

# FEDERAL REGISTER

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Agencies in this issue—

Agriculture Department  
Civil Aeronautics Board  
Civil Service Commission  
Consumer and Marketing Service  
Federal Aviation Agency  
Federal Communications Commission  
Federal Maritime Commission  
Fiscal Service  
Fish and Wildlife Service  
Food and Drug Administration  
Immigration and Naturalization Service  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
Securities and Exchange Commission  
Tariff Commission

Detailed list of Contents appears inside.



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## Title 7—AGRICULTURE

### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

#### PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

##### Order Amending Order, as Amended, Regulating the Handling

###### § 905.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Lakeland, Fla., June 23, 1965, upon proposed amendment of the marketing agreement, as amended, and to Order No. 905, as amended (7 CFR Part 905) regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as amended and as hereby further amended, regulates the handling of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as amended and as hereby further amended, is limited in its application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act;

(4) The said order, as amended and as hereby further amended, prescribes, so far as practicable, such different terms,

applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area; and

(5) All handling of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Determination.* It is hereby determined that:

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida," upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the fruit covered by this order) who, during the period August 1, 1964, through July 31, 1965, handled not less than 50 percent of the volume of oranges (including Temple and Murcott Honey oranges), not less than 50 percent of the volume of grapefruit, not less than 50 percent of the volume of tangerines, and not less than 50 percent of the volume of tangelos covered by the said amended order, as hereby further amended; and

(2) The issuance of this order, amending the aforesaid amended order, is favored or approved by at least two-thirds of the respective producers who participated in a referendum on the question of its approval and who, during the determined representative period (August 1, 1964, through July 31, 1965), were engaged, within the production area specified in the aforesaid amended order, in the production for market of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, or tangelos; such producers having also produced for market at least two-thirds of the volume of each fruit represented in such referendum.

(c) *Additional findings.* It is hereby found, on the basis hereinafter indicated, that good cause exists for making the provisions of this amendatory order effective upon publication in the FEDERAL REGISTER, and that it would be contrary to the public interest to postpone such effective time until 30 days after publication (5 U.S.C. 1001-1011). The provisions of this order add Murcott Honey oranges to the fruits currently regulated thereunder and provide for regulations specifying the percentage of a grade or size of a variety that handlers may ship during each week of the particular regulation period. Shipments of oranges,

grapefruit, tangerines, and tangelos, grown in the production area, have already begun. Hence for this order to be of maximum benefit during the 1965-66 marketing season, it should be made effective as soon as practicable. The provisions of this order are well known to producers and handlers. The hearing in connection therewith was held at Lakeland, Fla., on June 23, 1965, and the recommended decision and final decision were published in the FEDERAL REGISTER on August 31, 1965 (30 F.R. 11174), and September 25, 1965 (30 F.R. 12298), respectively. Copies of the text of the amendatory order have been made available to all known producers and handlers; the provisions of this order do not impose any restrictions on handlers until regulations in accordance therewith are issued; and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective time of such regulations.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, and as hereby further amended as follows:

(1) The provisions of § 905.4 *Fruit* are revised to read as follows:

###### § 905.4 Fruit.

"Fruit" means any or all varieties of the following types of citrus fruits grown in the production area:

- Citrus sinensis, Osbeck, commonly called "oranges";
- Citrus paradisi, MacFadyen, commonly called "grapefruit";
- Citrus nobilis deliciosa, commonly called "tangerines";
- Temple oranges;
- Tangelos; and
- Murcott Honey oranges.

(2) The provisions of § 905.5 *Variety* are revised to read as follows:

###### § 905.5 Variety.

"Variety" or "varieties" means any one or more of the following classifications or groupings of fruit:

- Early and Midseason oranges, including Navel and other types commonly called "round oranges", except Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type;
- Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type;
- Temple oranges;
- Marsh and other seedless grapefruit, excluding pink grapefruit;

- (e) Duncan and other seeded grapefruit, excluding pink grapefruit;  
 (f) Pink seedless grapefruit;  
 (g) Pink seeded grapefruit;  
 (h) Tangelos;  
 (i) Dancy and similar tangerines, including Robinson; and  
 (j) Murcott Honey oranges.

(3) The first sentence of § 905.21 is revised to read as follows: "The Growers Administrative Committee shall consist of at least eight but not more than nine members, each of whom shall have an alternate, all of whom shall be producers who shall not be handlers or employed by handlers."

(4) The first and second sentences of § 905.22(b) are deleted and the following inserted in lieu thereof: "Producers in each respective district shall nominate for membership on the Growers Administrative Committee, at least twice the number of producers as the number of positions to be filled from the district. At least half the producers so nominated in each district shall be affiliated with a cooperative marketing association."

(5) The first sentence of § 905.23 is revised to read as follows: "In selecting the members and alternate members of the Growers Administrative Committee, the Secretary shall select one member and one alternate member from the nominees of each of Districts One, Two, Three, Four, Five, and Six and two members and two alternates from District Seven, or such other number of members and alternate members from each district as may be prescribed pursuant to § 905.31(k)."

(6) The word "and" is deleted at the end of paragraph (i), the period at the end of paragraph (j) is changed to "; and", and a new paragraph (k) is added to § 905.31 *Duties of Growers Administrative Committee* reading as follows:

(k) To maintain equitable representation among districts, with approval of the Secretary, to redefine the districts into which the production area is divided or to reapportion or otherwise change the committee membership of districts, or both: *Provided*, That the membership shall consist of at least eight but not more than nine members, and any such change shall be based, so far as practicable, upon the respective averages for the immediately preceding five fiscal periods of (1) the volume of fruit shipped from each district; (2) the volume of fruit produced in each district; and (3) the total number of acres of citrus in each district. The committee shall consider such redistricting and reapportionment during the 1965-66 fiscal period, and only in each fifth fiscal period thereafter, and each such redistricting or reapportionment shall be announced on or before March 1 of the then current fiscal period.

(7) Paragraph (d) of § 905.50 *Marketing Policy* is revised to read as follows:

(d) The Growers Administrative Committee shall transmit a copy of each

marketing policy report or revision thereof to the Secretary and to each producer and handler who files a request therefor. Copies of all such reports shall be maintained in the office of the committee where they shall be available for examination by producers and handlers.

(8) Paragraph (c) of § 905.51 *Recommendations for Regulations* is revised to read as follows:

(c) The Growers Administrative Committee shall give notice of any meeting to consider the recommendation of regulations pursuant to § 905.52 by mailing a notice of meeting to each handler who has filed his address with said committee for this purpose. The said committee shall give the same notice of any such recommendation before the time it is recommended that such regulation become effective.

(9) Paragraph (b) of § 905.52 *Regulation by the Secretary* is revised to read as follows:

(b) Prior to the beginning of any such regulations, the Secretary shall notify the Growers Administrative Committee of the regulation issued by him, which committee shall notify all handlers by mailing a copy thereof to each handler who has filed his address with said committee for this purpose.

(10) Paragraph (a)(1) of § 905.52 *Regulation by the Secretary* is revised to read as follows:

(1) Limit the shipment of any grade or size, or both, of any variety, in any manner as may be prescribed, and any such limitation may provide that shipments of any variety grown in Regulation Area II shall be limited to grades and sizes different from the grade and size limitations applicable to shipments of the same varieties grown in Regulation Area I: *Provided*, That whenever any such grade or size limitation restricts the shipment of a portion of a specified grade or size of a variety the quantity of such grade or size that may be shipped by a handler during a particular week shall be established as a percentage of the total shipments of such variety by such handler during such week of the regulation period.

(11) The first sentence in § 905.40 *Expenses* is revised to read as follows: "The Growers Administrative Committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred to carry out the functions of both committees under this subpart during each fiscal period."

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, October 29, 1965, to become effective upon publication in the FEDERAL REGISTER.

GEORGE L. MEHREN,  
 Assistant Secretary.

[F.R. Doc. 65-11871; Filed, Nov. 3, 1965; 8:48 a.m.]

**PART 909—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.**

**Expenses and Rate of Assessment, and Carryover of Unexpended Funds.**

Notice was published in the October 15, 1965, issue of the FEDERAL REGISTER (30 F.R. 13143) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending July 31, 1966, under the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to the said amended marketing agreement and order), it is hereby found and determined that:

**§ 909.204 Expenses and rate of assessment and carryover of unexpended funds.**

(a) *Expenses.* The expenses that are reasonable and necessary to be incurred by the Administrative Committee during the period August 1, 1965, through July 31, 1966, will amount to \$150,000.

(b) *Rate of assessment.* The rate of assessment for such period, payable by each handler in accordance with § 909.41 is hereby fixed at three cents (\$0.03) per carton.

(c) *Operating reserve.* Unexpended assessment funds, in excess of expenses incurred during such period, shall be carried over as a reserve in accordance with the applicable provisions of § 909.42.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable grapefruit from the beginning of such year; and (2) the current fiscal period began on August 1, 1965, and the rate of assessment herein fixed will automatically apply to all assessable grapefruit beginning with such date.

Terms used in said amended marketing agreement and order, shall, when used herein, have the same meaning as is given to the respective term in said

amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 29, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[P.R. Doc. 65-11872; Filed, Nov. 3, 1965; 8:49 a.m.]

**PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY OF SOUTH TEXAS**

**Limitation of Shipments**

Notice of rule making with respect to a proposed limitation of shipments regulation to be made effective under Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971), regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas, was published in the FEDERAL REGISTER, October 7, 1965 (30 F.R. 12785). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

This notice afforded interested parties an opportunity to file written data, views, or arguments pertaining thereto within 15 days after publication. The notice contained a proposal to prohibit packaging on New Year's Day.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, and other available information, it is hereby found that the limitation of shipments regulation, as hereinafter set forth, which does not contain a prohibition against packaging on New Year's Day, will tend to effectuate the declared policy of the act.

**§ 971.308 Limitation of shipments.**

During the period December 6, 1965, through March 31, 1966, no person may handle any lot of lettuce grown in the production area unless the lettuce meets requirements of paragraphs (a) grade, (b) size and pack, and (c) containers, or unless the lettuce is handled in accordance with paragraphs (d) or (e), of this section. Further, no handler may package lettuce during the above period on any Sunday or on Christmas Day.

(a) *Grade.* Seventy-five percent U.S. No. 1 quality, or better, with not more than 10 percent serious damage including not more than 5-percent decay in any lot. Individual containers shall have not less than 60 percent U.S. No. 1 quality, with not more than 23 percent serious damage, including not more than three heads affected by decay.

(b) *Sizing and pack.* (1) Lettuce heads, if wrapped, may be packed only 18, 20, 22, 24, or 30 heads per container.

(2) Lettuce heads, if not wrapped, may be packed only 18, 24, or 30 heads per container.

(c) *Containers.* Containers may be only:

(1) Cartons with inside dimensions of 10 x 14 $\frac{1}{4}$  x 21 $\frac{5}{16}$  inches (designated as carrier container No. 7303), or

(2) Cartons with inside dimensions of 9 $\frac{3}{4}$  x 14 x 21 inches (designated as carrier container Nos. 7306 and 7313).

(d) *Minimum quantities.* Any person may handle up to, but not to exceed two cartons of lettuce a day without regard to inspection, assessment, grade, size, and pack requirements, but it must meet container requirements. This exception may not be applied to any portion of a shipment of over two cartons of lettuce.

(e) *Special purpose shipments.* Lettuce not meeting grade, size, or container requirements of paragraph (a), (b), or (c) of this section may be handled for any purpose listed, if handled as prescribed in this paragraph. Inspection or assessments are not required on such shipments.

(1) For relief, charity, or experimental purposes, if prior to handling, the handler pursuant to §§ 971.120-971.125 obtains a Certificate of Privilege applicable thereto and reports thereon.

(2) For export to Mexico, if the handler of such lettuce loads or transports it only in a vehicle bearing Mexican registration (license) and he maintains the following records of each transaction.

- (i) Name and address of the purchaser;
- (ii) Quantity involved in each sale;
- (iii) Date of sale; and
- (iv) Identification by make, model, and license number of the purchaser's or trucker's vehicle.

(f) *Inspection.* (1) No handler may handle any lettuce for which an inspection certificate is required unless an appropriate inspection certificate has been issued with respect thereto.

(2) No handler may transport, or cause the transportation of, by motor vehicle, any shipment of lettuce for which an inspection certificate is required unless each such shipment is accompanied by a copy of an inspection certificate or by a copy of a shipment release form (SPI-23) furnished by the inspection service verifying that such shipment meets the current grade, size, pack and/or container regulations promulgated under this part. A copy of the inspection certificate, or shipment release form, applicable to each truck lot shall be available and surrendered upon request to authorities designated by the committee.

(3) For administration of this part, an inspection certificate or shipment release form required by the committee as evidence of inspection is valid for only 72 hours following completion of inspection, as shown on such certificate or form.

(g) *Definitions.* (1) "Wrapped" heads of lettuce refers to those which are enclosed individually in parchment, plastic, or other commercial film (cf. AMS 481) and then packed in cartons or other containers.

(2) "U.S. No. 1" and "serious damage" shall have the same meaning as in the U.S. Standards for Lettuce (§§ 51.2510-51.2531 of this title).

(3) All other terms used in this section shall have the same meaning as when used elsewhere in this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated October 29, 1965, to become effective December 6, 1965.

PAUL A. NICHOLSON,  
Deputy Director,  
Fruit and Vegetable Division.

[P.R. Doc. 65-11873; Filed, Nov. 3, 1965; 8:49 a.m.]

[980.1—Amdt. 2, Irish Potatoes]

**PART 980—VEGETABLES; IMPORT REGULATIONS**

During the current year, and for several months prior thereto, Irish potatoes have been imported in largest volumes at various places different from those currently set forth in § 980.1(g)(1)(ii). This amendment reflects the foregoing and lists the areas where substantially all of the imports were made, together with the respective addresses of the governmental inspection services, and where requests for inspection and certification of imported potatoes should be directed. Giving at least the specified advance notice to the applicable inspection office should assure the availability of an inspector to perform the required inspection and certification pursuant to § 980.1.

Therefore, subparagraph (1)(ii) of paragraph (g) of § 980.1 Import Regulations; Irish potatoes (7 CFR 980.1) is hereby amended to read as follows:

**§ 980.1 Import regulations; Irish potatoes.**

\* \* \* \* \*

(1)(ii) Since inspectors may not be stationed in the immediate vicinity of a port, or point of entry, an importer of uninspected and uncertified Irish potatoes should make advance arrangements for inspection. Each importer should give at least the specified advance notice to one of the following applicable inspection offices prior to the time the Irish potatoes would be imported.

Ports and points	Inspection office	Advance notice (days)
All Maine ports and points.	Officer-In-Charge, Post Office Box 688, Caribou, Maine, 04736 (Telephone: 496-8511).	1
Port of Boston, Mass.	Officer-In-Charge, Room 725, 408 Atlantic Ave., Boston, Mass., 02210 (Telephone: 223-7753).	1
Port of New York, N.Y.	Officer-In-Charge, Room 306, 346 Broadway, New York, N.Y., 10013 (Telephone: 364-1130, 1131, 1132).	1
Port of Philadelphia, Pa.	Officer-In-Charge, Room 239, Produce Bldg., 3301 South Galloway St., Philadelphia, Pa., 19148 (Telephone: Dewey 6-0845).	1
Port of New Orleans, La.	Officer-In-Charge, Room 8027, Federal Office Bldg., 701 Loyola Ave., New Orleans, La., 70113 (Telephone: 827-6741 and 827-6742).	1
All other ports and points.	Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, C&MS, USDA, Washington, D.C., 20250 (Telephone: Dudley 8-8870).	3

It is hereby found that it is impracticable and unnecessary to give preliminary notice and engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER, and for making this amendment effective not later than the date hereinafter prescribed (5 U.S.C. 1003), in that (1) compliance with this amendment will not require any special preparation on the part of importers which cannot be completed by the effective time hereof; (2) this amendment is designed to facilitate the importation of Irish potatoes at the ports, and points, of entry most used; (3) sufficient time is afforded importers to obtain inspection service as required by current § 980.1(g) (1) (ii) as well as to conduct their future operations in conformity with this amendment; and (4) no useful purpose would be served by delaying the effective date hereof beyond that hereinafter prescribed.

Dated October 29, 1965, to become effective 7 days after publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,  
Deputy Director,  
Fruit and Vegetable Division.

[F.R. Doc. 65-11874; Filed, Nov. 3, 1965;  
8:49 a.m.]

## Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

### PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

#### Records and Fees

Reference is made to the notice of proposed rulemaking which was published in the FEDERAL REGISTER of October 7, 1965 (30 F.R. 12785) pursuant to section 4 of the Administrative Procedure Act (60 Stat 238; 5 U.S.C. 1003) and in which there was set out in full the terms of the proposed amendment to paragraph (c) of § 103.7, Chapter I, Title 8, Code of Federal Regulations, relating to fees. No representations were received. The rule as set out below is adopted.

The list of fees in paragraph (c) of § 103.7 is amended by the addition of a new fee as the 6th item of that list so that when taken with the introductory material the new fee will read as follows:

#### § 103.7 Records and fees.

(c) *Additional fees.* In addition to the fees enumerated in sections 281 and 344 of the Act, the following fees and charges are prescribed:

For filing an application for a U.S. Citizen Identification Card..... \$5.00

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103; sec. 501, 65 Stat. 290; 5 U.S.C. 140)

The basis and purpose of the rule is to require the submission of the prescribed fee to cover the cost of processing the application.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the requirements of section 4(c) of the Administrative Procedure Act relating to delayed effective date is unnecessary in this instance because the persons affected by the foregoing rule will not require additional time.

Dated: October 28, 1965.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 65-11850; Filed, Nov. 3, 1965;  
8:46 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Order No. 66B; Docket No. 3666]

### PART 73—SHIPPERS

#### PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

##### Miscellaneous Amendments

At a session of the Interstate Commerce Commission, Explosives and Other Dangerous Articles Board, held at Washington, D.C., on the 26th day of October 1965.

