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TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter C—Determination of Proportionate Shares

[Sugar Determination 850.76, as amended, Supp. 1]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

OREGON PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877), the Agricultural Stabilization and Conservation Oregon State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 19,343 acres established for Oregon by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at the Ross Building, 209 Southeast Fifth Avenue, Portland, Oregon, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Oregon. These bases and procedures incorporate the following:

§ 850.77 *Oregon*—(a) *Proportionate share areas.* Oregon shall be divided into two proportionate share areas comprising beet sugar factory districts as served by two beet sugar companies. These areas shall be designated as follows: Nampa-Nyssa (Amalgamated) and Toppenish (Utah-Idaho). Acreage allotments for these areas shall be computed by applying to the accredited acreage (as defined in § 850.76) for each area a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 25 percent to the largest accredited acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with a floor of 99.06 percent of the 1953-54 average acreage and pro rata adjustments to a total of 19,343 acres. Acreage allotments computed as aforesaid are established as

follows: Nampa-Nyssa Area—16,911 acres and Toppenish Area—2,432 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Toppenish Area—68 acres for new producers; 25 acres for appeals; and 0 acres for adjustments in initial shares; Nampa-Nyssa Area—858 acres for new producers; 370 acres for appeals; and 0 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on form SU-100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully completed form SU-100 shall be filed by February 11, 1958, in the Toppenish Area, or March 18, 1958, in the Nampa-Nyssa Area, before a proportionate share may be established for the farm. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed form SU-100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual proportionate shares for old producer farms*—(1) *Farm bases*—(i) *Nampa-Nyssa Area.* For each farm whose operator is a tenant with a personal accredited acreage record during at least one of the crop years 1955-57, the 1958 base shall be determined by applying to his personal accredited acreage record, or to 100 percent of the accredited acreage record of the land he will operate in 1958, whichever is more favorable, a weighting of 80 percent to the average accredited acreage for the crop years 1950-54, as a measure of past production, and a weighting of 20 percent to the largest accredited acreage of any of the crop years 1950-54 as a measure of ability to produce; *Provided*, That the base for a farm operated by a tenant having a personal accredited acreage record for any of the 1955, 1956 or 1957 crop years under a new-producer share shall equal the most recent accredited acreage for the

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(As of January 1, 1958)

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Title 16 (\$1.75)

Title 19 (\$0.70)

Previously announced: Title 3, 1957 Supp. (\$0.40); Titles 4-5 (\$1.00); Title 7, Parts 1-209 (\$2.25), Parts 900-959 (\$1.00); Title 8, Rev. Jan. 1, 1958 (\$3.25); Title 9 (\$0.75); Titles 10-13 (\$1.00); Title 14, Parts 1-39 (\$0.50), Parts 40-399 (\$0.40), Part 400 to end (\$1.50); Title 17 (\$0.65); Title 18 (\$0.50); Title 20 (\$1.00); Titles 22-23, Rev. Jan. 1, 1958 (\$4.25); Title 24 (\$1.00); Title 25, Rev. Jan. 1, 1958 (\$4.50); Title 26 (1954), Rev. Jan. 1, 1958 (\$3.00); Titles 28-29 (\$1.50); Titles 30-31 (\$1.50); Title 32, Parts 1-399 (\$1.25), Parts 400-699 (\$1.75), Parts 700-799 (\$0.60), Part 1100 to end (\$0.50); Title 33 (\$1.50); Titles 35-37 (\$1.00); Title 38 (\$0.40); Title 39 (\$0.60); Titles 40-42 (\$1.00); Title 43 (\$0.70); Title 46, Parts 1-145 (\$0.75), Parts 146-149, Rev. Jan. 1, 1958 (\$5.50); Title 49, Parts 1-70 (\$0.70), Parts 91-164, Rev. Jan. 1, 1958 (\$5.00), Part 165 to end (\$0.75)

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farm, most recently operated by him during such years but not in excess of the most-recently established share for such farm. If the operator is the owner of the farm, or is a tenant without a personal accredited acreage record in at least one of the years 1955-57, and the farm has an accredited acreage record during at least one of such years, the 1958 base for such farm shall be determined by applying the above-specified weightings to the accredited acreage record of the farm for the crop years 1950-54 as prescribed above.	
(ii) <i>Toppenish Area</i> . For each farm whose operator is a tenant having a	

personal accredited acreage record during at least one of the crop years 1955-57, the 1958 base shall be determined by dividing by 3 his total personal accredited acreage record for the crop years 1955-57 or by dividing by 3 the total accredited acreage record for the crop years 1955-57 of the farm he will operate in 1958, whichever is more favorable: *Provided*, That the base for a farm operated by a tenant having a personal accredited acreage record for any of the 1955, 1956 or 1957 crop years under a new-producer share shall equal the most recent accredited acreage for the farm most recently operated by him during such years but not in excess of the most recently established share for such farm. If the operator is the owner of the farm, or is a tenant without a personal accredited acreage in at least one of the crop years 1955-57, and the farm has an accredited acreage in at least one of such crop years, the base shall be determined by dividing by 3 the total accredited acreage of the farm for the crop years 1955-57: *Provided, however*, That if the accredited acreage for the farm for any of such years is used as the personal production record of a former tenant in determining the base for another farm for 1958, the acreage to be used for each such year in determining the base for the farm shall be the larger of one-half of the accredited acreage on the farm for each such year, or the landowner's share of the crop for each such year.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; for each farm with a base of 8.0 acres or less, the initial share shall equal the smaller of 8.0 acres or the requested acreage; and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at not less than eight acres, the minimum level determined by the State Committee under usual circumstances to be economically feasible to plant to sugar beets, by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator. Within such acreage set-aside, proportionate shares of less than eight acres if requested may be established for new-producer farms if the State Committee determines that the planting of less than eight acres of sugar beets is economically feasible on such farms.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76, applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to March 1 in the Toppenish Area and March 10 in the Nampa-Nyssa Area shall be used to increase small proportionate shares (smaller-than-average for the area) so as to promote the more efficient operation of farms. In increasing such small producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none." In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a form SU-103-A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU-103-B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of share.* If the Agricultural Stabilization and Conservation County Committee determines that the proportionate share for any farm was established with consideration for the personal history of a person who had no interest or did not acquire any interest in such farm as a tenant, or who was not the operator of the farm at the time of planting sugar beets on the farm, the State Committee shall be notified of the circumstances and the actual operator of the farm shall be given an opportunity to file a request for a share for such farm. Pursuant to such a request, the proportionate share for the farm shall be redetermined on the basis of the personal history of such actual operator, the farm history, or new-producer procedure, whichever is applicable, even though a downward adjustment to zero acres may be required. The actual farm operator shall be furnished a Form SU-103-A setting forth the redetermined share for the farm and he shall also be furnished a statement explaining the reasons for the adjustment. A copy of such statement shall be furnished the person to whom the original Form SU-103 was issued.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Oregon State Committee for determining farm proportionate shares in Oregon in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Oregon is again divided into the same two areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by applying formulas to the accredited acreages for the crop years 1950-54 in the Nampa-Nyssa Area and 1955-57 in the Toppenish Area.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.76. The acreage set aside for such producers is sufficient to establish shares for farms at the prescribed minimum levels for those having the required qualifications. Eight-acre shares are determined to be minimum economic units for new farms except those for which requests for smaller acreages are made because of unavailability of land, the use of personal or family labor on a part-time basis, or other basis which makes the planting of less than eight acres economically feasible.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. Sup. 1131, 1132)

Dated: May 1, 1958.

[SEAL] ROBERT T. LISTER,
Chairman, Agricultural Stabilization and Conservation Oregon State Committee.

Approved: May 9, 1958.

LAWRENCE MYERS,
Director, Sugar Division,
Commodity Stabilization Service.

[F. R. Doc. 58-3733; Filed, May 16, 1958; 8:52 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 136]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.436 *Valencia Orange Regulation 136*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this

section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 15, 1958.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., May 18, 1958, and ending at 12:01 a. m., P. s. t., May 25, 1958, are hereby fixed as follows:
(i) District 1: 485,100 cartons;
(ii) District 2: 485,100 cartons;
(iii) District 3: Unlimited movement.
(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: May 16, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-3775; Filed, May 16, 1958; 11:11 a. m.]

[Grapefruit Reg. 288]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGÉLOS GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.910 *Grapefruit Regulation 288*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933; 22 F. R. 8511), regulating the handling of oranges, grapefruit, tangerines, and tangélos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat.

237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on May 13, 1958, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (chapter 29760).

(2) During the period beginning at 12:01 a. m., e. s. t., May 19, 1958, and ending at 12:01 a. m., e. s. t., June 2, 1958, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which are not mature and do not grade at least U. S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any seedless grapefruit, grown in the production area, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: May 14, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 58-3730; Filed, May 16, 1958;
8:51 a. m.]

[Orange Reg. 341]

PART 933—ORANGES, GRAPEFRUIT, TAN-
GERINES AND TANGLOS GROWN IN
FLORIDA

LIMITATION OF SHIPMENTS

§ 933.911 *Orange Regulation 341—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933; 22 F. R. 8511), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on May 13, 1958, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provi-

sions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, except Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F. R. 6676).

(2) During the period beginning at 12:01 a. m., e. s. t., May 19, 1958, and ending at 12:01 a. m., e. s. t., June 2, 1958, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the production area, which do not grade at least U. S. No. 2 Russet;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than a size that will pack 324 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any oranges, except Temple oranges, grown in the production area, which grade U. S. No. 2 Russet and are of a size larger than a size that will pack 216 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

Shipments of Temple oranges, grown in the production area, are subject to the provisions of Orange Regulation 335 (§ 933.899; 23 F. R. 1000).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: May 14, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 58-3729; Filed, May 16, 1958;
8:51 a. m.]

[Lemon Reg. 739]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF HANDLING

§ 953.846 *Lemon Regulation 739—(a)*
Findings. (1) Pursuant to the market-

ing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based becomes available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 14, 1958.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., May 18, 1958, and ending at 12:01 a. m., P. s. t., May 25, 1958, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 418,500 cartons;
(iii) District 3: Unlimited movement.
(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: May 15, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 58-3766; Filed, May 16, 1958;
9:21 a. m.]

PART 962—FRESH PEACHES GROWN IN
GEORGIA

DETERMINATION RELATIVE TO EXPENSES AND
FIXING OF RATE OF ASSESSMENT FOR
1958-59 FISCAL PERIOD

Notice was published in the April 25, 1958, daily issue of the FEDERAL REGISTER (23 F. R. 2771) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1958-59 fiscal period under the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 962.211 *Expenses and rate of assessment for the 1958-59 fiscal period*—(a) *Expenses.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning March 1, 1958, will amount to \$17,957.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles peaches shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at eight tenths cent (\$.008) per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk.

(c) As used in this section, the terms "handler," "handles," "shipped," "peaches," "production area," and "fiscal period," shall have the same meaning as is given to each such term in the said amended marketing agreement and order.

(d) The provisions of this section shall become effective 30 days after publication in the FEDERAL REGISTER.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: May 14, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 58-3731; Filed, May 16, 1958;
8:52 a. m.]

TITLE 43—PUBLIC LANDS:
INTERIOR

Chapter I—Bureau of Land Manage-
ment, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1634]

[1841741]

ALASKA

RESERVING PUBLIC LANDS AS THE KODIAK
NATIONAL WILDLIFE REFUGE; REVOKING
EXECUTIVE ORDER NO. 8857 OF AUGUST 19,
1941

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights and the provisions of paragraphs 3 and 4 of this order, the following-described areas in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws nor disposals under the act of July 31, 1947 (61 Stat. 681), as amended by the act of July 23, 1955 (69 Stat. 367; 30 U. S. C. 601-604), and reserved under jurisdiction of the United States Fish and Wildlife Service, Department of the Interior, as a refuge and breeding ground for brown bears and other wildlife, as the Kodiak National Wildlife Refuge:

All of Uganik Island located near the north end of Kodiak Island in approximate latitude 57°53' N., longitude 153°21' W.:

All that part of Kodiak Island lying west and southwest of Klekoda Bay and Killuda Bay and the following-described boundary:

Beginning at a point at the head and on the north shore of Viekoda Bay, latitude 57°49'32" N., longitude 153°02'31" W., approximately 0.5 mile north from the most southerly point of said bay, thence

East, 1 mile approximately, to the divide between Viekoda Bay and a stream flowing northwesterly into said bay;

Southeasterly, 1 mile approximately, to the divide between Viekoda Bay and Kishuyak Bay;

Southerly, along the mountainous divide which traverses the center of the island to a point 7 miles north of the head of Killuda Bay, thence leaving the main divide;

Southerly, along the spur between two minor drainages to the shore of Killuda Bay at VADM 45; latitude 57°18'45" N., longitude 153°10' W., excepting therefrom the Kariuk Indian Reservation.

The area described contains approximately 1,820,000 acres.

2. Executive Order No. 8857 of August 19, 1941, which originally established the Kodiak National Wildlife Refuge, is hereby revoked.

3. The withdrawal made by paragraph 1 of this order shall not be construed to affect valid existing rights lawfully initiated and duly maintained in accordance with applicable statutory requirements and regulations or in accordance with the provisions of Executive Order No. 8857, provided, that upon the cancellation, termination, or release of prior entries, selections, rights, appropriations or claims, or upon the revocation of prior withdrawals (unless expressly otherwise provided in the order of withdrawal) the lands affected thereby shall immediately

become subject to the withdrawal made by this order without further order.

