notice is hereby given that, on May 23, 1950, the Federal Power Commission issued its order entered May 23, 1950, in the above-designated matter, authorizing Applicant to hold a certain position pursuant to section 305 (b) of the Federal Power Act.

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

[F. R. Doc. 50–4642; Filed, May 31, 1950; 8:45 a. m.]

[Project No. 1250]

CITY OF PASADENA, CALIF.

NOTICE OF ORDER GRANTING PARTIAL EXEMPTION FROM PAYMENT OF ANNUAL CHARGES

MAY 25, 1950.

Notice is hereby given that, on May 22, 1950, the Federal Power Commission issued its order entered May 18, 1950, granting partial exemption from payment of annual charges in the above-designated matter.

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

[F. R. Doc. 50–4641; Filed, May 31, 1950; 8:45 a. m.]

[Docket Nos. G–1325, G–1338, G–1367]

METROPOLITAN UTILITIES DISTRICT OF OMAHA AND NORTHERN NATURAL GAS CO.

ORDER POSTPONING HEARING

Metropolitan Utilities District of Omaha, complainant, v. Northern Natural Gas Company, defendant, Docket Nos. G–1325 and G–1338, in the matter of Northern Natural Gas Company, Docket No. G–1367.

Upon consideration of the request of Northern Natural Gas Company filed May 23, 1950, that the hearing in the above-docketed matters now set to commence on May 29, 1950, be postponed until June 1, 1950, and the response to such request filed by Metropolitan Utilities District of Omaha on May 24, 1950;

The Commission finds: Good cause exists for postponing the hearing until June 1, 1950,

The Commission orders: The hearing in the above-docketed matters now set to commence on May 29, 1950, be postponed until June 1, 1950, at the time and place designated by the Commission's order issued May 18, 1950.

Date of issuance: May 25, 1950.

By the Commission.

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

[F. R. Doc. 50–4665; Filed, May 31, 1950; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25128]

BAGS FROM LAKE CHARLES, LA., AND GALVESTON, TEX., TO ILLINOIS AND WESTERN TRUNK LINE TERRITORIES

APPLICATION FOR RELIEF

MAY 26, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariffs I. C. C. Nos. 3752 and 3595.

Commodities involved: Bags, new or old, carloads.

From: Lake Charles, La., and Galveston, Tex.

To: Points in Illinois and Western Trunk Line territories.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supplement 438; D. Q. Marsh's tariff I. C. C. No. 3595, Supplement 307.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50–4658; Filed, May 31, 1950; 8:47 a. m.]

[4th Sec. Application 25129]

NEWSPRINT PAPER FROM ALABAMA TO SOUTHWEST

APPLICATION FOR RELIEF

MAY 26, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3905.

Commodities involved: Newsprint paper, carloads.

From: Coosa Pines and Childersburg, Ala.

To: Points in the southwest.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3905.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4659; Filed, May 31, 1950; 8:47 a. m.]

[4th Sec. Application 25130]

GRAIN BETWEEN POINTS IN TEXAS

APPLICATION FOR RELIEF

MAY 26, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Ira D. Dodge, Agent, for and on behalf of the Atchison, Topeka and Santa Fe Railway Company, Gulf, Colorado and Santa Fe Railway Company and Panhandle and Santa Fe Railway Company.

Commodities involved: Grain, grain products and related articles, carloads.

From: Points in Texas.

To: Points in Texas.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: Ira D. Dodge's tariff I. C. C. No. 764, Supplement 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4660; Filed, May 31, 1950; 8:47 a. m.]

[4th Sec. Application 25131]

PULPBOARD FROM PANAMA CITY, FLA. TO THE EAST

APPLICATION FOR RELIEF

MAY 26, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1018.

Commodities involved: Pulpboard or Fibreboard, carloads.

From: Panama City, Fla.

To: Bristol, Pa., Gloucester, N. J., Cambridge and New Bedford, Mass.

Grounds for relief: Competition with motor water carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1018, Supplement 97.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

F. R. Doc. 50-4661; Filed, May 31, 1950; 8:47 a. m.]

[Rev. S. O. 562, Amdt. 2 to King's I. C. C. Order 22]

MINNESOTA AND NORTH DAKOTA

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 22 and good cause appearing therefor: *It is ordered*, That:

King's I. C. C. Order No. 22, be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1950, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., May 28, 1950, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., May 24, 1950.