Upon further consideration of the cancellation of Note 1 following the bracketed paragraphs after Parts 73 and 77 Indexes and immediately preceding §§ 73.1 and 77.800 of the amendment to the regulations for the Transportation of Explosives and Other Dangerous Articles, as adopted by Order No. 66 in Docket 3666, dated April 9, 1965, effective date of which was postponed until October 31, 1965 by Order No. 66A dated June 25, 1965, and good cause appearing;

*It is ordered,* That the effective date of the cancellation of the above referred-to Notes is hereby postponed, and the provisions of those Notes shall remain in effect until further order of the Commission.

*It is further ordered,* That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

(62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834)

By the Commission, Explosives and Other Dangerous Articles Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-11856; Filed, Nov. 3, 1965;  
8:47 a.m.]

[Order No. 50; No. 3666]

#### PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

##### Subpart F—Regulations Applying to Transportation of Explosives and Other Dangerous Articles by Private Motor Carriers

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., this 21st day of October A.D. 1965.

It appearing, that notice of proposed rule making was issued in the above-entitled proceeding on May 12, 1961 (26 F.R. 4121), pursuant to section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003);

It further appearing, that hearing on the matter and things has been held;

And it further appearing, that the Division has, on the date hereof, made and filed its report in this proceeding containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof; and good cause appearing therefor;

*It is ordered,* That 49 CFR Part 77, be, and the same is hereby, amended, effective February 1, 1966, by adding thereto a new Subpart F reading as follows:

Sec.  
77.875 Reports required.  
77.876 Identification of vehicles.

**AUTHORITY:** The provisions of this Subpart F issued under secs. 204, 220, 224, 49 Stat. 546, as amended, 563, as amended, 566, as amended; 49 U.S.C. 304, 320, 324; 62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834.

#### § 77.875 Reports required.

(a) Every private carrier engaged in transporting in interstate or foreign commerce, explosives or other dangerous articles of such kind and in such quantities as to require that a vehicle be marked or placarded by the provisions of § 77.823 shall, on or before February 1 of each year, submit to the Interstate Commerce Commission, Washington, D.C., a report by letter or postal card which report shall include, in addition to the carrier's name and principal address, the following information concerning the operations of such carrier during the preceding calendar year:

(1) The maximum number of trucks and tractors operated at any time during such year in interstate or foreign commerce in transporting said explosives or other dangerous articles;

(2) The names of all States in or through which those vehicles were operated; and



(3) The number of accidents in which those vehicles were involved wherein bodily injury, death, or property damage to the extent of \$250 or more, resulted.

§ 77.876 Identification of vehicles.

(a) *General requirements.* There shall be displayed on both sides of each vehicle operated under its own power, either alone or in combination, in the service of a private carrier engaged in the transportation in interstate or foreign commerce of the articles embraced in § 77.875 the name or trade name of the carrier operating such vehicle and the city or community in which such carrier maintains its principal office or in which the vehicle is customarily based. If the name of any person other than the operating carrier appears on the vehicle operated under its own power, either alone or in combination, the name of the operating carrier shall be followed by the information required by this paragraph, and be preceded by the words 'operated by'. Nothing in these regulations shall prohibit display of such additional identification as is not inconsistent herewith.

(b) *Size, shape, and color.* The display of name and address prescribed in paragraph (a) of this section shall be in letters in sharp color contrast to the background and be of such size, shape, and color as to be readily legible, during daylight hours, from a distance of 50 feet while the vehicle is not in motion, and such display shall be kept and maintained in such manner as to remain so legible. If desired, display may be accomplished through use of a removable device so prepared as otherwise to meet the identification and legibility requirements of this section.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Division 3.

(SEAL) H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-11855; Filed, Nov. 3, 1965; 8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service,  
Department of the Treasury

SUBCHAPTER C—EMPLOYMENT TAXES

[T.D. 6860]

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Income Tax Collected at Source

In order to conform the Employment Tax Regulations (26 CFR Part 31) under

section 3402 of the Internal Revenue Code of 1954 to subsections (a) and (b) of section 302 of the Revenue Act of 1964 (78 Stat. 140), such regulations are amended as follows:

PARAGRAPH 1. Section 31.3402(a) is amended by revising section 3402(a) and the historical note to read as follows:

§ 31.3402(a) Statutory provisions; income tax collected at source; requirement of withholding.

SEC. 3402. *Income tax collected at source—*  
(a) *Requirement of withholding.* Every employer making payment of wages shall deduct and withhold upon such wages (except as provided in subsection (j)) a tax equal to 14 percent of the amount by which the wages exceed the number of withholding exemptions claimed, multiplied by the amount of one such exemption as shown in subsection (b) (1).

[Sec. 3402(a) as amended by sec. 2(a), Act of Aug. 9, 1955 (Pub. Law 306, 84th Cong., 69 Stat. 605); sec. 302(a), Rev. Act 1964 (78 Stat. 140)]

PAR. 2. There is inserted immediately after § 31.3402(a)-1 the following new section:

§ 31.3402(a)-2 Rate under percentage method of withholding.

(a) In respect of wages paid before March 5, 1964, the rate of tax specified in section 3402(a) is 18 percent.

(b) In respect of wages paid after March 4, 1964, the rate of tax specified in section 3402(a) is 14 percent.

PAR. 3. Section 31.3402(b)-1 is amended by revising paragraphs (a) (2) and (c) (1) to read as follows:

§ 31.3402(b)-1 Percentage method of withholding.

(a) *In general.* \* \* \*

(2) The steps in computing the tax under the percentage method of withholding are summarized as follows:

Step 1. Determine the amount of one withholding exemption for the particular payroll period from the percentage method withholding table.

Step 2. Multiply the amount determined in Step 1 by the number of exemptions claimed by the employee.

Step 3. Subtract the amount determined in Step 2 from the employee's wages.

Step 4. Multiply the difference by the applicable percentage figure under section 3402(a) (see §§ 31.3402(a) and 31.3402(a)-2).

The result is the amount of tax to be withheld.

*Example.* During the period in which the rate under the percentage method of withholding is 14 percent, an employee has a weekly payroll period, for which he is paid \$75, and has in effect a withholding exemption certificate claiming three withholding exemptions. His employer, using the percentage method, computes the tax to be withheld as follows:

Step 1: Amount of one withholding exemption	.....	\$13.00
Step 2: Multiplied by number of exemptions claimed on Form W-4	.....	×3
Total withholding exemption	.....	39.00

Step 3: Total wage payment	.....	75.00
Less amount determined in Step 2	.....	39.00
Balance subject to tax	.....	36.00
Step 4: Tax to be withheld (balance multiplied by 0.14)	.....	5.04

(c) *Periods to which the daily or miscellaneous withholding exemption is applicable—*

(1) *In general.* The percentage method withholding table shows for a daily or miscellaneous payroll period the amount of one withholding exemption allowable with respect to one day. For the purpose of determining the amount of tax to be withheld with respect to wages paid for a particular miscellaneous payroll period (see paragraph (c) of § 31.3401(b)-1), the amount of one withholding exemption shown in the table for one day of such period and the wages paid for the period must be placed on a comparable basis. The amount of tax to be withheld may be determined by either of the following methods:

(i) Under the first method the following steps are taken:

Step 1. Multiply the amount shown in the percentage method withholding table as applicable per day of a miscellaneous payroll period by the number of days (including Sundays and holidays) in such period.

Step 2. Multiply the amount determined in Step 1 by the number of withholding exemptions claimed by the employee.

Step 3. Subtract the amount determined in Step 2 from the employee's wages.

Step 4. Multiply the difference by the applicable percentage figure under section 3402(a) (see §§ 31.3402(a) and 31.3402(a)-2).

(ii) Under the second method the following steps are taken:

Step 1. Divide the wages paid to the employee for the period by the number of days (including Sundays and holidays) in the period.

Step 2. Multiply the amount shown in the percentage method withholding table as applicable per day of a miscellaneous payroll period by the number of withholding exemptions claimed by the employee.

Step 3. Subtract the amount determined in Step 2 from the amount determined in Step 1.

Step 4. Multiply the difference by the applicable percentage figure under section 3402(a) (see §§ 31.3402(a) and 31.3402(a)-2).

Step 5. Multiply the amount determined in Step 4 by the number of days (including Sundays and holidays) in the period.

PAR. 4. Section 31.3402(c) is amended by revising paragraph (1) of section 3402(c) and by adding a historical note. The revised and added provisions read as follows:

§ 31.3402(c) Statutory provisions; income tax collected at source; wage bracket withholding.