4. There is excepted from the withdrawal made by Paragraph 1 of this order an area one mile square surrounding each of the native villages of Old Habor, Akhiok, Larsen Bay, Uganik, Uyak, Alitak, Ayakulik, and Kaguyak.

5. The lands excluded from the refuge by the revocation of Executive Order No. 8857, and not withdrawn by paragraph 1 of this order, are included in the withdrawal for classification and in aid of legislation made by Executive Order No. 8344 of February 10, 1940.

FRED A. SEATON,
Secretary of the Interior.

MAY 9, 1958.

[F. R. Doc. 58-3696; Filed, May 16, 1958;
8:45 a. m.]

[Public Land Order 1635]

[71818]

LOUISIANA

TRANSFERRING JURISDICTION OVER THE OIL
AND GAS DEPOSITS IN CERTAIN LANDS
OWNED BY THE UNITED STATES

Whereas the hereinafter-described lands, title to which has been acquired by the United States, comprising the Veterans Administration Center Reservation, Shreveport, Louisiana, are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Veterans Administration to the Department of the Interior; and

Whereas such transfer has the concurrence of the Administrator of Veterans Affairs;

Now therefore, by virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The jurisdiction over the oil and gas deposits in the following-described lands is hereby transferred from the Veterans Administration to the Department of the Interior:

A certain tract of land situate in Caddo Parish, Louisiana, comprising a portion of lots 1, 2, 3, 4, 5, 6, 8, and 9; and all of lots 7 and 10, according to the Plan of Subdivision of the East Half of the Southwest Quarter of Section 32, T. 18 N., R. 13 W., recorded in Book P at page 865 of January 13, 1868, and a portion of lot 1 of Section 32, T. 18 N., R. 13 W., according to the Government survey thereof in 1854, commonly known as Fort Humbug and more particularly described as follows:

Beginning at a point 200 feet east of the northwest corner of the southeast quarter of the southwest quarter of Section 32, T. 18 N., R. 13 W., thence on a course north 63° East to the point of intersection with the southwesterly right of way line of the Texas and Pacific Railway Company; thence on a

course in a southeasterly direction along said southwesterly right of way line of the Texas and Pacific Railway Company to the point of intersection with the north boundary of Stoner Avenue as fixed by Ordinance No. 186 adopted November 24, 1925, and Plat recorded in Book 150, at page 328, of the records of Caddo Parish, Louisiana; thence west along the north boundary of said Stoner Avenue to the point of intersection with the easterly right of way line of the driveway or roadway at the main entrance of Fort Humbug Memorial Park at the southwesterly corner of said park; thence on a course generally northerly along the easterly right of way line of said driveway or roadway to a point which is approximately 100 feet south and 330 feet east of the northwest corner of the southeast quarter of the southwest quarter of Section 32, T. 18 N., R. 13 W., thence north to the north line of the southeast quarter of the southwest quarter of said Section 32; thence west along the north line of said southeast quarter of the southwest quarter of Section 32 to the point of beginning.

The tract described contains 48.5 acres.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas from such lands.

3. The jurisdiction of the Department of the Interior over such lands shall be subject to the primary jurisdiction of the Veterans Administration over the lands for hospital purposes.

4. No oil and gas lessee shall use or invade for any purpose the surface of the lands.

5. Prior to any advertisement for bids the Veterans Administration shall have the opportunity to indicate the further reservations and restrictions that are to be included in the proposed lease or leases.

6. Prior to execution of any lease or development authorized by the Department of the Interior the approval of the Veterans Administration is to be obtained to assure that there is no interference with the primary use of the Veterans Administration Center Reservation.

7. All moneys received as royalties under leases, or otherwise, on account of oil and gas extracted from such lands shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

FRED G. AANDAHL,
Assistant Secretary of the Interior.

MAY 12, 1958.

[P. R. Doc. 58-3897; Filed, May 16, 1958; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11959; FCC 58-439]

[Rules Amdt. 2-19]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

REALLOCATION OF CERTAIN FIXED, LAND MOBILE, AND MARITIME MOBILE BANDS

In the matter of amendment of Part 2 of the Commission's rules and regula-

tions; reallocation of certain fixed, land mobile, and maritime mobile bands between 25 and 470 Mc.

1. On April 3, 1957, the Commission adopted a notice of proposed rule making in the above entitled matter which was released on April 9, 1957, and published in the FEDERAL REGISTER of April 16, 1957 (22 F. R. 2583). A correction to the notice adding footnote designators to certain specified frequency bands was released on April 11, 1957, and published in the FEDERAL REGISTER of April 26, 1957 (22 F. R. 2956). The first memorandum report and order in this docket, which applied only to the Land Transportation and Maritime Mobile Services in the 152-162 Mc band, was adopted by the Commission on April 9, 1958, and published in the FEDERAL REGISTER on April 15, 1958 (23 F. R. 2424). A corrected copy of the order was published in the FEDERAL REGISTER on April 19, 1958 (23 F. R. 2601).

2. This order is intended to provide, so far as Part 2 is concerned, for the assignment of "split-channel" frequencies to those services not covered in the first memorandum report and order in the 152-162 Mc band and to the Public Safety Radio Service only, at this time, in the 450-460 Mc band. This order does not involve any reallocation of frequencies and the changes in the Part 2 table of frequency allocations set forth below are editorial in nature. It should be noted that, amendments now being effected in Part 2 of the Commission's rules set forth below, listing of the frequency band 161.625-161.825 Mc is merely to reflect the present frequency allocation for the Land Transportation Radio Service and is not to be construed as finalization of the Commission's outstanding proposal in Docket No. 11959 to reallocate the frequency band 161.645-

161.825 Mc to the Remote Pickup Service. The remainder of the proposed rule making will be disposed of at a later date.

3. Proceedings in this and other outstanding "split-channel" dockets will provide for the assignment of both regularly and randomly spaced frequencies together with narrow band authorizations looking towards increased flexibility and efficiency of use of the bands. The variation in spacing of these frequencies from normal uniform channel spacing renders impractical the indication of assignable frequencies in column 10 of the Part 2 table of frequency allocations. Therefore, in lieu thereof, band edge frequencies will be indicated in column 7 for each kind of service or station shown in column 11 for the land mobile service above 50 Mc. Such a system is presently used in the table for most services below 25 Mc.

4. In view of the foregoing, the Commission finds that the public interest, convenience and necessity will be served, by the amendments herein ordered and, pursuant to authority contained in sections 4 (1) and 303 of the Communications Act of 1934, as amended.

5. It is ordered, That effective June 30, 1958, Part 2 of the Commission's rules, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations, is hereby amended as set forth below.

Adopted: May 8, 1958.

Released: May 12, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. In the table of frequency allocations, § 2.104 (a) (5), change the entries between 150.8-162 Mc, 453-454 Mc, and 458-459 Mc in columns 7 through 11 to read as follows:

Band Mc	Service	Class of station	Frequency	Nature (OF SERVICE OF stations)
7	8	9	10	11
150.8-150.98 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		LAND TRANSPORTATION.
150.98-151.49 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY.
151.49-152.0 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		INDUSTRIAL.
152.0-152.24 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		DOMESTIC PUBLIC.
152.24-152.48 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		LAND TRANSPORTATION.
152.48-152.84 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		DOMESTIC PUBLIC.
152.84-153.725 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		INDUSTRIAL (NG6).
153.725-154.45 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY (NG35).

Band Mc	Service	Class of station	Fre- quency	Nature (OF SERVICE Of stations)
7	8	9	10	11
154.46- 154.625 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		INDUSTRIAL.
154.6275- 156.25 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY.
157.45- 157.74 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		LAND TRANSPORTA- TION.
157.74- 158.1 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		DOMESTIC PUBLIC
158.1- 158.46 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		INDUSTRIAL
158.46- 158.7 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		DOMESTIC PUBLIC
158.7- 159.48 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY
159.48- 161.375 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		LAND TRANSPORTA- TION (NG11) (NG45) (NG46)
161.625- 161.825 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		LAND TRANSPORTA- TION (NG11) (NG45)
453-454 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY
458-459 (NG1) (NG22)	Land mobile.	a. Base. b. Land mobile.		PUBLIC SAFETY

2. Add new § 2.103 (f) to read as follows:

(f) The stations of a service shall use frequencies so separated from the limits of a band allocated to that service as not to cause harmful interference to the services to which the frequency bands immediately adjoining are allocated.

3. Amend the footnotes to the table in § 2.104 (a) (5) as follows:

a. Amend footnote NG22 to read as follows:

NG22 Fixed stations in the services shown in column 11 may use frequencies in this band on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

b. Delete footnotes NG43, NG48, NG54, and NG55.

c. Amend footnote NG7 to read as follows:

NG7 Stations in the Public Safety Radio Services authorized as of June 30, 1958, to use the frequencies 156.27, 156.33, 156.39,

156.45, 156.51, 156.57, 156.63, 156.69, 156.75, 156.87, 156.93, 156.99, 157.05, 157.11, 157.29, 157.35, 157.41, 157.47, 161.85, 161.91 and 161.97 Mc may continue such use, including expansion of existing systems, on the condition that harmful interference will not be caused to the Maritime Mobile Service except that on the frequencies 157.05 and 157.11 Mc this authority may be extended only to those stations authorized prior to April 28, 1952. No new Public Safety Radio Service system will be authorized to operate on these frequencies.

d. Amend footnote NG11 to read as follows:

NG11 Stations in the Public Safety Radio Services authorized as of June 30, 1958, to use frequencies in the block 159.51-161.79 Mc in areas other than Puerto Rico and the Virgin Islands may continue such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to stations in the Land Transportation Radio Services. In Puerto Rico and the Virgin Islands this authority is limited to frequencies in the block 160.05-161.37 Mc. No new Public Safety Radio Service system will be authorized to operate on these frequencies.

e. Amend footnote NG6 to read as follows:

NG6 The use of the frequencies in the block 152.84-153.7325 Mc may be authorized, in any area, to Remote Pickup broadcast base and mobile stations on the condition that harmful interference will not be caused to the Industrial Radio services.

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

[F. R. Doc. 58-3681; Filed, May 16, 1958; 8:45 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 17—LIST OF AREAS

KODIAK NATIONAL WILDLIFE REFUGE

CROSS REFERENCE: For order reserving certain lands for the Kodiak National Wildlife Refuge (§ 17.3) see Public Land Order 1634 in the Appendix to Title 43, Chapter I, *supra*.

Subchapter F—Alaska Commercial Fisheries

PART 108—KODIAK AREA

PART 109—COOK INLET AREA

CLOSED SEASON, KING CRABS

Basis and purpose. On April 10, regulations were amended to provide a temporary closure of the season on king crabs in the Kodiak area because of excessively soft-shelled crabs. This closure was to extend through May 26, 1958.

A similar temporary closure was made on April 11 for the Cook Inlet area to be effective from April 15 to June 30, 1958. Since the regulations, as recodified and revised will supersede these two temporary closures, effective April 17, they must be re-issued. Therefore, effective immediately upon publication in the FEDERAL REGISTER:

1. A new section designated § 108.74 is added to read as follows:

§ 108.74 *Closed season, king crabs.* Fishing for or taking king crabs, except by pots, is prohibited throughout the Kodiak area through May 26, 1958.

2. A new section designated § 109.74 is added to read as follows:

§ 109.74 *Closed season, king crabs.* The taking of king crabs is prohibited through June 30, 1958.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

DONALD L. MCKERNAN,

Director,

Bureau of Commercial Fisheries.

MAY 16, 1958.

[F. R. Doc. 58-3776; Filed, May 16, 1958; 11:22 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR Part 293]

[Economic Regulations Draft Release 94]

CLASSIFICATION AND EXEMPTION OF
ALASKAN AIR TAXI OPERATORS

NOTICE OF PROPOSED RULE MAKING

MAY 13, 1958.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a new Part 293 of the Economic Regulations designed to implement its policy determination in the Intra-Alaska Case, Docket No. 6093, et al., and to revise the regulations insofar as they relate to Alaskan pilot owners.¹

The principal features of the proposed regulation are explained in the attached Explanatory Statement, and reasons therefor are described more fully in the Board's opinion in the Intra-Alaskan Case. The proposed new Part 293 is set forth below.

This regulation is proposed under the authority of sections 205 (a), 401 and 416 (b) of the Civil Aeronautics Act of 1938, as amended (52 Stat. 984, 987, 1004; 49 U.S.C. 425, 481, 496).

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 triplicate and addressed to the Secretary, Civil Aeronautics Board, Washington 25, D.C. All communications received on or before June 17, 1958, will be considered by the Board before taking further action upon the proposed rule. Copies of such communications will be available on or after June 20, 1958, for examination by interested persons in the Docket Section of the Board, Room 5412, Commerce Building, Washington, D.C.

By the Civil Aeronautics Board,

(SEAL) M. C. MULLIGAN,
Secretary.

Explanatory statement. Under Part 292 of the Board's Economic Regulations, a pilot owner may now engage in air transportation solely within the Territory of Alaska using his own airplane with a capacity of not more than four passengers. The regulation does not presently permit a pilot owner to operate between points on any route over which certificated carriers provide three or more scheduled flights per week.