INTERSTATE COMMERCE COMMISSION, HOMER C. KING, *Agent.*

[F. R. Doc. 50-4656; Filed, May 31, 1950; 8:47 a. m.]

[Rev. S. O. 562, Amdt. 1 to King's I. C. C. Order 25]

DULUTH AND NORTHEASTERN RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 25 and good cause appearing therefor: *It is ordered*, That:

King's I. C. C. Order No. 25, be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1950, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., May 31, 1950, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., May 23, 1950.

INTERSTATE COMMERCE COMMISSION, HOMER C. KING, *Agent.*

[F. R. Doc. 50-4657; Filed, May 31, 1950; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2391]

POTOMAC EDISON CO. ET AL.

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 25th day of May A. D. 1950.

In the matter of The Potomac Edison Company, Northern Virginia Power Company, Potomac Light and Power Company, South Penn Power Company; File No. 70-2391.

Notice is hereby given that The Potomac Edison Company ("Potomac Edison"), a registered holding company and a public utility subsidiary of a registered holding company (The West Penn Electric Company), and its wholly-owned public utility subsidiary companies, Northern Virginia Power Company ("Northern Virginia"), Potomac Light and Power Company ("Potomac Light"), and South Penn Power Company ("South Penn") have filed a joint application-declaration with this Commission pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder with respect to the issuance and sale of securities and related transactions.

Notice is further given that any interested person may not later that June 8, 1950, 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 joint application-declaration which he proposes 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 June 8, 1950, 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:

Northern Virginia proposes to issue and sell 10,500 shares of its authorized common stock, par value $100 per share, and Potomac Edison proposes to acquire such shares for a total cash consideration of $1,050,000, the aggregate par value thereof.

Potomac Light proposes to issue and sell 4,000 shares of its authorized common stock, par value $100 per share, and Potomac Edison proposes to acquire such shares for a cash consideration of $400,000, the aggregate par value thereof.

South Penn proposes to issue and sell 58,000 shares of its authorized capital stock without nominal or par value, and Potomac Edison proposes to acquire such shares for a cash consideration of $290,000 ($5 per share), the aggregate stated value thereof.

Potomac Edison proposes to use existing treasury funds in effecting the proposed acquisitions and the shares acquired are to be pledged under the indenture securing the company's First Mortgage and Collateral Trust Bonds in accordance with the terms thereof.

It is stated in the filing that the subsidiaries are to use the proceeds from the sale of these securities for necessary property additions and improvements and in the case of South Penn also to discharge an open account indebtedness to Potomac Edison presently owing in the aggregate amount of $50,000.

Expenses to be incurred in connection with the proposed transactions are represented as being nominal consisting chiefly of United States documentary tax stamps, Pennsylvania bonus tax, and miscellaneous expenses estimated in total at less than $3,200.

The joint application-declaration states that the Public Service Commission of Maryland, the Public Service Commission of West Virginia, and the Public Utility Commission of Pennsylvania have jurisdiction with respect to certain of the proposed transactions and that proper applications have been filed with such commissions. The joint application-declaration requests that our final order in this matter be issued by June 10, 1950, and become effective forthwith upon issuance.

By the Commission.

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

[F. R. Doc. 50-4647; Filed May 31 1950; 8:46 a. m.]

[File No. 70-2401]

COLUMBIA GAS SYSTEM, INC. AND CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securites and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of May A. D. 1950.

Notice is hereby given that a joint application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, Central Kentucky Natural Gas Company ("Central"). Applicants have designated sections 6 (b), 9 and 10 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 6, 1950, 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 application 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 after June 6, 1950, said application, as filed or as amended, may be granted 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 application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central proposes to issue and sell to Columbia $2,550,000 principal amount of 3¼ percent installment promissory notes. Such notes are to be paid in equal annual installments on February 15th of each of the years 1952 to 1976, inclusive. The applicant states that the proceeds to be obtained through the issue and sale of said notes will be utilized by Central to finance its 1950 construction program.

The Public Service Commission of Kentucky, by order dated April 13, 1950, approved the issue and sale by Central of its 3¼ percent notes to Columbia.

By the Commission.

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

[F. R. Doc. 50-4646; Filed, May 31, 1950; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14647]

HIROYUKI AMANO, ET AL.