SEC. 3402. *Income tax collected at source.* \* \* \* (c) *Wage bracket withholding.* (1) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):

RULES AND REGULATIONS

If the payroll period with respect to an employee is weekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
		14% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0	\$13	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$13	\$14	.10	0	0	0	0	0	0	0	0	0	0
\$14	\$15	2.00	.20	0	0	0	0	0	0	0	0	0
\$15	\$16	2.20	.40	0	0	0	0	0	0	0	0	0
\$16	\$17	2.30	.50	0	0	0	0	0	0	0	0	0
\$17	\$18	2.50	.70	0	0	0	0	0	0	0	0	0
\$18	\$19	2.60	.80	0	0	0	0	0	0	0	0	0
\$19	\$20	2.70	.90	0	0	0	0	0	0	0	0	0
\$20	\$21	2.90	1.10	0	0	0	0	0	0	0	0	0
\$21	\$22	3.00	1.20	0	0	0	0	0	0	0	0	0
\$22	\$23	3.20	1.40	0	0	0	0	0	0	0	0	0
\$23	\$24	3.30	1.50	0	0	0	0	0	0	0	0	0
\$24	\$25	3.40	1.60	0	0	0	0	0	0	0	0	0
\$25	\$26	3.60	1.80	0	0	0	0	0	0	0	0	0
\$26	\$27	3.70	1.90	.10	0	0	0	0	0	0	0	0
\$27	\$28	3.90	2.10	.30	0	0	0	0	0	0	0	0
\$28	\$29	4.00	2.20	.40	0	0	0	0	0	0	0	0
\$29	\$30	4.10	2.30	.50	0	0	0	0	0	0	0	0
\$30	\$31	4.30	2.50	.70	0	0	0	0	0	0	0	0
\$31	\$32	4.40	2.60	.80	0	0	0	0	0	0	0	0
\$32	\$33	4.60	2.80	1.00	0	0	0	0	0	0	0	0
\$33	\$34	4.70	2.90	1.10	0	0	0	0	0	0	0	0
\$34	\$35	4.80	3.00	1.20	0	0	0	0	0	0	0	0
\$35	\$36	5.00	3.20	1.40	0	0	0	0	0	0	0	0
\$36	\$37	5.10	3.30	1.50	0	0	0	0	0	0	0	0
\$37	\$38	5.30	3.50	1.70	0	0	0	0	0	0	0	0
\$38	\$39	5.40	3.60	1.80	0	0	0	0	0	0	0	0
\$39	\$40	5.50	3.70	1.90	.10	0	0	0	0	0	0	0
\$40	\$41	5.70	3.90	2.10	.30	0	0	0	0	0	0	0
\$41	\$42	5.80	4.00	2.20	.40	0	0	0	0	0	0	0
\$42	\$43	6.00	4.20	2.40	.60	0	0	0	0	0	0	0
\$43	\$44	6.10	4.30	2.50	.70	0	0	0	0	0	0	0
\$44	\$45	6.20	4.40	2.60	.80	0	0	0	0	0	0	0
\$45	\$46	6.40	4.60	2.80	1.00	0	0	0	0	0	0	0
\$46	\$47	6.50	4.70	2.90	1.10	0	0	0	0	0	0	0
\$47	\$48	6.70	4.90	3.10	1.30	0	0	0	0	0	0	0
\$48	\$49	6.80	5.00	3.20	1.40	0	0	0	0	0	0	0
\$49	\$50	6.90	5.10	3.30	1.50	0	0	0	0	0	0	0
\$50	\$51	7.10	5.30	3.50	1.70	0	0	0	0	0	0	0
\$51	\$52	7.20	5.40	3.60	1.80	0	0	0	0	0	0	0
\$52	\$53	7.40	5.60	3.80	2.00	.20	0	0	0	0	0	0
\$53	\$54	7.50	5.70	3.90	2.10	.30	0	0	0	0	0	0
\$54	\$55	7.60	5.80	4.00	2.20	.40	0	0	0	0	0	0
\$55	\$56	7.80	6.00	4.20	2.40	.60	0	0	0	0	0	0
\$56	\$57	7.90	6.10	4.30	2.50	.70	0	0	0	0	0	0
\$57	\$58	8.10	6.30	4.50	2.70	.90	0	0	0	0	0	0
\$58	\$59	8.20	6.40	4.60	2.80	1.00	0	0	0	0	0	0
\$59	\$60	8.30	6.50	4.70	2.90	1.20	0	0	0	0	0	0
\$60	\$62	8.50	6.70	5.00	3.20	1.40	0	0	0	0	0	0
\$62	\$64	8.80	7.00	5.20	3.40	1.60	0	0	0	0	0	0
\$64	\$66	9.10	7.30	5.50	3.70	1.90	.10	0	0	0	0	0
\$66	\$68	9.40	7.60	5.80	4.00	2.20	.40	0	0	0	0	0
\$68	\$70	9.70	7.90	6.10	4.30	2.50	.70	0	0	0	0	0
\$70	\$72	9.90	8.10	6.40	4.60	2.80	1.00	0	0	0	0	0
\$72	\$74	10.20	8.40	6.60	4.80	3.00	1.20	0	0	0	0	0
\$74	\$76	10.50	8.70	6.90	5.10	3.30	1.50	0	0	0	0	0
\$76	\$78	10.80	9.00	7.20	5.40	3.60	1.80	0	0	0	0	0
\$78	\$80	11.10	9.30	7.50	5.70	3.90	2.10	.30	0	0	0	0
\$80	\$82	11.30	9.50	7.80	6.00	4.20	2.40	.60	0	0	0	0
\$82	\$84	11.60	9.80	8.00	6.20	4.40	2.60	.90	0	0	0	0
\$84	\$86	11.90	10.10	8.30	6.50	4.70	2.90	1.10	0	0	0	0
\$86	\$88	12.20	10.40	8.60	6.80	5.00	3.20	1.40	0	0	0	0
\$88	\$90	12.50	10.70	8.90	7.10	5.30	3.50	1.70	0	0	0	0
\$90	\$92	12.70	10.90	9.20	7.40	5.60	3.80	2.00	.20	0	0	0
\$92	\$94	13.00	11.20	9.40	7.60	5.80	4.00	2.30	.50	0	0	0
\$94	\$96	13.30	11.50	9.70	7.90	6.10	4.30	2.50	.70	0	0	0
\$96	\$98	13.60	11.80	10.00	8.20	6.40	4.60	2.80	1.00	0	0	0
\$98	\$100	13.90	12.10	10.30	8.50	6.70	4.90	3.10	1.30	0	0	0
\$100	\$105	14.40	12.60	10.80	9.00	7.20	5.40	3.60	1.80	0	0	0
\$105	\$110	15.10	13.30	11.50	9.70	7.90	6.10	4.30	2.50	.70	0	0
\$110	\$115	15.80	14.00	12.20	10.40	8.60	6.80	5.00	3.20	1.40	0	0
\$115	\$120	16.50	14.70	12.90	11.10	9.30	7.50	5.70	3.90	2.10	.30	0
\$120	\$125	17.20	15.40	13.60	11.80	10.00	8.20	6.40	4.60	2.80	1.00	0
\$125	\$130	17.90	16.10	14.30	12.50	10.70	8.90	7.10	5.30	3.50	1.70	0
\$130	\$135	18.60	16.80	15.00	13.20	11.40	9.60	7.80	6.00	4.20	2.40	.60
\$135	\$140	19.30	17.50	15.70	13.90	12.10	10.30	8.60	6.70	4.90	3.10	1.30
\$140	\$145	20.00	18.20	16.40	14.60	12.80	11.00	9.20	7.40	5.60	3.80	2.00
\$145	\$150	20.70	18.90	17.10	15.30	13.50	11.70	9.90	8.10	6.30	4.60	2.70
\$150	\$160	21.70	19.90	18.10	16.30	14.50	12.70	10.90	9.10	7.30	5.50	3.80
\$160	\$170	23.10	21.30	19.50	17.70	15.90	14.10	12.30	10.50	8.70	6.90	5.20
\$170	\$180	24.50	22.70	20.90	19.10	17.30	15.50	13.70	11.90	10.10	8.30	6.60
\$180	\$190	25.90	24.10	22.30	20.50	18.70	16.90	15.10	13.30	11.60	9.70	8.00
\$190	\$200	27.30	25.50	23.70	21.90	20.10	18.30	16.50	14.70	12.90	11.10	9.40
		14 percent of the excess over \$200 plus—										
\$200 and over.		28.00	26.20	24.40	22.60	20.80	19.00	17.20	15.40	13.60	11.80	10.10