The proposed regulation would create a new Part 293 and would change the present scope of the classification of "Alaskan pilot owners" in certain important respects. Under the proposed regulation, the present Alaskan pilot owners would be reclassified as "Alaskan Air Taxi Operators" and would be redefined to include individuals, partnerships, or Alaskan corporations who are not otherwise authorized to engage in air

transportation. In addition, the proposed regulation would enlarge the operating authority of persons formerly referred to as Alaskan pilot owners. Thus, it expressly authorizes Alaskan air taxi operators to engage in air transportation without limitation as to frequency between points served by a certificated air carrier with less than two round trips per week. Alaskan air taxi operators would be authorized to operate on a charter trip basis only, between points between which a certificated air carrier is providing two or more round trips per week.

The proposed regulation also authorizes Alaskan air taxi operators to transport mail over postal routes Nos. 78150 and 78151 or such other designation as may be assigned thereto ("two-bit" mail) and over gratuitous routes in order to expedite the movement of mail to points which are served only on a demand basis.

The existing regulation is further liberalized by the proposed regulation wherein Alaskan air taxi operators are permitted to hire up to five pilots and to operate aircraft with an absolute maximum take-off weight of 7,900 pounds.² There has been no indication that the exemption authority to hire pilots previously granted by the Board in certain instances has been detrimental to the certificated carriers. Conversely, the authority to hire pilots would enable the pilot owner to increase his operations and more adequately meet the demands for his service. The authorization to operate larger aircraft will likewise enable these operators to more adequately meet the demands for service and conduct more economically sound operations without any adverse effect on certificated carriers.

In addition to the foregoing, Alaskan air taxi operators would be exempted from subdivision (b) and (c) of section 407 of the act and thus would not be required to file reports relating to stock ownership or interlocking relationships. Also, any relationship between Alaskan air taxi operators would be exempted from approval under sections 408, 409 (a) and 412 of the act.

Other modifications of the present regulation would require Alaskan air taxi operators to file schedules, if any scheduled service is provided under the revised regulation, and to file a special semi-annual report showing the air taxi operators' operating bases, numbers of employees, airman certificates and ratings held by each employee and detailed description of each aircraft operated, and the number of hours each aircraft is operated.

These filing requirements, together with the aircraft weight limitations, the prohibition against unlimited conduct of scheduled operations, and the use of an authorized business name, have been made express limitations upon the scope and effectiveness of the exemption to be

accorded all Alaskan air taxi operators. Consequently, the Board would be able to proceed by way of enforcement action against any Alaskan air taxi operator failing to comply with these provisions of the regulation. In the event that an Alaskan air taxi operator fails to timely file the required semi-annual report, provision is made for automatic suspension of such carrier's letter of registration.

The operating authority provided by the proposed part has been limited to a maximum duration of 2 years, and will be terminable sooner with respect to Alaskan air taxi operators upon a finding by the Board that the exemption of this class of air carriers would no longer be in the public interest.

Contemporaneously with the adoption of a final regulation, the Board will promulgate necessary amendments to Part 292 to eliminate those Alaskan pilot owner requirements covered by the new Part 293. However, it is expected that authority will continue to be vested in the Board's Alaska Liaison Office with respect to all Alaskan air carriers. Thus, certain procedural requirements of present Part 292 would continue to apply to Alaskan air taxi operators under the proposed regulation.

PART 293—CLASSIFICATION AND EXEMPTION
OF ALASKAN AIR TAXI OPERATORS

Sec.	
293.0	Applicability of part.
293.1	Definitions.
293.2	Classification.
293.3	Scope of service authorized.
293.4	Necessity for letters of registration.
293.5	Application for letters of registration.
293.6	Issuance of letters of registration.
293.7	Nontransferability of letters of registration.
293.8	Suspension of letters of registration.
293.9	Revocation of letters of registration.
293.10	Termination of letters of registration.
293.11	Extent of exemption.
293.12	Effect of exemption on anti-trust laws.
293.13	Duration of exemption.
293.14	Authority to hire pilots.
293.15	Reports.
293.16	Regulations.
293.17	Business name of the carrier.

§ 293.0 *Applicability of part.* This part establishes a classification of air carriers operating in Alaska known as "Alaskan Air Taxi Operators;" provides certain exemptions from Title IV of the Civil Aeronautics Act of 1938, as amended, for such carriers; and establishes rules and regulations applicable to their operations.

§ 293.1 *Definitions.* (a) "Act" means the Civil Aeronautics Act of 1938, as amended.

(b) "Alaskan Air Taxi Operator" means an air carrier coming within the classification of "Alaskan Air Taxi Operators" established by § 293.2.

(c) "Certificated Air Carrier" means an air carrier operating pursuant to a certificate of public convenience and necessity issued by the Civil Aeronautics Board.

(d) "Charter trip" means air transportation performed where the entire

¹ The regulations contained in present Part 293 will be incorporated in Part 208 at the time this new Part 293 is adopted.

² Waivers of this 7,900 pound limitation are not contemplated.

capacity of one or more aircraft has been engaged for movement of persons and their baggage or for the movement of property, on a time, mileage or trip basis:

- (1) By a person for his own use;
- (2) By a person (no part of whose business is the formation of groups for transportation or the solicitation or sale of transportation services) for the transportation of a group of persons as agent or representative of such group;
- (3) By two or more persons acting jointly for the transportation of such group of persons, or their property.

(e) "Maximum certificated take-off weight" means the maximum take-off weight as authorized by the terms of the aircraft airworthiness certificate.

(f) "Point" means any airport or place where an aircraft may be landed or taken off, including the area within a 10-mile radius of such airport or place.

(g) "Scheduled air service" means the provision of air transportation with a frequency of two or more round trips per week between points.

§ 293.2 *Classification.* There is hereby established a classification of air carriers designated "Alaskan Air Taxi Operators." As used in this part an Alaskan air taxi operator is an individual who is a resident of Alaska and who is a certificated pilot with a commercial or airline transport rating, a partnership in which each partner is a resident of Alaska and a certificated pilot with a commercial or airline transport rating, or a corporation (incorporated under the Laws of the Territory of Alaska) which employs as pilots only individuals who hold currently effective pilot certificates with commercial or airline transport ratings who:

(a) Directly engage in air transportation solely within the Territory of Alaska;

(b) Utilize in such air transportation aircraft, having a maximum certificated take-off weight of 7,900 pounds or less, which are beneficially owned by such individual, partnership or corporation;

(c) Is not otherwise authorized by the Board to engage in air transportation.

§ 293.3 *Scope of service authorized.* An Alaskan air taxi operator is authorized by this part to engage in air transportation of persons or property, or both, (a) between points between which a certificated air carrier is not providing scheduled air service, pursuant to schedules filed with the Board under Part 231 of this subchapter, (b) on a charter trip basis between points on any route between which a certificated air carrier is providing scheduled air service pursuant to schedules filed with the Board under Part 231 of this subchapter, and; to transport over postal routes Nos. 78150 and 78151 or such other designation as may be assigned thereto, and over postal routes designated by the Postmaster General as "gratuitous" routes, such mail as may be tendered by the postmasters of Alaska for transportation over such routes.

§ 293.4 *Necessity for letters of registration.* No individual, partnership or corporation shall engage in air transportation as an Alaskan air taxi operator

unless such individual, partnership or corporation holds a currently effective letter of registration (Alaska) authorizing such service.

§ 293.5 *Application for letters of registration.* Any individual, partnership or corporation, other than those specified in § 293.6 (a) desiring to operate as an Alaskan air taxi operator may apply to the Board for a letter of registration. Such an application shall be submitted in duplicate in letter form, certified to be correct by the applicant and shall set forth the following information:

(a) Date.

(b) Name, citizenship, address (in case of individuals) or place where formed (in case of partnership or corporations), operating bases or location, number of employees, if any, and airman certificates and ratings currently held by each employee.

(c) Number of aircraft units beneficially owned and utilized in air transportation by applicant, registration number, make, model of each aircraft, and type of landing gear employed, the name in which each aircraft is registered.

§ 293.6 *Issuance of letters of registration—(a) To pilot-owners.* Any individual who holds a currently effective letter of registration (Alaska) as an Alaskan pilot owner shall upon surrendering such letter of registration be issued a new letter of registration authorizing such individual to operate as an Alaskan air taxi operator bearing the effective date of this part.

(b) *To all other applicants.* (1) If, after the filing of an application for a letter of registration (Alaska), it appears that the applicant is capable of performing the air transportation authorized by this part as an Alaskan air taxi operator and of conforming to the provisions of the act and all rules and requirements thereunder, and that the conduct of such operations by the applicant will not be inconsistent with the public interest, the applicant will be notified by letter. Such notification will advise the applicant that upon the filing of a valid tariff, a letter of registration will be issued to the applicant unless it has engaged in unauthorized air transportation or other activities prohibited by the act or the rules and regulations of the Board between the date of such notification and such filing. In the latter event, a letter of registration will not be issued unless and until a due showing is made by the applicant that it has terminated such unauthorized or prohibited activities, and that the issuance of such an authorization would be consistent with the public interest.

(2) If, after the filing of an application for a letter of registration, it appears that the applicant has not made a due showing of capability or that the conduct of operations by the applicant might otherwise be inconsistent with the public interest, the Board shall by letter notify the applicant of its findings to that effect. The Board may dismiss any such application unless within 30 days of the date of the mailing of such letter, the applicant has in writing requested reconsideration and submitted such ad-

ditional information as it believes will make the necessary showing, or requested that the application be assigned for hearing, in which case the applicant shall outline the evidence to be presented at such hearing and shall show the need for hearing in order to properly present its case.

(3) In the event that reconsideration or hearing is requested the Board may, without notice or hearing, enter an order of approval or of disapproval in accordance with its determination of the public interest upon the showing made, or on its own initiative may assign the application for hearing.

§ 293.7 *Nontransferability of letters of registration.* (a) A letter of registration shall be nontransferable and shall be effective only with respect to the person named therein or his successor by operation of law, subject to the provisions of this section. The following persons may temporarily continue operations under a letter of registration issued in the name of another person, for a maximum period of six months from the effective date of the succession, by giving written notice of such succession to the Board within 60 days after the succession:

(1) Administrators or executors of deceased persons;

(2) Guardians of incapacitated persons;

(3) Surviving partner or partners collectively of dissolved partnerships; and

(4) Trustees, receivers, conservators, assignees or other such persons who are authorized by law to collect and preserve the property of financially disabled persons.

(b) All operations by successors, as above authorized, shall be performed in the name or names of the prior holder of the letter of registration and the name of the successor, whose capacity shall also be designated. Any successor desiring to continue operations after the expiration of the six-month period above authorized must file an application for a new letter of registration within 120 days after such succession. If a timely application is filed, such successor may continue operations until final disposition of the application by the Board.

§ 293.8 *Suspension of letters of registration.* (a) Letters of registration (Alaska) shall be subject to immediate suspension when, in the opinion of the Board such action is required in the public interest.

(b) Letters of registration (Alaska) shall be automatically suspended upon failure of the Alaskan air taxi operator to timely file the reports required in § 293.15.

§ 293.9 *Revocation of letters of registration.* Letters of registration (Alaska) shall be subject to revocation after notice and hearing, for knowing and willful violation of any provisions of the act, or of any order, rule, or regulation issued under any such provisions or of any terms, conditions or limitations of any authority issued under said act or regulations.

§ 293.10 *Termination of letters of registration.* In any case in which the

Board has reason to believe that a person holding a letter of registration (Alaska) issued under this part has ceased to operate pursuant to the temporary exemptions conferred by § 293.11 the Board may, by registered letters mailed to the carrier at its last known address and to the designated agent of such carrier, if any, request such carrier to advise the Board, within 60 days after receipt thereof, whether such carrier wishes to continue such operations or to have its letter of registration cancelled. Failure to reply within a period of 60 days after receipt thereof, or return of such letters unclaimed, shall automatically terminate all rights under such letter of registration.

§ 293.11 *Extent of exemption.* Except as otherwise provided in this part, each Alaskan air taxi operator shall, to the extent necessary to permit operations authorized by § 293.3, be temporarily exempt from the following provisions of Title IV of the Act:

(a) Section 401 (a);

(b) Section 404 (a): *Provided*, That Alaskan air taxi operators shall abide by those provisions of this section which require air carriers to provide safe service, equipment and facilities in connection with air transportation;

(c) Section 407 (b) and (c); and

(d) Sections 408, 409 (a) and 412 insofar as these provisions would otherwise require Board approval of any relationships between Alaskan air taxi operators.

§ 293.12 *Effect of exemption on anti-trust laws.* The temporary exemption granted in § 293.11 from sections 408, 409 (a) and 412 shall not constitute an order made under such sections, within the meaning of section 414, and shall not confer any immunity or relief from operation of the "anti-trust laws," or any other statute (except the Civil Aeronautics Act of 1938, as amended) with respect to any transaction, interlocking relationship, or agreement, otherwise within the purview of such section.

§ 293.13 *Duration of exemption.* The temporary exemption from any provision of Title IV of the act provided by § 293.11 shall continue in effect only until such time as the Board shall find that enforcement thereof would be in the public interest or would no longer be an undue burden on Alaskan air taxi operators: *Provided*, That upon such a finding as to any Alaskan air taxi operator or class of Alaskan air taxi operators, such exemption shall to that extent terminate with respect to such operator or class of operators: *And provided further*, That unless otherwise ordered by the Board the temporary exemption granted by § 293.11 shall terminate two years after the effective date of this part.