In re: Rights of Hiroyuki Amano, Teruno Amano, et al. under insurance contract. File No. F-39-4373-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hiroyuki Amano and Teruno Amano, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Takasuke Amano, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9 008 803, issued by the New York Life Insurance Company, New York, New York, to Takasuke Amano, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Takasuke Amano, deceased, and not within a designated enemy country, the national interest of the United States requires that such persons be treated

as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4668; Filed, May 31, 1950; 8:48 a. m.]

[Vesting Order 14649]

JOHN (JUERGEN) GOSCH

In re: Rights of John (Juergen) Gosch under insurance contract. File No. F-28-28465-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John (Juergen) Gosch, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 5 921 265, issued by The Prudential Insurance Company of America, Newark, New Jersey, to John (Juergen) Gosch, together with the right to demand, receive and collect said net proceeds,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4669; Filed, May 31, 1950; 8:48 a. m.]

[Vesting Order 14650]

RUDOLF HUEHNCHEN

In re: Property owned by Rudolf Huehnchen, also known as Rudolf Hühnchen. File No. D-28-12227; E. T. sec. 16452.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rudolf Huehnchen, also known as Rudolf Hühnchen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One (1) Chicago Rapid Transit Company First and Refunding Mortgage Gold Bond, 6½% Series, due July 1, 1944, of $500 face value, in bearer form numbered D-964, presently in the custody of City National Bank & Trust Company of Chicago, Chicago, Illinois, together with all rights thereunder and thereto, including particularly, but not limited to, the right to receive liquidating dividends due or to become due under a plan of reorganization of the Chicago Rapid Transit Company,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4670; Filed, May 31, 1950; 8:48 a. m.]

[Vesting Order 14651]

ERNST MEYRAN

In re: Rights of Ernst Meyran under insurance contract. File No. F-28-26778-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Meyran, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9,513,099, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Ernst Meyran, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4671; Filed, May 31, 1950; 8:48 a. m.]

[Vesting Order 14655]

AKIRA SATO ET AL.

In re: Rights of Akira Sato et al. under insurance contract. File No. F-39-5954-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Akira Sato, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Gorobyoe Sato, deceased, who there is reasonable cause to believe are residents of Japan are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 348,818, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Gorobyoe Sato, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Gorobyoe Sato, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4672; Filed, May 31, 1950; 8:48 a. m.]

[Vesting Order 14656]

MOTOI TAKAMI AND FUMIKO TAKAMI

In re: Rights of Motoi Takami and Fumiko Takami under insurance contract. File No. F-39-4930-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Motoi Takami and Fumiko Takami, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,002,786, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Motoi Takami, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Motoi Takami or Fumiko Takami, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 15, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4673; Filed, May 31, 1950; 8:48 a. m.]

[Return Order 636]

ABRAHAM L. GARBAT

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Abraham L. Garbat, New York, New York: Claim No. 735; April 13, 1950 (15 F. R. 2095); $2,545.72 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 22, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4674; Filed, May 31, 1950; 8:48 a. m.]

[Return Order 639]

ANTON AND MINNIE BRAUN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Anton and Minnie Braun, New York, New York; Claim No. 40076; April 13, 1950 (15 F. R. 2095); all right, title, interest and claim of any kind or character whatsoever of the Attorney General of the United States in and to the Mortgage Participation Certificate No. 303 of Series N-66, having a face value of $4,000.00, issued by the New York Title and Mortgage Company, said interest being evidenced by Trustee Certificate No. 20386 issued by the Brooklyn Trust Company, as trustee, to the Alien Property Custodian, Washington, D. C., Account No. 2814058 presently in the custody of the Office of Alien Property, Washington, D. C. $1,346.05 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4675; Filed, May 31, 1950; 8:49 a. m.]

[Return Order 640]

ELSIE FRANCIS JUDD AND AUDREY H. SONNENWALD

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the adminstration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Elsie Francis Judd, Washington, D. C.; Claim No. 41290; $3,333.33 in the Treasury of the United States. Audrey H. Sonnenwald, Washington, D. C.; Claim No. 42588; $1,666.67 in the Treasury of the United States. April 21, 1950 (15 F. R. 2260).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4676; Filed, May 31, 1950; 8:49 a. m.]