RULES AND REGULATIONS

If the payroll period with respect to an employee is biweekly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
		14% of										
\$0	\$20	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$26	\$28	\$3.80	.20	0	0	0	0	0	0	0	0	0
\$28	\$30	4.10	.50	0	0	0	0	0	0	0	0	0
\$30	\$32	4.30	.80	0	0	0	0	0	0	0	0	0
\$32	\$34	4.60	1.00	0	0	0	0	0	0	0	0	0
\$34	\$36	4.90	1.30	0	0	0	0	0	0	0	0	0
\$36	\$38	5.20	1.60	0	0	0	0	0	0	0	0	0
\$38	\$40	5.50	1.90	0	0	0	0	0	0	0	0	0
\$40	\$42	5.70	2.20	0	0	0	0	0	0	0	0	0
\$42	\$44	6.00	2.40	0	0	0	0	0	0	0	0	0
\$44	\$46	6.30	2.70	0	0	0	0	0	0	0	0	0
\$46	\$48	6.60	3.00	0	0	0	0	0	0	0	0	0
\$48	\$50	6.90	3.30	0	0	0	0	0	0	0	0	0
\$50	\$52	7.10	3.60	0	0	0	0	0	0	0	0	0
\$52	\$54	7.40	3.80	.20	0	0	0	0	0	0	0	0
\$54	\$56	7.70	4.10	.50	0	0	0	0	0	0	0	0
\$56	\$58	8.00	4.40	.80	0	0	0	0	0	0	0	0
\$58	\$60	8.30	4.70	1.10	0	0	0	0	0	0	0	0
\$60	\$62	8.60	5.00	1.40	0	0	0	0	0	0	0	0
\$62	\$64	8.80	5.30	1.60	0	0	0	0	0	0	0	0
\$64	\$66	9.10	5.50	1.90	0	0	0	0	0	0	0	0
\$66	\$68	9.40	5.80	2.20	0	0	0	0	0	0	0	0
\$68	\$70	9.70	6.10	2.50	0	0	0	0	0	0	0	0
\$70	\$72	9.90	6.40	2.80	0	0	0	0	0	0	0	0
\$72	\$74	10.20	6.60	3.00	0	0	0	0	0	0	0	0
\$74	\$76	10.50	6.90	3.30	0	0	0	0	0	0	0	0
\$76	\$78	10.80	7.20	3.60	0	0	0	0	0	0	0	0
\$78	\$80	11.10	7.50	3.90	.30	0	0	0	0	0	0	0
\$80	\$82	11.30	7.80	4.20	.60	0	0	0	0	0	0	0
\$82	\$84	11.60	8.00	4.40	.90	0	0	0	0	0	0	0
\$84	\$86	11.90	8.30	4.70	1.10	0	0	0	0	0	0	0
\$86	\$88	12.20	8.60	5.00	1.40	0	0	0	0	0	0	0
\$88	\$90	12.50	8.90	5.30	1.70	0	0	0	0	0	0	0
\$90	\$92	12.70	9.20	5.60	2.00	0	0	0	0	0	0	0
\$92	\$94	13.00	9.40	5.80	2.30	0	0	0	0	0	0	0
\$94	\$96	13.30	9.70	6.10	2.50	0	0	0	0	0	0	0
\$96	\$98	13.60	10.00	6.40	2.80	0	0	0	0	0	0	0
\$98	\$100	13.90	10.30	6.70	3.10	0	0	0	0	0	0	0
\$100	\$102	14.10	10.60	7.00	3.40	0	0	0	0	0	0	0
\$102	\$104	14.40	10.80	7.20	3.70	.10	0	0	0	0	0	0
\$104	\$106	14.70	11.10	7.50	3.90	.30	0	0	0	0	0	0
\$106	\$108	15.00	11.40	7.80	4.20	.60	0	0	0	0	0	0
\$108	\$110	15.30	11.70	8.10	4.50	.90	0	0	0	0	0	0
\$110	\$112	15.60	12.00	8.40	4.80	1.20	0	0	0	0	0	0
\$112	\$114	15.80	12.20	8.60	5.10	1.50	0	0	0	0	0	0
\$114	\$116	16.10	12.50	8.90	5.30	1.70	0	0	0	0	0	0
\$116	\$118	16.40	12.80	9.20	5.60	2.00	0	0	0	0	0	0
\$118	\$120	16.70	13.10	9.50	5.90	2.30	0	0	0	0	0	0
\$120	\$124	17.10	13.50	9.90	6.30	2.70	0	0	0	0	0	0
\$124	\$128	17.60	14.10	10.50	6.90	3.30	0	0	0	0	0	0
\$128	\$132	18.20	14.60	11.00	7.40	3.80	.30	0	0	0	0	0
\$132	\$136	18.80	15.20	11.60	8.00	4.40	.80	0	0	0	0	0
\$136	\$140	19.30	15.70	12.10	8.60	5.00	1.40	0	0	0	0	0
\$140	\$144	19.90	16.30	12.70	9.10	5.60	1.90	0	0	0	0	0
\$144	\$148	20.40	16.90	13.30	9.70	6.10	2.50	0	0	0	0	0
\$148	\$152	21.00	17.40	13.80	10.20	6.60	3.10	0	0	0	0	0
\$152	\$156	21.60	18.00	14.40	10.80	7.20	3.60	0	0	0	0	0
\$156	\$160	22.10	18.50	14.90	11.40	7.80	4.20	.60	0	0	0	0
\$160	\$164	22.70	19.10	15.50	11.90	8.30	4.70	1.10	0	0	0	0
\$164	\$168	23.20	19.70	16.10	12.50	8.90	5.30	1.70	0	0	0	0
\$168	\$172	23.80	20.20	16.60	13.00	9.40	5.90	2.30	0	0	0	0
\$172	\$176	24.40	20.80	17.20	13.60	10.00	6.40	2.80	0	0	0	0
\$176	\$180	24.90	21.30	17.70	14.20	10.60	7.00	3.40	0	0	0	0
\$180	\$184	25.50	21.90	18.30	14.70	11.10	7.50	3.90	.40	0	0	0
\$184	\$188	26.00	22.50	18.90	15.30	11.70	8.10	4.50	.90	0	0	0
\$188	\$192	26.60	23.00	19.40	15.80	12.20	8.70	5.10	1.50	0	0	0
\$192	\$196	27.20	23.60	20.00	16.40	12.80	9.20	5.60	2.00	0	0	0
\$196	\$200	27.70	24.10	20.50	17.00	13.40	9.80	6.20	2.60	0	0	0
\$200	\$210	28.70	25.10	21.50	17.90	14.30	10.80	7.20	3.60	0	0	0
\$210	\$220	30.10	26.50	22.90	19.30	15.70	12.20	8.60	5.00	1.40	0	0
\$220	\$230	31.50	27.90	24.30	20.70	17.10	13.60	10.00	6.40	2.80	0	0
\$230	\$240	32.90	29.30	25.70	22.10	18.50	15.00	11.40	7.80	4.20	.60	0
\$240	\$250	34.30	30.70	27.10	23.50	19.90	16.40	12.80	9.20	5.60	2.00	0
\$250	\$260	35.70	32.10	28.50	24.90	21.30	17.80	14.20	10.60	7.00	3.40	0
\$260	\$270	37.10	33.50	29.90	26.30	22.70	19.20	15.60	12.00	8.40	4.80	1.20
\$270	\$280	38.50	34.90	31.30	27.70	24.10	20.60	17.00	13.40	9.80	6.20	2.60
\$280	\$290	39.90	36.30	32.70	29.10	25.50	22.00	18.40	14.80	11.20	7.60	4.00
\$290	\$300	41.30	37.70	34.10	30.50	26.90	23.40	19.80	16.20	12.60	9.00	5.40
\$300	\$320	43.40	39.80	36.20	32.60	29.00	25.50	21.90	18.30	14.70	11.10	7.50
\$320	\$340	46.20	42.60	39.00	35.40	31.80	28.30	24.70	21.10	17.50	13.90	10.30
\$340	\$360	49.00	45.40	41.80	38.20	34.60	31.10	27.50	23.90	20.30	16.70	13.10
\$360	\$380	51.80	48.20	44.60	41.00	37.40	33.90	30.30	26.70	23.10	19.50	15.90
\$380	\$400	54.60	51.00	47.40	43.80	40.20	36.70	33.10	29.50	25.90	22.30	18.70
14 percent of the excess over \$400 plus—												
\$400 and over		56.00	52.40	48.80	45.20	41.60	38.10	34.50	30.90	27.30	23.70	20.10