§ 293.14 *Authority to hire pilots.* An Alaskan air taxi operator is hereby authorized to employ a maximum of five pilots who hold currently effective pilot certificates with commercial or airline transport ratings. In the event that an Alaskan air taxi operator desires to employ more than five such pilots, the Alaskan air taxi operator shall request specific authorization from the Board and advise all certificated air car-

riers operating within the Territory of Alaska of its request for authorization to hire such additional pilot personnel. If, within 45 days from the date of mailing of such a request, an Alaskan air taxi operator has not been advised by the Board that the authority is denied, permission to employ such additional pilot personnel may be deemed to be granted by the Board to the Alaskan air taxi operator.

§ 293.15 *Reports.* An Alaskan air taxi operator shall file on April 1, and October 1, of each year a verified statement setting forth (a) a current (as of March 1 and September 1) report of the information required of an applicant under § 293.5, and (b) the number of hours each aircraft beneficially owned and utilized by such Alaskan air taxi operator was operated in air transportation during the preceding six months period. This verified statement shall be made available for public inspection.

§ 293.16 *Regulations.* (a) The following regulations are made applicable to Alaskan air taxi operators:

Part 200—Definitions and Instructions.

Part 221—Construction, Publication, Filing and Posting of Tariffs of Air Carriers and Foreign Air Carriers.

Part 223—Tariffs of Air Carriers; Free and Reduced-Rate Transportation.

Part 224—Access to Aircraft for Safety Purposes; Free Transportation for certain CAA Employees.

Part 227—Tariffs of Air Carriers; Reduced Rates to Furloughed Military Personnel in Overseas or Foreign Air Transportation.

Part 231—Transportation of Mail; Mail Schedules.

Part 232—Transportation of Mail; Review of Orders of Postmaster General.

Part 233—Transportation of Mail; Free Travel for Postal Employees.

Part 240—Inspection of Accounts and Property.

Part 262—Agreements between Air Carriers and Foreign Countries.

Part 292—Classification and Exemption of Alaskan Air Carriers, with respect to the provisions of §§ 292.5, 292.6, and 292.7.

Rules of Practice.

(b) The authorized representative of the Board in the Alaska Liaison Office may take preliminary action for the Board to relieve any Alaskan air taxi operator or group of Alaskan air taxi operators from complying with a specific provision or provisions of Parts 221 and 231 of this subchapter when the application of any provision or provisions of these parts is found by him to be an undue burden on such Alaskan air taxi operator or air taxi operators by reason of the limited extent of, or unusual circumstances affecting, the operations of such Alaskan air taxi operator or air taxi operators. Upon finding that such relief is no longer necessary, the authorized representative of the Board in the Alaska Office may take preliminary action for the Board to cancel the relief previously granted in accordance with the provisions of this section. The action of the authorized representative shall be subject to ratification by the Board and any person affected by his action may file exceptions thereto with the Board within 15

days after the date the authorized representative makes his action effective. The action of the authorized representative under this section may be taken either on written application or may be initiated by him in the first instance.

§ 293.17 *Business name of the carrier.* It shall be an express condition upon the operating authority of all Alaskan air taxi operators governed by this part that the Alaskan air taxi operator concerned, in holding out to the public and in performing air transportation services shall do so only in a name the use of which is authorized under the provisions of this section.

(a) Except as otherwise provided under paragraph (b) of this section, an Alaskan air taxi operator may do business in the name in which its letter of registration is then issued and outstanding, including abbreviations, contractions, initial letter, or other minor variations of such name which are readily identifiable therewith.

(b) An Alaskan air taxi operator may do business in such other and different name or names as the Board may by order permit, upon a finding that the use of such other name or names is not contrary to the public interest. Any such permission may be made conditional upon the abandonment of the use of its official name in air transportation service by the Alaskan air taxi operator concerned, or otherwise be made subject to such reasonable terms and conditions as the Board may find necessary to protect the public interest.

(c) Slogans shall not be considered names for the purposes of this section, and their use is not restricted hereby.

(d) Neither the provisions of this section nor the grant of a permission thereunder shall be deemed to constitute a finding for purposes other than for this section, or to effect a waiver of, or exemption from, any provisions of the Civil Aeronautics Act, or any orders, rules, or regulations issued thereunder.

[F. R. Doc. 58-3734; Filed, May 16, 1958; 8:52 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 695]

HOMEWORKERS IN INDUSTRIES IN THE VIRGIN ISLANDS

NOTICE OF PROPOSED RULE MAKING

In accordance with section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003) and pursuant to the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), Reorganization Plan No. 6 of 1950 (3 CFR 1950 Supp., p. 165), and General Orders Nos. 45-A (15 F. R. 3290) and 85-A (22 F. R. 7614) of the Secretary of Labor, notice is hereby given that the Acting Administrator proposes to amend Part 695 of Title 29, Code of Federal Regulations.

The proposed amendment is based upon authority contained in section 6 (a) (2) of the Fair Labor Standards Act of 1938. Its purpose is to provide mini-

PROPOSED RULE MAKING

minimum piece rates for homeworkers commensurate with the minimum hourly rates established under section 8 of the Fair Labor Standards Act of 1938 for industries in the Virgin Islands (23 F. R. 2375). In addition, the proposed amendment makes provision for the time when the rates prescribed in § 695.12 herein are no longer commensurate with minimum hourly rates so established. The proposed amendment is hereinafter set forth.

1. Section 695.8 will be amended to read as follows:

§ 695.8 *Minimum piece rates prescribed by the Administrator.* Pursuant to the provisions of section 6 (a) (2) of the act, each homeworker shall be paid, in lieu of the applicable hourly rate established by wage order, not less than the piece rates prescribed in § 695.12 for the operations described therein. On or after the effective date of any change in the minimum hourly rates established by wage order and until the effective date of compensating revisions of the rates contained in § 695.12, the minimum piece rates which shall be paid are those listed in § 695.12 adjusted in ratio to the relation between the change in the old and new minimum hourly rates.

2. Section 695.12 will be amended to read as follows:

§ 695.12 *Piece rates established in accordance with § 695.8.*

SCHEDULE A—PIECE RATE SCHEDULE FOR THE HAND-MADE ART LINDEN INDUSTRY IN THE VIRGIN ISLANDS (HAND-EMBROIDERY OPERATIONS)

Design No.	Description of design	Piece rate based on hourly rate of 25 cents
1	Native Woman No. 1—Woman carrying tray of fruit on head, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 1, filed with the Wage and Hour Division. Size: 12" high, 7 1/2" at base.	\$0.131
2	Native Woman No. 2—Woman carrying tray of fruit on head, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 2, filed with the Wage and Hour Division. Size: 13 1/2" high, 13 1/2" at base.	.100
3	Native Woman No. 3—Woman carrying tray of fruit on head, palm tree with 2 fruits; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 3, filed with the Wage and Hour Division. Size: 2" high, 2 1/2" at base.	.21
4	Native Woman No. 4—Woman carrying tray of fruit on head, 2 palm trees, each with 3 fruits; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 4, filed with the Wage and Hour Division. Sizes: 3 1/2" high, 6 1/2" at base.	.911
5	Palm Tree No. 1—Palm tree, 6 leaves, 2 small fruits; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 5 filed with the Wage and Hour Division. Size: 1 1/2" high, 1 1/2" at base.	.148
6	Palm Tree No. 2—Palm tree, 8 leaves, 2 fruits; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 6, filed with the Wage and Hour Division. Size: 2 1/2" high, 1 1/2" at base.	.174

SCHEDULE A—PIECE RATE SCHEDULE FOR THE HAND-MADE ART LINDEN INDUSTRY IN THE VIRGIN ISLANDS (HAND-EMBROIDERY OPERATIONS)—Continued

Design No.	Description of design	Piece rate based on hourly rate of 25 cents
7	Palm Tree No. 3—Palm tree, 8 leaves, 2 fruits; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 7, filed with the Wage and Hour Division. Size: 3 1/4" high, 2 1/4" at base.	\$0.268
8	Donkey and Rider No. 1—Boy riding donkey, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 8, filed with the Wage and Hour Division. Size: 1 1/2" high, 1 1/2" at base.	.155
9	Donkey and Rider No. 2—Boy riding donkey, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 9 filed with the Wage and Hour Division. Size: 1 1/2" high, 1 1/2" at base.	.218
10	Donkey and Rider No. 3—Boy riding donkey, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 10, filed with the Wage and Hour Division. Size: 2 1/4" high, 2 1/4" at base.	.208
11	Donkey and Boy No. 1—Boy leading donkey, man carrying bundle of bananas, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 11, filed with the Wage and Hour Division. Size: 2" high, 1 1/2" at base.	.226
12	Donkey and Boy No. 2—Boy leading donkey, man carrying bundle of bananas, palm tree; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 12, filed with the Wage and Hour Division. Size: 2 1/4" high, 2 1/4" at base.	.304
13	Bluebeard Castle No. 1—Castle in shape of tower, 4 windows, door, flag, and 2 palm trees; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 13, filed with the Wage and Hour Division. Size: 1 1/2" high, 1 1/2" wide.	.205
14	Bluebeard Castle No. 2—Castle in shape of tower, 4 windows, door, flag, 1 large and 2 small palm trees; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 14, filed with the Wage and Hour Division. Size: 2 1/2" high, 2 1/2" wide.	.296
15	Bluebeard Castle No. 3—Castle in shape of tower, 4 windows, door, flag, 2 large and 3 small palm trees, 2 banana plants; embroidered in solid cord and back stitch, without hoop, as per embroidered design No. 15, filed with the Wage and Hour Division. Size: 4 1/2" high, 6 1/2" wide.	.663
16	Single hemstitching of linen towels, four threads in a bundle, thread drawing included (per dozen inches).	.163

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HAND-MADE STRAW GOODS INDUSTRY IN THE VIRGIN ISLANDS

Design No.	Description of design	Piece rate based on hourly rate of 30 cents	Unit
17	Natural color, 1" wide (splitting and weaving).	\$0.041	Per yard of braid.
18	Natural and three colors (splitting, dyeing, and weaving).	.06	Do.

1 Piece rates based upon time tests conducted on products handled by the Virgin Islands Cooperative, Inc., of St. Thomas. The stock numbers are those used by the company.

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HAND-MADE STRAW GOODS INDUSTRY IN THE VIRGIN ISLANDS—Continued

Design No.	Description of design	Piece rate based on hourly rate of 30 cents	Unit
19	Hand-weaving straw braid from "silk palm".	\$0.051	Per yard of braid.
20	Beach hat (sewing): Stock No. 73.	.253	Per hat.
21	Stock No. 76.	.20	Do.
22	"Angela" hat, stock No. 80 (sewing).	.13	Do.
23	Cowgirl hat, stock No. 83 (sewing).	.20	Do.
24	Frisled hat, stock No. 84 (sewing).	.20	Do.
25	Scarlett hat, stock No. 85 (sewing).	.427	Do.
26	Garden hat, stock No. 86 (splitting, weaving and sewing).	1.11	Do.
27	Farmer hat, stock No. 87 (sewing).	.40	Do.
28	Child's bonnet, stock No. 90 (sewing).	.24	Do.
29	Jockey cap, stock No. 113 (sewing).	.20	Do.
30	Frenchman hat, 4 1/2" crown, 3 1/2" brim, "silk palm" braid 1/2" wide (sewing).	1.00	Do.
31	Hula skirt (splitting, dyeing, weaving, and sewing): Stock No. 108.	.60	Per skirt.
32	Stock No. 109.	.80	Do.
33	Stock No. 110.	1.00	Do.
34	Handbag, stock No. 43 (splitting, weaving, and sewing).	.906	Per bag.
35	"Valentine" purse, stock No. 51 (weaving and sewing). WAC style bag (weaving and sewing):	1.71	Per purse.
36	Plain stock No. 52.	1.40	Per bag.
37	Embroidered, stock No. 52E.	1.60	Do.
38	Shopping bag (sewing): Stock No. 92.	.20	Do.
39	Stock No. 93.	.267	Do.
40	Stock No. 94.	.307	Do.
41	Stock No. 96.	.307	Do.
42	Stock No. 104.	.60	Do.
43	"Eugenie" bag, stock No. 99 (sewing).	.253	Do.
44	Shoulder bag (sewing): Stock No. 100.	.20	Do.
45	Stock No. 101.	.40	Do.
46	Thermos bag, stock No. 102 (sewing).	.20	Do.
47	Lunch bag, stock No. 103 (sewing).	.147	Do.
48	Knitting bag, cylindrical shape, 7" x 14", shoulder strap and cover (sewing).	.40	Do.
49	"Dorothy" handbag, stock No. 117 (splitting and weaving).	1.80	Do.
50	Children's "Mafolle" bag, stock No. 119 (splitting and weaving).	.147	Do.
51	Picnic basket, stock No. 3 (splitting, weaving and sewing).	.40	Per basket.
52	Hat box, stock No. 5 (splitting, weaving, and sewing).	1.40	Per box.
53	Sewing basket, stock No. 9 (splitting and weaving).	.20	Per basket.
54	Wood basket (splitting, weaving, and sewing): Stock No. 31.	.307	Do.
55	Stock No. 33.	.40	Do.
56	Floor mat (splitting, dyeing, weaving, and sewing): Stock No. 20.	.28	Per mat.
57	Stock No. 23.	.44	Do.
58	Stock No. 27.	.746	Do.
59	Hearth broom (tying leaves): Stock No. 120.	.107	Per broom.
60	Stock No. 121.	.147	Do.
61	Stock No. 121A.	.253	Do.
62	Stock No. 121B.	.307	Do.