BLANDINA D'AMBROSIO AND NICOLINA D'AMBROSIO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Blandina d'Ambrosio a/k/a Valentina d'Ambrosio and Nicolina d'Ambrosio, Fontanarosa, Italy; Claim No. 28902. $1,240.14 in the Treasury of the United States, in two equal shares, one each to Blandina d'Ambrosio a/k/a Valentina d'Ambrosio, and to Nicolina d'Ambrosio. Seven (7) United States of America Treasury Bonds to Blandina d'Ambrosio a/k/a Valentina d'Ambrosio and to Nicolina d'Ambrosio, equally, in custody of the Federal Reserve Bank of New York, New York, described as follows:

Four (4) United States of America Treasury Bonds of 1964-69, 2½%, dated April 15, 1943, due June 15, 1969, with coupon dated June 15, 1950, and S. C. A. serial numbers and face amounts as indicated:

Bond Nos.:	*Amount*
62165	$500
183460	1,000
183461	1,000
183462	1,000

Three (3) United States of America Treasury Bonds of 1964-69, 2½%, dated April 15, 1943, due June 15, 1969, interest payable June and December 15th, registered in the name of the Office of Alien Property Custodian, Washington, D. C., serial numbers and face amounts as indicated:

Bond Nos.:	*Amount*
15783	$500
32150	1,000
32151	1,000

An undivided one-half (½) interest each to Blandina d'Ambrosio a/k/a Valentina d'Ambrosio and to Nicolina d'Ambrosio in and to four (4) Passbooks, Regno d'Italia Casse Di Risparmio Postali, in custody of the Deposit and Clearance Section, Comptroller's Branch, Office of Alien Property, 120 Broadway, New York, New York, passbook numbers and amounts recorded therein, indicated as follows:

No.:	*Amount (lire)*
07991	44,544.30
07992	47,855.10
08572	55,492.60
08573	38,511.80

All right, title, interest and claim of any kind or character whatsoever of Valentina d'Ambrosio and Nicolina d'Ambrosio, and each of them, in and to the Estate of Salvatore d'Ambrosio, deceased.

Executed at Washington, D. C., on May 25, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4679; Filed, May 31, 1950; 8:49 a. m.]

EMILE PRAT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

Emile Prat; Paris, France; Claim No. 31760; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 1,924,255 and 2,170,484.

Executed at Washington, D. C., on May 23, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4681; Filed, May 31, 1950; 8:49 a. m.]

[Return Order 645]

LENA REDING ET AL.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Lena Reding; Luxembourg, Luxembourg; Claim No. 5602; Nicolas Reding; Eschdorf, Luxembourg; Claim No. 5603; Peter Reding; Eschdorf, Luxembourg; Claim No. 5604; Christina Reding; Eschdorf, Luxembourg; Claim No. 5605; Christina Reding; Schifflange, Luxembourg; Claim No. 5606; Peter Reding; Mertzig, Luxembourg; Claim No. 5607; Jean Pierre Reding; Eschdorf, Luxembourg; Claim No. 5608. $1,279.60 in the Treasury of the United States, returnable as follows: 2/7 to Peter Reding (5604); 1/7 each to Lena Reding (5602), Nicolas Reding (5603), Christina Reding (5605) and Christina Reding (5606); 1/14 each to Peter Reding (5607) and Jean Pierre Reding (5608), April 19, 1950 (15 F. R. 2208).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4677; Filed, May 31, 1950; 8:49 a. m.]

COMPAGNIE DE PRODUITS CHIMIQUES ET ELECTROMETALLURGIQUES, ALAIS FROGES ET CAMARQUE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

Compagnie de Produits Chimiques et Electrometallurgiques, Alais Froges et Camargue; Paris, France; Claim Nos. A-241 and 40681; an undivided one-half interest in and to property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942), relating to United States Patent Application Serial No. 326,804 (now United States Letters Patent No. 2,345,170). Property described in Vesting Order No. 293 relating to United States Patent Application Serial Nos. 377,049 (now United States Letters Patent No. 2,354,006) and 377,048 (now United States Letters Patent No. 2,376,681. Property described in Vesting Order No. 666 (7 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 2,034,339; 2,069,705; 2,245,505; and 2,264,429.

Executed at Washington, D. C., on May 25, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4680; Filed, May 31, 1950; 8:49 a. m.]