RULES AND REGULATIONS

If the payroll period with respect to an employee is semi-monthly—

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
		14% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0	\$28	\$4.10	0	0	0	0	0	0	0	0	0	0
\$28	\$30	4.30	0	0	0	0	0	0	0	0	0	0
\$30	\$32	4.60	0	0	0	0	0	0	0	0	0	0
\$32	\$34	4.90	0	0	0	0	0	0	0	0	0	0
\$34	\$36	5.20	0	0	0	0	0	0	0	0	0	0
\$36	\$38	5.50	0	0	0	0	0	0	0	0	0	0
\$38	\$40	5.70	0	0	0	0	0	0	0	0	0	0
\$40	\$42	6.00	0	0	0	0	0	0	0	0	0	0
\$42	\$44	6.30	0	0	0	0	0	0	0	0	0	0
\$44	\$46	6.60	0	0	0	0	0	0	0	0	0	0
\$46	\$48	6.90	0	0	0	0	0	0	0	0	0	0
\$48	\$50	7.10	0	0	0	0	0	0	0	0	0	0
\$50	\$52	7.40	0	0	0	0	0	0	0	0	0	0
\$52	\$54	7.70	0	0	0	0	0	0	0	0	0	0
\$54	\$56	8.00	0	0	0	0	0	0	0	0	0	0
\$56	\$58	8.30	0	0	0	0	0	0	0	0	0	0
\$58	\$60	8.50	0	0	0	0	0	0	0	0	0	0
\$60	\$62	8.80	0	0	0	0	0	0	0	0	0	0
\$62	\$64	9.10	0	0	0	0	0	0	0	0	0	0
\$64	\$66	9.40	0	0	0	0	0	0	0	0	0	0
\$66	\$68	9.70	0	0	0	0	0	0	0	0	0	0
\$68	\$70	9.90	0	0	0	0	0	0	0	0	0	0
\$70	\$72	10.20	0	0	0	0	0	0	0	0	0	0
\$72	\$74	10.50	0	0	0	0	0	0	0	0	0	0
\$74	\$76	10.80	0	0	0	0	0	0	0	0	0	0
\$76	\$78	11.10	0	0	0	0	0	0	0	0	0	0
\$78	\$80	11.30	0	0	0	0	0	0	0	0	0	0
\$80	\$82	11.60	0	0	0	0	0	0	0	0	0	0
\$82	\$84	11.90	0	0	0	0	0	0	0	0	0	0
\$84	\$86	12.20	0	0	0	0	0	0	0	0	0	0
\$86	\$88	12.50	0	0	0	0	0	0	0	0	0	0
\$88	\$90	12.70	0	0	0	0	0	0	0	0	0	0
\$90	\$92	13.00	0	0	0	0	0	0	0	0	0	0
\$92	\$94	13.30	0	0	0	0	0	0	0	0	0	0
\$94	\$96	13.60	0	0	0	0	0	0	0	0	0	0
\$96	\$98	13.90	0	0	0	0	0	0	0	0	0	0
\$98	\$100	14.10	0	0	0	0	0	0	0	0	0	0
\$100	\$102	14.40	0	0	0	0	0	0	0	0	0	0
\$102	\$104	14.70	0	0	0	0	0	0	0	0	0	0
\$104	\$106	15.00	0	0	0	0	0	0	0	0	0	0
\$106	\$108	15.30	0	0	0	0	0	0	0	0	0	0
\$108	\$110	15.50	0	0	0	0	0	0	0	0	0	0
\$110	\$112	15.80	0	0	0	0	0	0	0	0	0	0
\$112	\$114	16.10	0	0	0	0	0	0	0	0	0	0
\$114	\$116	16.40	0	0	0	0	0	0	0	0	0	0
\$116	\$118	16.70	0	0	0	0	0	0	0	0	0	0
\$118	\$120	17.00	0	0	0	0	0	0	0	0	0	0
\$120	\$124	17.60	0	0	0	0	0	0	0	0	0	0
\$124	\$128	18.20	0	0	0	0	0	0	0	0	0	0
\$128	\$132	18.80	0	0	0	0	0	0	0	0	0	0
\$132	\$136	19.30	0	0	0	0	0	0	0	0	0	0
\$136	\$140	19.90	0	0	0	0	0	0	0	0	0	0
\$140	\$144	20.40	0	0	0	0	0	0	0	0	0	0
\$144	\$148	21.00	0	0	0	0	0	0	0	0	0	0
\$148	\$152	21.60	0	0	0	0	0	0	0	0	0	0
\$152	\$156	22.10	0	0	0	0	0	0	0	0	0	0
\$156	\$160	22.70	0	0	0	0	0	0	0	0	0	0
\$160	\$164	23.20	0	0	0	0	0	0	0	0	0	0
\$164	\$168	23.80	0	0	0	0	0	0	0	0	0	0
\$168	\$172	24.40	0	0	0	0	0	0	0	0	0	0
\$172	\$176	24.90	0	0	0	0	0	0	0	0	0	0
\$176	\$180	25.50	0	0	0	0	0	0	0	0	0	0
\$180	\$184	26.00	0	0	0	0	0	0	0	0	0	0
\$184	\$188	26.60	0	0	0	0	0	0	0	0	0	0
\$188	\$192	27.20	0	0	0	0	0	0	0	0	0	0
\$192	\$196	27.70	0	0	0	0	0	0	0	0	0	0
\$196	\$200	28.30	0	0	0	0	0	0	0	0	0	0
\$200	\$210	30.10	0	0	0	0	0	0	0	0	0	0
\$210	\$220	31.50	0	0	0	0	0	0	0	0	0	0
\$220	\$230	32.90	0	0	0	0	0	0	0	0	0	0
\$230	\$240	34.30	0	0	0	0	0	0	0	0	0	0
\$240	\$250	35.70	0	0	0	0	0	0	0	0	0	0
\$250	\$260	37.10	0	0	0	0	0	0	0	0	0	0
\$260	\$270	38.50	0	0	0	0	0	0	0	0	0	0
\$270	\$280	39.90	0	0	0	0	0	0	0	0	0	0
\$280	\$290	41.30	0	0	0	0	0	0	0	0	0	0
\$290	\$300	43.40	0	0	0	0	0	0	0	0	0	0
\$300	\$320	46.20	0	0	0	0	0	0	0	0	0	0
\$320	\$340	49.00	0	0	0	0	0	0	0	0	0	0
\$340	\$360	51.80	0	0	0	0	0	0	0	0	0	0
\$360	\$380	54.60	0	0	0	0	0	0	0	0	0	0
\$380	\$400	57.40	0	0	0	0	0	0	0	0	0	0
\$400	\$420	60.20	0	0	0	0	0	0	0	0	0	0
\$420	\$440	63.00	0	0	0	0	0	0	0	0	0	0
\$440	\$460	65.80	0	0	0	0	0	0	0	0	0	0
\$460	\$480	68.60	0	0	0	0	0	0	0	0	0	0
\$480	\$500	70.00	0	0	0	0	0	0	0	0	0	0
		14 percent of the excess over \$500 plus—										
\$500 and over		70.00	66.10	62.20	58.30	54.40	50.60	46.70	42.80	38.90	35.00	31.10