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HAND MADE STRAW GOODS INDUSTRY IN THE VIRGIN ISLANDS—Continued

Design No.	Description of design	Piece rate based on hourly rate of 20 cents	Unit
	Round table mat, stock No. WR 1/5 (peeling and weaving):		
63	8 inches.....	\$0.507	Per mat.
64	10 inches.....	.00	Do.
65	12 inches.....	.80	Do.
	Glass holder (peeling and weaving):		
66	Stock No. WR11.....	.307	Per holder.
67	Stock No. WR12.....	.453	Do.
68	Napkin ring, stock No. WR15 (peeling and weaving).....	.253	Per ring.
69	Sewing basket, stock No. WR17 (peeling and weaving).....	1.20	Per basket.
	Plastic basket (peeling and weaving):		
	Stock No. H-2:		
70	Open.....	2.80	Do.
71	Covered.....	3.40	Do.
	Stock No. H-3:		
72	Open.....	2.93	Do.
73	Covered.....	3.60	Do.
	Stock No. H-10:		
74	Open.....	3.97	Do.
75	Covered.....	3.80	Do.
	Stock No. H-11:		
76	Open.....	3.20	Do.
77	Covered.....	4.00	Do.
78	Hand weaving of straw table mats, 11" x 17", from 1/2" strips, including the operations of stripping, weaving the body of the mat, weaving braid 1/2" to 3/4" wide, and sewing the braid to the mat (stock No. 58).....	.40	Per mat.

¹ Piece rates based upon time tests conducted on products handled by the Virgin Islands Cooperative, Inc., of St. Thomas. The stock numbers are those used by the company.

Prior to the taking of any final action on this proposal, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Acting Administrator, Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington 25, D. C., within fifteen days from publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 12th day of May 1958.

CLARENCE T. LUNDQUIST,
Acting Administrator.

[P. R. Doc. 58-3670; Filed, May 16, 1958; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 814]

DOMESTIC BEET SUGAR AREA

RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO ALLOTMENT OF 1958 SUGAR QUOTA FOR CONSUMPTION WITHIN CONTINENTAL UNITED STATES

Pursuant to the provisions of the Sugar Act of 1948, as amended (61 Stat. 922, as amended, hereinafter referred to as the "act"), and the applicable rules of practice and procedure (7 CFR 801.1 et seq.) notice is hereby given of the fil-

ing with the Hearing Clerk of the Recommended Decision of the Administrator, Commodity Stabilization Service, United States Department of Agriculture, with respect to a proposed order of the Secretary of Agriculture for the allotment of the 1958 sugar quota for the Domestic Beet Sugar Area. Interested persons may file written exceptions to this recommended decision and proposed order, together with supporting reasons therefor, with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 10 days after the date of filing of the recommended decision with the Hearing Clerk, which date shall be the date of publication of this notice in the FEDERAL REGISTER. The date of filing of written exceptions with the Hearing Clerk by mail shall be the postmark date of submission of such exceptions.

Preliminary statement. Section 205 (a) of the act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things to (1) prevent disorderly marketing of sugar or liquid sugar and (2) afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure a preliminary finding was made that allotment of the quota is necessary and a notice was published on January 25, 1958 (23 F. R. 514) of a public hearing to be held at Scottsdale, Arizona, in the Hotel Valley Ho, on February 5, 1958, at 9:00 a. m., m. s. t., for the purpose of receiving evidence to enable the Secretary (1) to affirm, modify or revoke the preliminary findings of necessity for allotments, (2) to establish a fair, efficient and equitable allotment of the 1958 quota for the Domestic Beet Sugar Area for the calendar year 1958, (3) to revise or amend the allotment of the quota for the purposes of (a) allotting any increase or decrease in the quota, (b) prorating any deficit in the allotment for any allottee, and (c) substituting final data for estimates of such data and, (4) to provide for (a) transfer of allotments and (b) applicability of certain marketings to allotments.

The hearing was held at the time and place specified in the notice and testimony was given with respect to all issues referred to in the hearing notice. All proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings and conclusions proposed by the interested persons are inconsistent with the findings and conclusions recommended herein, the specific or implied requests to make such findings and reach such conclusions are denied on the basis of the facts recommended to be found and the conclusions recommended to be reached as set forth herein.

The following portions of the Administrator's recommended decision consisting of the basis for his proposed findings and conclusions, proposed findings and conclusions, and proposed determina-

tion are set forth in form and language appropriate for issuance if adopted by the Secretary as his findings and conclusions and final determination.

Basis for findings and conclusions. Section 205 (a) of the Act reads in pertinent part as follows:

* * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such persons to market or import that portion of such quota or proration thereof allotted to him * * *

The record of the hearing indicates that the prospective supply of domestic beet sugar available for marketing in 1958 exceeds the quota for that area to an extent that allotment of the quota is necessary (R. 7).

All three factors specified in the provision of the law quoted above have been considered by the formula on which this allotment of the 1958 Domestic Beet Sugar Area quota is based (R. 17). The formula follows the proposal made in the record and as recommended to the Government by an industry task force (R. Ex. 7) except for minor differences set forth below.

The allotment method as recommended by the Task Force determined allotments in hundredweight of refined sugar without making provision for determining allotments in short tons, raw value, and would determine allotments of any quota by the full application of the formula (R. Ex. 7). The Government witness proposed that a percentage distribution of the allotments should be determined in conjunction with the allotment method and that such percentage distribution, to be changed only when final data are substituted for estimated data, be applied to the quota to be allotted to determine allotments in short tons, raw value (R. 10). The testimony in this regard leaves some uncertainty regarding the quota level to be used in determining the percentage distribution. Such uncertainty is significant to the extent that the percentage distribution of allotments would differ slightly if based on different quotas, and because the quota for the area is subject to change prior to issuance of an order based on this proceeding. The method herein adopted provides for the determination of allotments in short tons, raw value, as required by the Act, and provides for full application of the formula in determining allotments of any quota. This method avoids the necessity of first computing allotments in hundredweight or deriving a percentage distribution of allotments and results in final 1958 allotments unaffected by the quota level of a previous action.

¹ Production of sugar from 1957-crop sugar beets, exclusive of known quantities to which proportionate shares did not pertain, is the most up-to-date measure of the "processings" factor available to represent the operations for a full year for each processor. A weighting of 75 percent to the processing factor

in determining base allotments appears consistent with the importance of this factor under 1958 circumstances when sugar beet acreages are, and have been for several years, subject to limitations (R. 17). Measuring and weighting the factor in this way appears appropriate when considered in conjunction with the allotment method herein adopted and the provisions applicable to 1958.

The factor "past marketings" when measured by the 1953-57 average annual marketings within allotments and weighted 25 percent in determining base allotments and when considered in conjunction with other provisions of the allotment method herein adopted, which are applicable to 1958, contributes to an orderly rate of change in marketing patterns (R. 18). The base period is long enough to incorporate a variety of experiences representative of the sharing of marketings during the immediate past.

The allotment method adopted herein for giving consideration to the "Ability to market" factor recognizes that ability is partially reflected in the other two factors, and additional consideration is appropriately given by adjusting base allotments to reflect January 1, 1958, inventory imbalances as set forth in detail in the findings (R. 19).

The allotment method as set forth in the findings recognizes the "hardship" provision of section 205 (a) of the act by providing for an alternative measure of processings to be used for any processor whose most recent crop was smaller than 85 percent of the preceding crop, adjusted for industry-wide change. Furthermore, the method provides that any processor subject to such "hardship" shall be exempted from adjustments applicable to base allotments that would otherwise result from inventory imbalances. A further provision would limit any processor's adjustment for inventory imbalance to 10 percent of his base allotment (R. 15, 17). These provisions are not expected to be applicable under 1958 circumstances (R. 17; Ex. 8) and no direct objection or exception was taken to them.

One processor urged that additional consideration be given the hardship provision of the act. He proposed that if any processor's marketings for one of the five years used in determining average marketings was less than 50 percent of such average, only the four years of largest marketings should be used in determining his average marketings (R. 41; Brief of National Sugar Manufacturing Co.). Another processor objected to the formula contending that a 75 percent weighting of processings would encourage over-production, that past marketings should never be weighted as low as 25 percent and favored giving a weighting of 25 percent to processings and 75 percent to past marketings. That processor also suggested that the Secretary set aside 100,000 bags to be used in the case of hardships (Brief of Franklin County Sugar Co.). In no case were the above modifications of the allotment method, as proposed in the hearing, supported by other testimony and in no case was it convincingly demonstrated that

such proposed modification would provide more fair, efficient and equitable allotments in 1958.

All findings and conclusions dealing with issues not discussed above are based on single proposals in the record from which there were no dissents.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) For the calendar year 1958 Domestic Beet Sugar processors will have available for marketing from 1957-crop sugar beets about 1,660,000 short tons, raw value, of sugar. This quantity of sugar, together with production of sugar from 1958-crop beets, will result in a supply of sugar available for marketing in 1958 sufficiently in excess of the anticipated 1958 quota for the Domestic Beet Sugar Area to cause disorderly marketing and prevent some interested persons from having equitable opportunities to market sugar.

(2) The allotment of the 1958 Domestic Beet Sugar Area quota for consumption within the continental United States is necessary to prevent disorderly marketing and to afford all interested persons equitable opportunities to market sugar processed from sugar beets in that area.

(3) Processings of sugar from 1957-crop sugar beets, by each processor, exclusive of known quantities of sugar produced from sugar beets to which proportionate shares did not pertain is a fair, efficient and equitable measure of processings of sugar from the 1957-crop of sugar beets to which proportionate shares pertained.

(4) To assure a fair, efficient and equitable distribution of the 1958 Domestic Beet Sugar Area quota for consumption within the continental United States, the three factors specified in section 205 (a) of the act shall be given consideration and allotments determined as follows, based on data in the hearing record and final data of which official notice will be taken:

(a) Base allotments shall first be determined by giving consideration to the processing and past marketing factors as follows:

(i) The factor processings from proportionate shares shall be measured by each processor's production of sugar from 1957-crop sugar beets, exclusive of known quantities of sugar produced from non-proportionate share beets, or the alternative measure provided for herein, expressed as a percentage of the total of such processings for all processors, and weighted by 75 percent: *Provided*, That in recognition of the "hardship" provision in section 205 (a) of the act, an alternative measure derived as follows shall be used for any processor when the quantity so derived exceeds such processor's actual 1957-crop processings: $(\text{Processor's 1956-crop processings}) \times (\text{Industry total 1957-crop processings} + \text{Industry total 1956-crop processings}) \times 85 \text{ percent}$, except that such alternative measure shall not exceed 125 percent of such processor's actual 1957-crop processings.

(ii) The factor past marketings shall be measured by each processor's average annual marketings within his allotment

for the years 1953 through 1957, expressed as a percentage of the total of the measure for all processors, and weighted by 25 percent.

(iii) The total of the percentages resulting from (i) and (ii), above, for each processor shall be multiplied by the Domestic Beet Sugar Area quota, in short tons, raw value, to determine his base allotment, in short tons, raw value.

(b) The factor "ability to market" shall be given consideration, in addition to that which is inherent in the consideration given to the other factors, by adjusting the base allotments, as determined in (a) (iii), above, for January 1, 1958, inventory imbalances to the extent and as determined below: *Provided, however*, That any processor subject to the "hardship" provision of (4) (a) (i), above, shall be exempted from any such adjustment, that data pertinent to any such processor shall be excluded from the computations for determining adjustments, and that the adjustment applicable to any other processor shall not exceed 10 percent of his base allotment.

(i) Compute, in terms of hundredweight of refined sugar, the "plus" or "minus" January 1, 1958 inventory imbalance for each processor, by algebraically subtracting from his January 1, 1958 effective inventory his January 1, 1953-57 average effective inventory adjusted proportionately so that the total of such adjusted inventories of all processors subject to adjustments are equal to the total January 1, 1958 effective inventories of all such processors.

(ii) The "plus" adjustment applicable to the base allotment for each processor having a "plus" inventory imbalance, as determined in (i), shall be the quantity that such imbalance exceeds 10 percent of his adjusted January 1, 1953-57 average effective inventory and such excess multiplied by 25 percent.

(iii) The "minus" adjustments applicable to the base allotments for processors having "minus" inventory imbalances shall be computed by prorating the total of the "plus" adjustments, as determined in (ii), among such processors on the basis of their "minus" inventory imbalances.

(iv) The adjustments determined pursuant to (ii) and (iii), representing hundredweight of refined sugar, shall be multiplied by the factor 0.0535 to express such adjustments in short tons, raw value.

(c) Allotments for individual processors, in short tons, raw value, shall be the base allotment quantity as determined in (a) (iii) adjusted upward or downward, respectively, on the basis of "plus" or "minus" adjustments as determined in (b) (iv). Such quantities when divided by 0.0535 express allotments in the equivalent hundredweight of refined sugar.

(5) The quantities of sugar and the percentages referred to in paragraph (4), above, based on data involving estimates for 1957 processings, 1957 marketings, and January 1, 1958, inventories, which shall be used to establish allotments pending availability and substitution of final data for such estimates, are set forth in the following table:

Processors	Processings of sugar from 1957 crop beets		Average marketings within allotments 1953-57		Base allotments		January 1 effective inventories hundredweight refined			Adjustments to base allotments		Processor allotments short tons raw value (col. 6+ or - col. 11)
	Hundred-weight refined	Percent of total	Hundred-weight refined	Percent of total	Percent of total (col. 2X 0.75+col. 4X0.25)	Short tons raw value (col. 5X quota)	1958	1953-57 average adjusted to col. 7 total	1958 Inventory imbalances (col. 7-col. 8)	Hundred-weight refined ¹	Short tons raw value (col. 10 X0.9535)	
Amalgamated Sugar Co., The.....	5,400,000	13.1036	4,595,333	13.1191	13.1075	266,752	3,947,349	3,822,638	+124,711	0	0	266,732
American Crystal Sugar Co.....	5,349,414	12.9809	4,912,038	14.0232	13.2414	269,477	4,261,411	4,777,166	-515,755	-35,230	-1,885	267,382
Buckeye Sugars, Inc.....	191,185	.4639	168,397	.4522	.4610	9,382	147,197	141,078	+6,119	0	0	9,382
Franklin County Sugar Co.....	205,200	.4979	180,819	.5102	.5025	10,226	120,984	106,488	+14,496	+902	+31	10,277
Great Western Sugar Co., The.....	10,138,309	24.0017	8,363,645	23.8771	24.4205	496,985	7,953,936	7,847,401	+106,535	0	0	496,985
Holly Sugar Corp.....	6,000,000	16.0155	5,637,224	16.0696	16.0350	326,330	5,194,461	5,269,772	-75,311	-5,144	-275	326,055
Layton Sugar Co.....	231,235	.5511	144,699	.4131	.5241	10,666	207,822	137,308	+70,514	+14,121	+755	11,421
Menominee Sugar Co.....	245,462	.5956	221,336	.6310	.6047	12,306	114,656	72,966	+41,690	+8,668	+460	12,796
Michigan Sugar Co.....	1,360,311	3.3009	1,196,636	3.3877	3.3226	67,619	982,106	980,384	+1,722	0	0	67,619
Monitor Sugar Div. of Robert Gage Coal Co.....	618,640	1.5012	552,893	1.5784	1.5205	30,944	425,583	453,230	-27,647	-1,888	-101	30,843
National Sugar Mfg. Co., The.....	126,375	.3067	90,796	.2502	.2948	6,000	94,660	68,844	+25,816	+4,753	+253	6,253
Northern Ohio Sugar Co.....	567,296	1.3766	468,463	1.1601	1.3240	20,945	339,454	225,908	+113,546	+22,739	+1,217	28,162
Spreckels Sugar Co.....	4,648,319	11.2796	3,727,486	10.6415	11.1201	226,306	3,175,893	2,872,414	+303,479	+3,052	+217	226,523
Union Sugar Div., Consolidated Foods Corp.....	1,321,638	3.6924	1,466,263	4.0147	3.7730	76,785	1,147,688	1,303,747	-156,059	-10,600	-570	76,215
Utah-Idaho Sugar Co.....	4,006,621	9.7224	3,441,822	9.8269	9.7483	198,389	3,042,854	3,076,280	-33,426	-2,283	-172	198,267
Total.....	41,210,074	100.0000	35,027,870	100.0000	100.0000	2,635,112	31,155,814	31,155,814	±808,188	±55,205	±2,953	2,635,112

¹ Determined as follows: Plus (+) adjustments = (Extent (+) quantity in col. 9 exceeds 10 percent of col. 8) X (25 percent); minus (-) adjustments = the total of (+) adjustments in col. 10, amounting to 55,205 hundred-weight prorated to processors on the basis of (-) quantities in col. 9.

(6) The order shall be revised without further notice or hearing for the purpose of (a) substituting final data for estimated data on 1957-crop production, 1957 marketings and January 1, 1958, inventories used in measuring the factors when such data become part of the official records of the Department, (b) allotting any quantity of an allotment which may be released by an allottee to other allottees able to utilize additional allotment in proportion to the established allotments of such allottees when the written notification to the Director of the Sugar Division of such release becomes a part of the official records of the Department, (c) allotting any area deficits which increase the 1958 Domestic Beet Sugar Area quota for consumption within the continental United States and (d) revising allotments to give effect to any change in the quota for the area due to action pursuant to sections 201 and 202 (a) of the act. In making revisions to give effect to quota-changes indicated under (c) and (d), above, allotments shall be computed in the same manner as is provided for in this order.

(7) Official notice will be taken of (a) final data for 1957-crop processings, 1957 marketings and January 1, 1958, inventories that become a part of the official records of the Department, (b) any written notice to the Sugar Division by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, and (c) any regulation issued by the Secretary which changes the 1958 Domestic Beet Sugar Area quota.

(8) To assure that the marketing of sugar or liquid sugar is charged against the proper allotment, it is necessary that the order provide for charges to allotments of processors who sell sugar beets, or molasses derived from sugar beets, but retain and process such sugar beets or molasses into sugar or liquid sugar for delivery to or for the account of the buyer.

(9) Under the circumstances prevailing in 1958, allotments established in the foregoing manner and in the quantities set forth in the order provide a fair, effi-

cient and equitable distribution of any 1958 Domestic Beet Sugar Area quota that may be established for consumption within the continental United States and meet the requirements of section 205 (a) of the act.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered that § 814.34 be amended to read as follows:

§ 814.34 *Allotment of the 1958 sugar quota for the Domestic Beet Sugar Area—(a) Allotments.* The 1958 Domestic Beet Sugar Area quota for consumption within the continental United States of 2,635,112 short tons, raw value, is hereby allotted to the extent shown in this section, to the following processors in the amounts which appear opposite their respective names:

Processor	Allotments	
	Short tons, raw value	Equivalent in hundred-weight refined beet sugar
Amalgamated Sugar Co., The.....	266,752	4,986,019
American Crystal Sugar Co.....	269,477	5,001,730
Buckeye Sugars, Inc.....	9,382	175,264
Franklin County Sugar Co.....	10,226	192,093
Great Western Sugar Co., The.....	496,985	9,289,439
Holly Sugar Corp.....	326,055	6,094,486
Layton Sugar Co.....	11,421	213,477
Menominee Sugar Co.....	12,796	238,617
Michigan Sugar Co.....	67,619	1,263,967
Monitor Sugar Div., Robt. Gage Coal Co.....	30,843	570,505
National Sugar Manufacturing Co., The.....	6,253	116,878
Northern Ohio Sugar Co.....	28,162	530,393
Spreckels Sugar Co.....	226,523	4,234,075
Union Sugar Div. of Consolidated Foods Corp.....	76,215	1,424,579
Utah-Idaho Sugar Co.....	198,267	3,705,925
Any other person.....	0	0
Total.....	2,635,112	38,039,477

(b) *Marketing of sugar beets and molasses.* If sugar beets or molasses derived from sugar beets are sold by a processor but retained and processed by such processor and the sugar or liquid sugar processed therefrom is delivered to or for the account of the buyer of the sugar beets or molasses, such marketing

at the time it occurs shall be effective for filling the allotment of the processor who sold and processed such sugar beets or molasses.

(c) *Marketing limitations.* Marketings shall be limited to allotments as established herein subject to the prohibitions and provisions of § 816.3 of this chapter (23 F. R. 1943).

(d) *Delegation.* The Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, is hereby authorized to revise the allotments established under this order without further notice or hearing in accordance with the findings and conclusions heretofore made, to give effect to (1) the substitution of final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee and (3) any change in the Domestic Beet Sugar Area quota.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 205, 209; 61 Stat. 926, as amended, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 13th day of May 1958.

[SEAL] WALTER C. BERGER,
Administrator,
Commodity Stabilization Service.
[F. R. Doc. 58-3702; Filed, May 16, 1958; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR
Office of the Secretary
DIRECTOR, BUREAU OF MINES

DELEGATION OF AUTHORITY TO NEGOTIATE CONTRACT FOR REDESIGNING AND REBUILDING OF HEROLD PNEUMATIC PLANNER

1. The Director, Bureau of Mines, is authorized to exercise, subject to the provisions of 2 below, the authority delegated for the period ending December 31, 1958, by the Administrator of General Services (23 F. R. 2304) to the Sec-

retary of the Interior, to negotiate, without advertising, under section 302 (c) (10) of the Federal Property and Administrative Services Act of 1949, as amended (41 U. S. C. 252 et seq.), a contract required by the Bureau of Mines in the administration of its program for research work in connection with devising new mining methods for the mining of anthracite coal.

2. The authority granted in 1 above does not include authority to make the determination required by section 302 (c) (10) of the act if the amount involved is in excess of \$25,000. The authority granted shall be exercised in accordance with applicable limitations and requirements of the act, particularly sections 304 and 305 thereof, and in accordance with policies, procedures and controls prescribed by the General Services Administration, and applicable regulations of the Department. In addition to the information specified in section 302 (c) (10) of the act, a copy of the contract and any amendments thereto shall be supplied the General Services Administration.

3. The authority granted in 1 above cannot be redelegated.

FRED A. SEATON,
Secretary of the Interior.

MAY 12, 1958.

[F. R. Doc. 58-3698; Filed, May 16, 1958;
8:45 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

LATINA SHIPPING CO., LTD. AND JUDSON-SHELDON INTERNATIONAL

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

1. Agreement No. 8293 between Latina Shipping Company, Ltd., New York, New York, and Judson-Sheldon International, Los Angeles, California;

2. Agreement No. 8294 between Latina Shipping Company, Ltd. and Judson-Sheldon International, Houston, Texas;

3. Agreement No. 8296 between Latina Shipping Company, Ltd. and Judson-Sheldon International, San Francisco.

Judson-Sheldon will perform specified freight forwarding services for Latina at the port covered by the respective agreement. Latina will receive the entire ocean freight brokerage, but will compensate Judson-Sheldon according to a scale of service fees.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreements, and their position as to approval, disapproval, or modification, to-

gether with request for hearing should such hearing be desired.

Dated: May 14, 1958.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-3717; Filed, May 16, 1958;
8:49 a. m.]

FORWARDING SERVICES, INC. AND CARIBBEAN FORWARDING CORP.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8297 between Forwarding Services, Inc. and Caribbean Forwarding Corporation, both of New York, New York, is a cooperative working arrangement under which Forwarding Services, Inc. will perform freight forwarding services for Caribbean Forwarding at the Port of New York, in payment for which it will receive 68 percent of the income derived from the performance of such services, including ocean freight brokerage.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 14, 1958.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-3718; Filed, May 16, 1958;
8:49 a. m.]

ADVANCE SHIPPING CO. AND OVERSEAS FORWARDERS

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8298 between Advance Shipping Company, New York, New York, and Overseas Forwarders, Oakland, California, is a cooperative working arrangement under which Advance Shipping will perform specified forwarding services in connection with Overseas Forwarders' shipments moving through the Port of New York. Overseas Forwarders will compensate Advance Shipping Co. in accordance with a scale of service fees embodied in the agreement. Ocean freight brokerage is to be divided equally between the parties.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 14, 1958.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-3719; Filed, May 16, 1958;
8:50 a. m.]

PENINSULAR & ORIENTAL STEAM NAVIGATION CO. AND ORIENT STEAM NAVIGATION CO., LTD.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8302, between Peninsular & Oriental Steam Navigation Co., and The Orient Steam Navigation Company, Ltd., provides for the coordination of sailings in the trade between Pacific Coast ports of the United States and the Hawaiian Islands, and ports in the Far East, including but not limited to Japan, Hong Kong, the Philippines, Malaya, Indonesia, Fiji, New Zealand and Australia, and via such ports east and west-bound around the world via the Panama and Suez Canals with calls at intermediate ports, under the trade name Orient & Pacific Lines.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 14, 1958.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-3720; Filed, May 16, 1958;
8:50 a. m.]

Office of the Secretary

GEORGE A. SANDS

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28,

1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of December 6, 1956, 21 F. R. 9635; May 22, 1957, 22 F. R. 3602; November 30, 1957, 22 F. R. 9628:

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of May 8, 1958.

Dated: May 8, 1958.

GEORGE A. SANDS.

[F. R. Doc. 58-3708; Filed, May 16, 1958; 8:47 a. m.]

GEORGE A. CHANDLER

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by Section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. George A. Chandler.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: May 6, 1958.
4. Title of position: Consultant (Advisor to Director), Copper Division.
5. Name of private employer: Western Brass Mills Division, Olin Mathieson Chemical Corp., New Haven, Conn.

FEBRUARY 28, 1958.

CARLTON HAYWARD,
Director of Personnel.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Western Brass Mills Division, Olin Mathieson Chemical Corp.
Bank deposits.

Dated: May 6, 1958.

GEORGE A. CHANDLER.

[F. R. Doc. 58-3709; Filed, May 16, 1958; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 8227 etc.; FCC 58M-488]

UNION BROADCASTING CO. ET AL.