RULES AND REGULATIONS

If the payroll period with respect to an employee is monthly--

And the wages are--		And the number of withholding exemptions claimed is--										
At least--	But less than--	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be--										
		14% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$50	\$56	\$8.10	.30	0	0	0	0	0	0	0	0	0
\$56	\$60	8.70	.90	0	0	0	0	0	0	0	0	0
\$60	\$64	9.20	1.50	0	0	0	0	0	0	0	0	0
\$64	\$68	9.80	2.00	0	0	0	0	0	0	0	0	0
\$68	\$72	10.40	2.60	0	0	0	0	0	0	0	0	0
\$72	\$76	10.90	3.10	0	0	0	0	0	0	0	0	0
\$76	\$80	11.50	3.70	0	0	0	0	0	0	0	0	0
\$80	\$84	12.00	4.30	0	0	0	0	0	0	0	0	0
\$84	\$88	12.60	4.80	0	0	0	0	0	0	0	0	0
\$88	\$92	13.20	5.40	0	0	0	0	0	0	0	0	0
\$92	\$96	13.70	5.90	0	0	0	0	0	0	0	0	0
\$96	\$100	14.30	6.50	0	0	0	0	0	0	0	0	0
\$100	\$104	14.80	7.10	0	0	0	0	0	0	0	0	0
\$104	\$108	15.40	7.60	0	0	0	0	0	0	0	0	0
\$108	\$112	16.00	8.20	.40	0	0	0	0	0	0	0	0
\$112	\$116	16.50	8.70	1.00	0	0	0	0	0	0	0	0
\$116	\$120	17.10	9.30	1.50	0	0	0	0	0	0	0	0
\$120	\$124	17.60	9.90	2.10	0	0	0	0	0	0	0	0
\$124	\$128	18.20	10.40	2.60	0	0	0	0	0	0	0	0
\$128	\$132	18.80	11.00	3.20	0	0	0	0	0	0	0	0
\$132	\$136	19.30	11.50	3.80	3	0	0	0	0	0	0	0
\$136	\$140	19.90	12.10	4.30	0	0	0	0	0	0	0	0
\$140	\$144	20.40	12.70	4.90	0	0	0	0	0	0	0	0
\$144	\$148	21.00	13.20	5.40	0	0	0	0	0	0	0	0
\$148	\$152	21.60	13.80	6.00	0	0	0	0	0	0	0	0
\$152	\$156	22.10	14.30	6.60	0	0	0	0	0	0	0	0
\$156	\$160	22.70	14.90	7.10	0	0	0	0	0	0	0	0
\$160	\$164	23.20	15.50	7.70	0	0	0	0	0	0	0	0
\$164	\$168	23.80	16.00	8.20	.90	0	0	0	0	0	0	0
\$168	\$172	24.40	16.60	8.80	1.00	0	0	0	0	0	0	0
\$172	\$176	24.90	17.10	9.40	1.60	0	0	0	0	0	0	0
\$176	\$180	25.50	17.70	9.90	2.10	0	0	0	0	0	0	0
\$180	\$184	26.00	18.30	10.50	2.70	0	0	0	0	0	0	0
\$184	\$188	26.60	18.80	11.00	3.30	0	0	0	0	0	0	0
\$188	\$192	27.20	19.40	11.60	3.80	0	0	0	0	0	0	0
\$192	\$196	27.70	19.90	12.20	4.40	0	0	0	0	0	0	0
\$196	\$200	28.30	20.50	12.70	4.90	0	0	0	0	0	0	0
\$200	\$204	28.80	21.10	13.30	5.50	0	0	0	0	0	0	0
\$204	\$208	29.40	21.60	13.80	6.10	0	0	0	0	0	0	0
\$208	\$212	30.00	22.20	14.40	6.60	0	0	0	0	0	0	0
\$212	\$216	30.50	22.70	15.00	7.20	0	0	0	0	0	0	0
\$216	\$220	31.10	23.30	15.50	7.70	0	0	0	0	0	0	0
\$220	\$224	31.60	23.90	16.10	8.30	.50	0	0	0	0	0	0
\$224	\$228	32.20	24.40	16.60	8.90	1.10	0	0	0	0	0	0
\$228	\$232	32.80	25.00	17.20	9.40	1.60	0	0	0	0	0	0
\$232	\$236	33.30	25.50	17.80	10.00	2.20	0	0	0	0	0	0
\$236	\$240	34.20	26.40	18.60	10.80	3.00	0	0	0	0	0	0
\$240	\$244	35.00	27.50	19.70	11.90	4.20	0	0	0	0	0	0
\$244	\$248	36.40	28.60	20.80	13.10	5.30	0	0	0	0	0	0
\$248	\$252	37.60	29.70	22.00	14.20	6.40	0	0	0	0	0	0
\$252	\$256	38.60	30.80	23.10	15.30	7.50	0	0	0	0	0	0
\$256	\$260	39.80	32.00	24.20	16.40	8.60	.90	0	0	0	0	0
\$260	\$264	40.90	33.10	25.30	17.50	9.80	2.00	0	0	0	0	0
\$264	\$268	42.00	34.20	26.40	18.70	10.90	3.10	0	0	0	0	0
\$268	\$272	43.10	35.30	27.60	19.80	12.00	4.20	0	0	0	0	0
\$272	\$276	44.20	36.50	28.70	20.90	13.10	5.40	0	0	0	0	0
\$276	\$280	45.40	37.60	29.80	22.00	14.20	6.60	0	0	0	0	0
\$280	\$284	46.50	38.70	30.90	23.10	15.40	7.60	0	0	0	0	0
\$284	\$288	47.60	39.80	32.00	24.30	16.50	8.70	.90	0	0	0	0
\$288	\$292	48.70	40.90	33.20	25.40	17.60	9.80	2.10	0	0	0	0
\$292	\$296	49.80	42.10	34.30	26.50	18.70	11.00	3.20	0	0	0	0
\$296	\$300	51.00	43.20	35.40	27.60	19.80	12.10	4.30	0	0	0	0
\$300	\$304	52.10	44.30	36.50	28.70	21.00	13.20	5.40	0	0	0	0
\$304	\$308	53.20	45.40	37.60	29.90	22.10	14.30	6.50	0	0	0	0
\$308	\$312	54.30	46.50	38.80	31.00	23.20	15.40	7.70	0	0	0	0
\$312	\$316	55.40	47.70	39.90	32.10	24.10	16.50	8.80	1.00	0	0	0
\$316	\$320	57.40	49.60	41.80	34.10	26.20	18.50	10.70	3.00	0	0	0
\$320	\$324	60.20	52.40	44.60	36.90	29.10	21.30	13.50	5.80	0	0	0
\$324	\$328	63.00	55.20	47.40	39.70	31.90	24.10	16.30	8.60	.80	0	0
\$328	\$332	65.80	58.00	50.20	42.50	34.70	26.90	19.10	11.40	3.60	0	0
\$332	\$336	68.60	60.80	53.00	45.30	37.50	29.70	21.90	14.20	6.40	0	0
\$336	\$340	71.40	63.60	55.80	48.10	40.30	32.50	24.70	17.00	9.20	1.40	0
\$340	\$344	74.20	66.40	58.60	50.90	43.10	35.30	27.50	19.80	12.00	4.20	0
\$344	\$348	77.00	69.20	61.40	53.70	45.90	38.10	30.30	22.60	14.80	7.00	0
\$348	\$352	79.80	72.00	64.20	56.50	48.70	40.90	33.10	25.40	17.60	9.80	2.00
\$352	\$356	82.60	74.80	67.00	59.30	51.50	43.70	35.90	28.20	20.40	12.60	4.80
\$356	\$360	86.40	79.00	71.20	63.50	55.70	47.90	40.10	32.40	24.00	16.80	9.00
\$360	\$364	92.40	84.00	76.80	69.10	61.30	53.50	45.70	38.00	30.20	22.40	14.60
\$364	\$368	98.00	90.20	82.40	74.70	66.90	59.10	51.30	43.60	35.80	28.00	20.20
\$368	\$372	103.00	95.80	88.00	80.30	71.70	64.70	56.90	49.20	41.40	33.60	25.80
\$372	\$376	109.20	100.40	93.60	85.90	77.10	70.30	62.50	54.80	47.00	39.20	31.40
\$376	\$380	114.80	107.00	99.20	91.50	83.70	75.90	68.10	60.40	52.60	44.80	37.00
\$380	\$384	120.40	112.60	104.80	97.10	89.30	81.50	73.70	66.00	58.20	50.40	42.60
\$384	\$388	126.00	118.20	110.40	102.70	94.90	87.10	79.30	71.60	63.80	56.00	48.20
\$388	\$392	131.60	123.80	116.00	108.30	100.50	92.70	84.90	77.20	69.40	61.60	53.80
\$392	\$396	137.20	129.40	121.60	113.90	106.10	98.30	90.50	82.80	75.00	67.20	59.40
\$396	\$1,000											
14 percent of the excess over \$1,000 plus--												
\$1,000 and over		140.00	132.20	124.40	116.70	108.90	101.10	93.30	85.60	77.80	70.00	62.20

If the payroll period with respect to an employee is a daily payroll period or a miscellaneous payroll period—