ORDER SCHEDULING HEARING

In re applications of Union Broadcasting Company, Elizabeth, New Jersey, No. 93—3

Docket No. 827, File No. BP-5893; W. Frank Short & Austin E. Harkins, d/b as The Alkima Broadcasting Company, West Chester, Pennsylvania, Docket No. 12414, File No. BP-10640; Lion Broadcasting Co., Inc., Dover, New Jersey, Docket No. 12415, File No. BP-11215; for construction permits.

It is ordered, This 12th day of May 1958, that J. D. Bond will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 14, 1958, in Washington, D. C.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3721; Filed, May 16, 1958; 8:50 a. m.]

GRADY M. SINYARD AND STATES BROADCASTING SYSTEM, INC.

ORDER SCHEDULING HEARING

In re applications of Grady M. Sinyard, New Boston, Ohio, Docket No. 12207, File No. BP-11076; States Broadcasting System, Inc., St. Marys, Ohio, Docket No. 12420, File No. BP-11598; for construction permits.

It is ordered, This 12th day of May 1958, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 16, 1958, in Washington, D. C.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3722; Filed, May 16, 1958; 8:50 a. m.]

[Docket No. 12326; FCC 58M-499]

HARDIN COUNTY BROADCASTING CO.

ORDER CONTINUING HEARING CONFERENCE

In re application of Harvard C. Bailes and Val D. Hickman d/b as The Hardin County Broadcasting Company, Silsbee, Texas, Docket No. 12326, File No. BP-11166; for construction permit.

It is ordered, This 14th day of May 1958, with the consent of all parties to the proceeding, that the prehearing conference scheduled for May 14, 1958 is continued indefinitely.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3723; Filed, May 16, 1958; 8:50 a. m.]

[Docket Nos. 12388, 12389; FCC 58M-486]

MID-AMERICA BROADCASTERS, INC., AND MUTUAL BROADCASTING SYSTEM, INC.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Mid-America Broadcasters, Inc., San Francisco, California, Docket No. 12388, File No. BPH-2325; Mutual Broadcasting System, Inc., San Francisco, California, Docket No. 12389, File No. BPH-2329; for construction permits.

It is ordered, This 13th day of May 1958, that a prehearing conference in the above-entitled proceeding will be held on May 28, 1958, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

Released: May 13, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3724; Filed, May 16, 1958; 8:50 a. m.]

[Docket Nos. 12416-12419; FCC 58-424]

NICK J. CHACONAS ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING OF STATED ISSUES

In re applications of Nick J. Chaconas, Gaithersburg, Maryland, Docket No. 12416, File No. BP-10996; I. T. Cohen and Anne H. Cohen, d/b as Tri-County Broadcasting Company, Laurel, Maryland, Docket No. 12417, File No. BP-11309; The Eleven Fifty Corp., Capitol Heights, Maryland, Docket No. 12418, File No. BP-11379; TCA Broadcasting Corporation, College Park, Maryland, Docket No. 12419, File No. BP-11741; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of May 1958;

The Commission having under consideration the above-captioned applications for construction permits for new standard broadcast stations to operate on 1150 kilocycles, by The Eleven Fifty Corp., at Capitol Heights, Maryland, using a power of 1 kilowatt, directional antenna, daytime only; by Nick J. Chaconas and Tri-County Broadcasting Company, at Gaithersburg and Laurel, Maryland, respectively, using a power of 500 watts nights and 1 kilowatt days, directional antenna, unlimited time; and by TCA Broadcasting Corporation, at College Park, Maryland, using a power of 500 watts nights and 5 kilowatts days, directional antenna, unlimited time; and

It appearing that except as indicated by the issues specified below, all of the applicants are legally, technically, financially, and otherwise qualified to construct and operate their proposed stations, but that each of the proposals herein involves mutually destructive interference with the others; and

It further appearing that pursuant to section 309 (b) of the Communications

Act of 1934, as amended, the instant applicants were advised by letter dated February 25, 1958, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of any one of the applications would serve the public interest; and

It further appearing that a timely reply was received from each of the applicants indicating its intention to appear at a hearing on the applications; and

It further appearing that the Commission, after consideration of the foregoing, is of the opinion that a hearing on the instant applications is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant proposals, and the availability of other primary service to such areas and populations.

2. To determine, in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient, and equitable distribution of radio service.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the instant applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to the provisions of § 1.140 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order; and

It is further ordered, That the issues in this proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 13, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3725; Filed, May 16, 1958;
8:51 a. m.]

[Docket No. 12421; FCC 58M-489]

MECKLENSBURG BROADCASTING CO.

ORDER SCHEDULING HEARING

In re application of John L. Cole, Jr.,
tr/as Mecklenburg Broadcasting Com-
pany, Chase City, Virginia, Docket No.
12421, File No. BP-11275; for construc-
tion permit.

It is ordered, This 12th day of May 1958, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 10, 1958, in Washington, D. C.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3726; Filed, May 16, 1958;
8:51 a. m.]

[Docket Nos. 12422-12425; FCC 58M-493]

POMPAÑO BEACH BROADCASTING CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications of Pompano Beach Broadcasting Corporation, Pompano Beach, Florida, Docket No. 12422, File No. BP-11297; Voice of South Miami Broadcasters, Inc., South Miami, Florida, Docket No. 12423, File No. BP-11410; Louis G. Jacobs, Miami-South Miami, Florida, Docket No. 12424, File No. BP-11489; South Miami Broadcasting, Incorporated, South Miami, Florida, Docket No. 12425, File No. BP-11751; for construction permits.

It is ordered, This 12th day of May 1958, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 10, 1958, in Washington, D. C.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3727; Filed, May 16, 1958;
8:51 a. m.]

[Docket Nos. 12427, 12428; FCC 58M-490]

ELECTRONIC MUSIC CO. AND WSBC
BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of John Englebrecht and Stephen A. Cisler d/b as Electronic Music Company, Chicago, Illinois, Docket No. 12427, File No. BPH-2342; WSBC Broadcasting Company, Chicago, Illinois, Docket No. 12428, File No. BPH-2350; for construction permits.

It is ordered, This 12th day of May 1958, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 18, 1958, in Washington, D. C.

Released: May 14, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3728; Filed, May 16, 1958;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-14442]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

MAY 13, 1958.

Take notice that on February 7, 1958, United Gas Pipe Line Company (Applicant), a Delaware corporation, with its principal place of business in Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the continued operation of a 2" tap and metering facilities on Applicant's 4-inch Diboll tap line at its juncture with Applicant's 22-inch line which extends from the Waskom Field on the Louisiana-Texas State line to Applicant's Goodrich Compressor Station located in Polk County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The 2" tap above-described is, and has been since September 1956, used to serve direct interruptible gas for fuel to the Diboll Oil Pipe Line Pumping Station of the Texas Pipe Line Company. Applicant estimates that the pumping station will require 63,000 Mcf of gas annually and 500 Mcf on a peak day.

The cost of the above-described tap and metering facilities installed to serve the oil pump station was \$1,390, which was paid from current working funds.

This matter is one that should be heard and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 11, 1958, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 4, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-3699; Filed, May 16, 1958;
8:45 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 24W-1854]

McCULLOUGH MOTOR CORP.

ORDER WITHDRAWING REQUEST FOR HEARING
AND CANCELLING HEARING

MAY 12, 1958.

The Commission by order dated October 7, 1957 having ordered a hearing in the above-entitled matter, pursuant to section 3 (b) of the Securities Act of 1933, as amended, and the applicable provisions thereunder, and

The Company having requested a withdrawal of its request for a hearing and the Division of Corporation Finance not objecting thereto,

It is ordered, That the request for hearing be and it hereby is deemed withdrawn, with prejudice to any renewal thereof.

It is further ordered, That the order of October 7, 1957, scheduling a hearing be and it hereby is rescinded.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 58-3700; Filed, May 16, 1958;
8:46 a. m.]

[File No. 1-732]

DELTA OIL COMPANY OF UTAH

NOTICE OF APPLICATION TO STRIKE FROM
LISTING AND REGISTRATION, AND OF OP-
PORTUNITY FOR HEARING

MAY 12, 1958.

In the matter of Delta Oil Company of Utah, common assessable stock, File No. 1-732.

Salt Lake Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The stock of Delta Oil Company of Utah has never been admitted to trading on the Exchange since the change of name from Indian Queen Consolidated Mining Company and the 1 for 100 share reverse split voted by the stockholders on June 5, 1957. The Exchange now desires to delist said stock, and the issuer concurs.

Upon receipt of a request, on or before May 28, 1958, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Secu-

rities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 58-3701; Filed, May 16, 1958;
8:46 a. m.]

[File Nos. 70-2564, 70-3700]

PENNSYLVANIA POWER CO.

NOTICE OF FILING OF APPLICATION

MAY 12, 1958.

Notice is hereby given that Pennsylvania Power Company ("Pennsylvania"), a public-utility subsidiary of Ohio Edison Company ("Ohio"), a registered holding company, has filed an application (File No. 70-3700) pursuant to the Public Utility Holding Company Act of 1935 ("act") and has designated section 6 (b) of the act and Rule 50 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Pennsylvania proposes to issue 60,000 shares of its \$100 par value preferred stock ("New Preferred") ranking equally with the shares of its outstanding 4.25 percent preferred stock and 4.24 percent preferred stock, and to sell the same at competitive bidding pursuant to Rule 50 promulgated under the act. It is proposed that bids will be obtained as soon as it appears to Pennsylvania that market conditions are appropriate but in no event not later than November 1, 1958. Such proposals will specify the dividend rate (which shall be a multiple of 0.04 percent) and the purchase price which shall not be less than \$100 nor more than \$102½ per share, plus accrued dividends.

The net proceeds from the sale of the New Preferred, together with cash on hand and estimated to be received from operations, will be applied towards the company's cash requirements during 1958 for the construction or acquisition of new facilities and the betterment of existing facilities. Pennsylvania's 1958 construction program is estimated at approximately \$11,979,000.

Pennsylvania consents and agrees to the imposition of certain specified protective provisions to be effective so long as any shares of its 4.24 percent preferred stock, 4.25 percent preferred stock or New Preferred stock are outstanding, which provisions are not contained in its Articles of Incorporation, as amended, as conditions to the order of the Commission entered herein.

It appearing that, in connection with the issue and sale by Pennsylvania of 40,000 shares of its \$100 par value preferred stock as to which the Commission issued an order dated March 7, 1951 (File No. 70-2564) (Holding Company Act Release No. 10426), certain terms and conditions relating to the protective provisions of Pennsylvania's 4.24 percent and

4.25 percent preferred stock were imposed by the Commission, and that the present proposed terms and conditions are different from those imposed in said order:

Notice is further given that Pennsylvania has filed a post-effective amendment in File No. 70-2564 requesting that the terms and conditions imposed in the order of the Commission dated March 7, 1951 in File No. 70-2564 be rescinded and that the terms and conditions consented to be imposed as to the New Preferred stock be made applicable to the outstanding 4.24 percent and 4.25 percent preferred stock of Pennsylvania.

The imposition of the terms and conditions as to the New Preferred stock and the consent and agreement to the substitution of new conditions to the outstanding 4.24 percent and 4.25 percent preferred stock is subject to the reservation by Pennsylvania of the right to make application to the Commission, at any time or from time to time, for a modification or termination of any or all of such substituted conditions in the event that the same shall become unduly burdensome.

The application states that an application, in the form of a securities certificate, is being filed by Pennsylvania with the Pennsylvania Public Utility Commission and that a certified copy of the order of that Commission with respect to such securities certificate will be filed in this proceeding when issued.

Notice is further given that any interested person may not later than May 26, 1958, request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said filings which he desires to controvert, or he 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, Washington 25, D. C. At any time after said date, the applications as filed or amended, or as they may hereafter be amended or further amended, may be granted as provided in Rule 23 of the rules and regulations promulgated under the act or the Commission may grant exemption from its rules as provided in Rules 20 (a) and 100 of the act or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 58-3705; Filed, May 16, 1958;
8:46 a. m.]

[File No. 70-3701]

NEW ENGLAND POWER CO. AND NEW
ENGLAND ELECTRIC SYSTEM

NOTICE OF FILING

MAY 12, 1958.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and its public-utility subsidiary company, New England Power Company ("NEPCO"), have made

a joint filing with this Commission designating sections 6 (b), 9 (a), and 10 of the Public Utility Holding Company Act of 1935 ("act") and Rules 42 (b) (2) and 50 promulgated thereunder as applicable to the transactions described therein, which are summarized as follows:

NEPCO proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50 promulgated under the Act, \$10,000,000 principal amount of First Mortgage Bonds, Series H, -- percent, due June 1, 1988. The interest rate (which shall be a multiple of $\frac{1}{8}$ of 1 percent and not in excess of $4\frac{3}{4}$ percent) and the price, exclusive of accrued interest, to be paid the company (which shall not be less than the principal amount nor more than 102 $\frac{3}{4}$ percent thereof) will be determined by competitive bidding. The new bonds will be issued under an Indenture of Trust and First Mortgage dated as of November 15, 1936, as amended and supplemented, and as to be further amended by a Seventh Supplemental Indenture, dated as of June 1, 1958.

At the present time NEPCO has outstanding 2,621,325 shares of common stock, par value \$20 per share, having an aggregate par value of \$52,426,500. These shares are all owned by NEES. NEPCO proposes to issue and NEES proposes to acquire 142,857 additional shares of common stock of NEPCO for a total cash consideration of \$4,999,995 (\$35 a share), this amount being \$2,142,855 in excess of the aggregate par value of such shares. The proceeds from the sale of this additional common stock and from the sale of the Series H Bonds, exclusive of accrued interest, are to be applied to the payment of short-term note indebtedness incurred by NEPCO for capitalizable expenditures and the balance, if any, will be used to pay for capitalizable expenditures or to reimburse NEPCO's treasury therefor. Such short-term note indebtedness which amounted to \$11,500,000 at March 31, 1958, may be increased by the time the new securities are sold but not by more than \$3,500,000.

The filing states that no underwriters fees or commissions are to be paid with respect to the proposed issue of common stock. Certain services are to be performed by New England Power Service Company ("NEPSCO"), an affiliated service company, at cost and are estimated not to exceed \$500 for NEES and \$2,000 for NEPCO. Other expenses to be borne by NEPCO in connection with the issuance of the common stock are original issue stamp taxes of \$3,143, a State filing fee of \$1,429, and services of legal counsel in Vermont estimated at \$100. The total expenses of NEPCO in connection with the issuance and sale of the Series H Bonds are estimated at an aggregate of \$63,000, including \$11,000 Federal original issue stamp tax, \$9,000 printing cost, \$18,000 for the service of NEPSCO, \$2,000 for the services of Lybrand, Ross Bros. & Montgomery, independent public accountants, \$3,500 for the services of Jackson & Moreland, independent engineers, \$6,500 for the service of the indenture trustee, and \$8,760 for recording fees, advertising, blue-sky fees and other

out-of-pocket expenses in connection with such services.

The filing states that the proposed issue and sale of securities by NEPCO are subject to the jurisdiction of this Commission and the Massachusetts Department of Public Utilities, the New Hampshire Public Utilities Commission, and the Vermont Public Service Commission, and that no State commission or Federal commission, other than this Commission, has jurisdiction in respect of the acquisition of the common stock of NEPCO by NEES.

Notice is further given that any interested person may, not later than May 29, 1958, at 5:30 p. m., request the Commission in writing that a hearing be held on this matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by such joint filing which he proposes to controvert, or he 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, Washington 25, D. C. At any time after said date the joint application as filed, or as amended, may be granted as provided in Rule 23 of the rules and regulations promulgated under the act or the Commission may grant exemption from its rules as provided in Rules 20 (a) and 100 promulgated under the act or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-3706; Filed, May 16, 1958;
8:47 a. m.]

[File No. 70-3698]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE OF FILING

MAY 12, 1958.

In the matter of The Columbia Gas System, Inc., United Fuel Gas Company, Amere Gas Utilities Company, Atlantic Seaboard Corporation, Columbia Gas of Kentucky, Inc., Kentucky Gas Transmission Corporation, Virginia Gas Distribution Corporation, The Ohio Fuel Gas Company, The Preston Oil Company, The Manufacturers Light and Heat Company, Cumberland and Alleghany Gas Company, Home Gas Company,

Columbia Gas of New York, Inc.; File No. 70-3698.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its wholly-owned subsidiaries United Fuel Gas Company ("United Fuel"), Amere Gas Utilities Company ("Amere"), Atlantic Seaboard Corporation ("Seaboard"), Columbia Gas of Kentucky, Inc. ("Columbia of Kentucky"), Kentucky Gas Transmission Corporation ("Kentucky Gas"), Virginia Gas Distribution Corporation ("Distribution"), The Ohio Fuel Gas Company ("Ohio"), The Preston Oil Company ("Preston"), The Manufacturers Light and Heat Company ("Manufacturers"), Cumberland and Alleghany Gas Company ("Cumberland"), Home Gas Company ("Home"), and Columbia Gas of New York, Inc. ("Columbia of New York"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6 (b), 9, 10, 12 (b), and 12 (f) thereof and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Financing construction requirements. The subsidiary companies are engaged in construction programs which will require expenditures and the raising of new money in 1958 as follows:

Company	Estimated construction expenditures	New money requirements ¹
United Fuel.....	\$23,449,000	\$11,800,000
Amere.....	311,400	100,000
Seaboard.....	3,715,700	1,000,000
Columbia of Kentucky.....	1,812,000	1,500,000
Kentucky Gas.....	1,897,800	500,000
Distribution.....	602,600	600,000
Ohio.....	28,942,101	23,500,000
Preston.....	1,376,500	400,000
Manufacturers.....	26,853,300	21,900,000
Cumberland.....	1,322,400	1,275,000
Home.....	1,023,600	1,450,000
Columbia of New York.....	1,026,800	700,000
	\$2,993,201	65,425,000

¹The additional capital necessary to complete the construction programs will be obtained from internal sources of the respective companies.

It is proposed that the new money required by the respective subsidiary companies as aforesaid will be obtained by their issuance and sale to Columbia of shares of their Common Stock and Installment Promissory Notes, or both, in amounts as follows:

Company	Common stock			Installment notes, aggregate amount not to exceed
	Number of shares	Par value	Aggregate amount	
United Fuel.....	52,000	\$25	\$1,300,000	\$10,500,000
Amere.....				100,000
Seaboard.....	36,000	25	900,000	700,000
Columbia of Kentucky.....	20,000	25	500,000	1,000,000
Kentucky Gas.....				500,000
Distribution.....	4,000	25	100,000	400,000
Ohio.....	160,000	45	7,200,000	16,300,000
Preston.....				600,000
Manufacturers.....	180,000	50	9,000,000	12,000,000
Cumberland.....	20,000	25	500,000	775,000
Home.....	20,000	25	500,000	850,000
Columbia of New York.....	6,000	25	150,000	600,000
Total amounts.....			20,150,000	45,275,000

The Installment Notes will be unsecured. They will be dated when issued, and the principal amounts will be due in 25 equal annual installments on February 15 of each of the years 1960 to 1984 inclusive. Interest will be payable semi-annually at the rate of 4.4 percent per annum, which represents the approximate cost of money to Columbia on its last (March 6, 1958) sale of Senior Debentures.

The securities will be issued and sold periodically when and to the extent that funds are required for the purposes stated. With respect to each of the companies issuing Common Stock, Columbia will first acquire Common Stock up to the amounts above set out, and thereafter will acquire Installment Notes; but none of such securities will be issued or acquired after March 31, 1959.

Financing gas inventory requirements. Six of said subsidiary companies operate facilities for the underground storage of natural gas, which is purchased during the off-peak seasonal periods. Columbia proposes to advance to these subsidiaries on open account such amounts as they may require during 1958 for the purchase of current inventory gas, not to exceed the following aggregate amounts:

United Fuel.....	\$16,000,000
Ohio.....	23,000,000
Manufacturers.....	8,400,000
Home.....	1,600,000
Seaboard.....	500,000
Kentucky Gas.....	500,000
Total.....	50,000,000

The open-account advances will be repayable in three equal installments on February 25, March 25, and April 25, 1959, with interest at such rate as Columbia shall be required to pay to commercial banks for the necessary funds. Columbia anticipates that it will be able to borrow the money at the prime commercial rate. The borrowing by Columbia will be the subject of a later declaration.

Approval of the issuance and sale of the securities must be obtained by nine of said subsidiary companies from the regulatory commissions of the States in which they are organized and doing business, as follows:

Company and State Commission

- Manufacturers—Pennsylvania Public Utility Commission.
- United Fuel¹—Public Service Commission of West Virginia.
- Amere—Public Service Commission of West Virginia.
- Cumberland—Public Service Commission of West Virginia.
- Ohio—Public Utilities Commission of Ohio.
- Distribution—State Corporation Commission of Virginia.
- Columbia of Kentucky—Public Service Commission of Kentucky.
- Home—Public Service Commission of New York.
- Columbia of New York—Public Service Commission of New York.

It is stated that copies of the applicable State Commission orders will be filed by amendment.

¹ United Fuel is also required to obtain approval of the State Commission of Columbia's advances to it on open account.

The aggregate fees and expenses to be paid by the several companies in connection with the proposed transactions are estimated at \$16,665, including Federal original issue taxes \$13,165, charges of system service company \$1,300 (\$100 for each company), and miscellaneous expenses \$2,200 (including legal fees of \$200 and \$400 to be paid by Manufacturers and Distribution, respectively).

Notice is further given that any interested person may, not later than May 28, 1958 at 5:30 p. m., 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 of fact or law, if any, raised by said application-declaration which he desires to controvert; or he 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, Washington 25, D. C. At any time after said date, the application-declaration, as filed or as amended, may be granted and permitted to become effective, in whole or in part, as provided in Rule 23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules 20 (a) and 100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-3707; Filed, May 16, 1958;
8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 14, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34678: *Mine run salt—Weeks, La., to points in Alabama.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7287), for interested rail carriers. Rates on mine run salt, carloads from Weeks, La., to Emco, Evans City, Listerhill, Sheffield, and Tusculumbia, Ala.

Grounds for relief: Barge-truck competition.

Tariff: Supplement 104 to Southwestern Freight Bureau, Agent, tariff I. C. C. 3903.

FSA No. 34679: *TOFC service—Rates between Missouri and Illinois points and points in the southwest.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7285), for interested rail carriers. Rates on freight moving on class and commodity rates, loaded in or on trailers and transported on railroad flat cars between Kansas City and St. Louis, Mo., and East St. Louis, Ill., on the one hand, and specified points in Arkansas and Oklahoma, on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 30 to Southwestern Freight Bureau, Agent, tariff I. C. C. 4274.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-3704; Filed, May 16, 1958;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order SA-235]

GOVERNMENT OF HUNGARY

In re: Government of Hungary; F-34-548.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of The First National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of an account in the name of the Royal Hungarian State Iron Steel & Machine Works, Budapest, Hungary, maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by Hungary, as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title,

shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3710; Filed, May 16, 1958;
8:47 a. m.]

[Vesting Order SA-236]

UNKNOWN HUNGARIAN NATIONALS

In re: Stock owned by and debt owing to unknown Hungarian nationals; F-63-139 (Zurich-SA), F-34-1693.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows:

a. Eighty (80) shares of \$25.00 par value ordinary capital stock of Canadian Pacific Railway Company, a company incorporated in Canada, evidenced by certificate number 201101, presently in the custody of The First National City Bank of New York, 55 Wall Street, New York 15, New York, in an account entitled, "Safekeeping Account B 8812, Union Bank of Switzerland, Zurich, Switzerland, Blocked Account," together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of The First National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of an account entitled, "Union Bank of Switzerland, Zurich, Switzerland, Blocked Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by nationals of Hungary, names unknown, as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed,

transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3711; Filed, May 16, 1958;
8:48 a. m.]

[Vesting Order SA-237]

CITY SAVINGS BANK CO., LTD.

In re: Debt owing to The City Savings Bank Company Limited, also known as Innerstadtische Sparcassa Actiengesellschaft; F-34-1683, F-63-2748 (Zurich) SA.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of the Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York 5, New York, in the sum of \$141.10, constituting a portion of an account entitled, "Zurich Office, Ordinary Blocked Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by The City Savings Bank Company Limited, also known as Innerstadtische Sparcassa Actiengesellschaft, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended,

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3712; Filed, May 16, 1958;
8:48 a. m.]

[Vesting Order SA-238]

HUNGARIAN COMMERCIAL BANK OF PEST

In re: Debts owing to the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank; F-34-256.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows:

a. That certain debt or other obligation of the Bank of America National Trust & Savings Association, 300 Montgomery Street, San Francisco 20, California, arising out of an account entitled, "Hungarian Commercial Bank of Pest, Hungary (Blocked Account)," maintained by the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of the Bank of America National Trust & Savings Association, 300 Montgomery Street, San Francisco 20, California, arising out of an account entitled, "Hungarian Commercial Bank of Pest, Free Account, Budapest, Hungary (Blocked Account)," maintained by the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

{SEAL} DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3713; Filed, May 16, 1958;
8:48 a. m.]

[Vesting Order SA-239]

HUNGARIAN COMMERCIAL BANK OF PEST
In re: Debt owing to the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank; F-34-256, F-19-344.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of The First National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of an account entitled, "Uncertified Account of Den Danske Landmansbank, Copenhagen, Denmark," maintained by the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

{SEAL} DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3714; Filed, May 16, 1958;
8:48 a. m.]

[Vesting Order SA-240]

HUNGARIAN COMMERCIAL BANK OF PEST

In re: Debt owing to the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank; F-34-256, F-19-344.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of the J. Henry Schroder Banking Corporation, 57 Broadway, New York 15, New York, arising out of an account entitled, "Kjobenhavns Handelsbank A. S., 2 Holmens Kanal, Copenhagen K, Denmark, Separate Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3715; Filed, May 16, 1958;
8:49 a. m.]

[Vesting Order SA-241]

HUNGARIAN COMMERCIAL BANK OF PEST

In re: Debt owing to the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank; F-34-256, F-63-2748 (Zurich) SA.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of the Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York 5, New York, in the sum of

\$39,191.60, constituting a portion of an account entitled, "Zurich Office, Ordinary Blocked Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General,

Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 12, 1958.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 58-3716; Filed, May 16, 1958;
8:49 a. m.]