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—											
		0	1	2	3	4	5	6	7	8	9	10 or more	
At least—	But less than—	The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—											
		14% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0	\$2.00	\$0.30	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$2.00	\$2.25	.35	.05	0	0	0	0	0	0	0	0	0	0
\$2.25	\$2.50	.40	.10	0	0	0	0	0	0	0	0	0	0
\$2.50	\$2.75	.45	.15	0	0	0	0	0	0	0	0	0	0
\$2.75	\$3.00	.50	.20	0	0	0	0	0	0	0	0	0	0
\$3.00	\$3.25	.55	.25	0	0	0	0	0	0	0	0	0	0
\$3.25	\$3.50	.60	.30	0	0	0	0	0	0	0	0	0	0
\$3.50	\$3.75	.65	.35	0	0	0	0	0	0	0	0	0	0
\$3.75	\$4.00	.70	.40	0	0	0	0	0	0	0	0	0	0
\$4.00	\$4.25	.75	.45	0	0	0	0	0	0	0	0	0	0
\$4.25	\$4.50	.80	.50	0	0	0	0	0	0	0	0	0	0
\$4.50	\$4.75	.85	.55	0	0	0	0	0	0	0	0	0	0
\$4.75	\$5.00	.90	.60	0	0	0	0	0	0	0	0	0	0
\$5.00	\$5.25	.95	.65	0	0	0	0	0	0	0	0	0	0
\$5.25	\$5.50	1.00	.70	0	0	0	0	0	0	0	0	0	0
\$5.50	\$5.75	1.05	.75	0	0	0	0	0	0	0	0	0	0
\$5.75	\$6.00	1.10	.80	0	0	0	0	0	0	0	0	0	0
\$6.00	\$6.25	1.15	.85	0	0	0	0	0	0	0	0	0	0
\$6.25	\$6.50	1.20	.90	0	0	0	0	0	0	0	0	0	0
\$6.50	\$6.75	1.25	.95	0	0	0	0	0	0	0	0	0	0
\$6.75	\$7.00	1.30	1.00	0	0	0	0	0	0	0	0	0	0
\$7.00	\$7.25	1.35	1.05	0	0	0	0	0	0	0	0	0	0
\$7.25	\$7.50	1.40	1.10	0	0	0	0	0	0	0	0	0	0
\$7.50	\$7.75	1.45	1.15	0	0	0	0	0	0	0	0	0	0
\$7.75	\$8.00	1.50	1.20	0	0	0	0	0	0	0	0	0	0
\$8.00	\$8.25	1.55	1.25	0	0	0	0	0	0	0	0	0	0
\$8.25	\$8.50	1.60	1.30	0	0	0	0	0	0	0	0	0	0
\$8.50	\$8.75	1.65	1.35	0	0	0	0	0	0	0	0	0	0
\$8.75	\$9.00	1.70	1.40	0	0	0	0	0	0	0	0	0	0
\$9.00	\$9.25	1.75	1.45	0	0	0	0	0	0	0	0	0	0
\$9.25	\$9.50	1.80	1.50	0	0	0	0	0	0	0	0	0	0
\$9.50	\$9.75	1.85	1.55	0	0	0	0	0	0	0	0	0	0
\$9.75	\$10.00	1.90	1.60	0	0	0	0	0	0	0	0	0	0
\$10.00	\$10.25	1.95	1.65	0	0	0	0	0	0	0	0	0	0
\$10.25	\$10.50	2.00	1.70	0	0	0	0	0	0	0	0	0	0
\$10.50	\$10.75	2.05	1.75	0	0	0	0	0	0	0	0	0	0
\$10.75	\$11.00	2.10	1.80	0	0	0	0	0	0	0	0	0	0
\$11.00	\$11.25	2.15	1.85	0	0	0	0	0	0	0	0	0	0
\$11.25	\$11.50	2.20	1.90	0	0	0	0	0	0	0	0	0	0
\$11.50	\$11.75	2.25	1.95	0	0	0	0	0	0	0	0	0	0
\$11.75	\$12.00	2.30	2.00	0	0	0	0	0	0	0	0	0	0
\$12.00	\$12.25	2.35	2.05	0	0	0	0	0	0	0	0	0	0
\$12.25	\$12.50	2.40	2.10	0	0	0	0	0	0	0	0	0	0
\$12.50	\$12.75	2.45	2.15	0	0	0	0	0	0	0	0	0	0
\$12.75	\$13.00	2.50	2.20	0	0	0	0	0	0	0	0	0	0
\$13.00	\$13.25	2.55	2.25	0	0	0	0	0	0	0	0	0	0
\$13.25	\$13.50	2.60	2.30	0	0	0	0	0	0	0	0	0	0
\$13.50	\$13.75	2.65	2.35	0	0	0	0	0	0	0	0	0	0
\$13.75	\$14.00	2.70	2.40	0	0	0	0	0	0	0	0	0	0
\$14.00	\$14.25	2.75	2.45	0	0	0	0	0	0	0	0	0	0
\$14.25	\$14.50	2.80	2.50	0	0	0	0	0	0	0	0	0	0
\$14.50	\$14.75	2.85	2.55	0	0	0	0	0	0	0	0	0	0
\$14.75	\$15.00	2.90	2.60	0	0	0	0	0	0	0	0	0	0
\$15.00	\$15.25	2.95	2.65	0	0	0	0	0	0	0	0	0	0
\$15.25	\$15.50	3.00	2.70	0	0	0	0	0	0	0	0	0	0
\$15.50	\$15.75	3.05	2.75	0	0	0	0	0	0	0	0	0	0
\$15.75	\$16.00	3.10	2.80	0	0	0	0	0	0	0	0	0	0
\$16.00	\$16.25	3.15	2.85	0	0	0	0	0	0	0	0	0	0
\$16.25	\$16.50	3.20	2.90	0	0	0	0	0	0	0	0	0	0
\$16.50	\$16.75	3.25	2.95	0	0	0	0	0	0	0	0	0	0
\$16.75	\$17.00	3.30	3.00	0	0	0	0	0	0	0	0	0	0
\$17.00	\$17.25	3.35	3.05	0	0	0	0	0	0	0	0	0	0
\$17.25	\$17.50	3.40	3.10	0	0	0	0	0	0	0	0	0	0
\$17.50	\$17.75	3.45	3.15	0	0	0	0	0	0	0	0	0	0
\$17.75	\$18.00	3.50	3.20	0	0	0	0	0	0	0	0	0	0
\$18.00	\$18.25	3.55	3.25	0	0	0	0	0	0	0	0	0	0
\$18.25	\$18.50	3.60	3.30	0	0	0	0	0	0	0	0	0	0
\$18.50	\$18.75	3.65	3.35	0	0	0	0	0	0	0	0	0	0
\$18.75	\$19.00	3.70	3.40	0	0	0	0	0	0	0	0	0	0
\$19.00	\$19.25	3.75	3.45	0	0	0	0	0	0	0	0	0	0
\$19.25	\$19.50	3.80	3.50	0	0	0	0	0	0	0	0	0	0
\$19.50	\$19.75	3.85	3.55	0	0	0	0	0	0	0	0	0	0
\$19.75	\$20.00	3.90	3.60	0	0	0	0	0	0	0	0	0	0
\$20.00	\$20.25	3.95	3.65	0	0	0	0	0	0	0	0	0	0
\$20.25	\$20.50	4.00	3.70	0	0	0	0	0	0	0	0	0	0
\$20.50	\$20.75	4.05	3.75	0	0	0	0	0	0	0	0	0	0
\$20.75	\$21.00	4.10	3.80	0	0	0	0	0	0	0	0	0	0
\$21.00	\$21.25	4.15	3.85	0	0	0	0	0	0	0	0	0	0
\$21.25	\$21.50	4.20	3.90	0	0	0	0	0	0	0	0	0	0
\$21.50	\$21.75	4.25	3.95	0	0	0	0	0	0	0	0	0	0
\$21.75	\$22.00	4.30	4.00	0	0	0	0	0	0	0	0	0	0
\$22.00	\$22.25	4.35	4.05	0	0	0	0	0	0	0	0	0	0
\$22.25	\$22.50	4.40	4.10	0	0	0	0	0	0	0	0	0	0
\$22.50	\$22.75	4.45	4.15	0	0	0	0	0	0	0	0	0	0
\$22.75	\$23.00	4.50	4.20	0	0	0	0	0	0	0	0	0	0
\$23.00	\$23.25	4.55	4.25	0	0	0	0	0	0	0	0	0	0
\$23.25	\$23.50	4.60	4.30	0	0	0	0	0	0	0	0	0	0
\$23.50	\$23.75	4.65	4.35	0	0	0	0	0	0	0	0	0	0
\$23.75	\$24.00	4.70	4.40	0	0	0	0	0	0	0	0	0	0
\$24.00	\$24.25	4.75	4.45	0	0	0	0	0	0	0	0	0	0
\$24.25	\$24.50	4.80	4.50	0	0	0	0	0	0	0	0	0	0
\$24.50	\$24.75	4.85	4.55	0	0	0	0	0	0	0	0	0	0
\$24.75	\$25.00	4.90	4.60	0	0	0	0	0	0	0	0	0	0
\$25.00	\$25.25	4.95	4.65	0	0	0	0	0	0	0	0	0	0
\$25.25	\$25.50	5.00	4.70	0	0	0	0	0	0	0	0	0	0
\$25.50	\$25.75	5.05	4.75	0	0	0	0	0	0	0	0	0	0
\$25.75	\$26.00	5.10	4.80	0	0	0	0	0	0	0	0	0	0
\$26.00	\$26.25	5.15	4.85	0	0	0	0	0	0	0	0	0	0
\$26.25	\$26.50	5.20	4.90	0	0	0	0	0	0	0	0	0	0
\$26.50	\$26.75	5.25	4.95	0	0	0	0	0	0	0	0	0	0
\$26.75	\$27.00	5.30	5.00	0	0	0	0	0	0	0	0	0	0
\$27.00	\$27.25	5.35	5.05	0	0	0	0	0	0	0	0	0	0
\$27.25	\$27.50	5.40	5.10	0	0	0	0	0	0	0	0	0	0
\$27.50	\$27.75	5.45	5.15	0	0	0	0	0	0	0	0	0	0
\$27.75	\$28.00	5.50	5.20	0	0	0	0	0	0	0	0	0	0
\$28.00	\$28.25	5.55	5.25	0	0	0	0	0	0	0	0	0	0
\$28.25	\$28.50	5.60	5.30	0	0	0	0	0	0	0	0	0	0
\$28.50	\$28.75	5.65	5.35	0	0	0	0	0	0	0	0	0	0
\$28.75	\$29.00	5.70	5.40	0	0	0	0	0	0	0	0	0	0
\$29.00	\$29.25	5.75	5.45	0	0	0	0	0	0	0	0	0	0
\$29.25	\$29.50	5.80	5.50	0	0	0	0	0	0	0	0	0	0
\$29.50	\$29.75	5.85	5.55	0	0	0	0	0	0	0	0	0	0
\$29.75	\$30.00	5.90	5.60	0	0	0	0	0	0	0	0	0	0
\$30 and over		4.30	3.95	3.70	3.45	3.20	2.90	2.65	2.40	2.15	1.90	1.65	

14 percent of the excess over \$30 plus—

\$30 and over	4.30	3.95	3.70	3.45	3.20	2.90	2.65	2.40	2.15	1.90	1.65
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[Sec. 3402(c) as amended by sec. 302(b

If the payroll period with respect to an employee is weekly--

- (i) The first day after the last payment of wages to such employee by such employer in the calendar year, or
- (ii) The date on which such individual's employment with such employer began in the calendar year, or
- (iii) January 1 of such calendar year, and ending with (and including) the date on which such wages are paid.

*Example.* On April 2, 1965, A is employed by the X Real Estate Co. to sell real estate on a commission basis, commissions to be paid only upon consummation of sales. The number of withholding exemptions claimed by A is one. On May 21, 1965, A receives a commission of \$300. Again, on June 16, 1965, A receives a commission of \$400. Under the wage bracket method, the amount of tax to be deducted and withheld in respect of the commission paid on May 21, is \$30, which amount is obtained by multiplying \$0.60 (tax under wage bracket table for a daily or miscellaneous payroll period where wages are at least \$6 but less than \$6.25 a day) by 50 (number of days elapsed); and the amount of tax to be withheld with respect to the commission paid on June 16 is \$49.40, which amount is obtained by multiplying \$1.90 (tax under wage bracket table for a daily or miscellaneous payroll period where wages are at least \$15 but less than \$15.50 a day) by 26 (number of days elapsed).

(d) *Period or elapsed time less than 1 week.* (1) It is the general rule that if wages are paid for a payroll period or other period of less than 1 week, the tax to be deducted and withheld under the wage bracket method shall be the amount computed for a daily payroll period, or for a miscellaneous payroll period containing the same number of days (including Sundays and holidays) as the payroll period, or other period, for which such wages are paid. In the case of wages paid without regard to any period, if the elapsed time computed as provided in paragraph (c) of this section is less than 1 week, the same rule is applicable.

*Example (1).* During 1965 an employee having a daily payroll period is paid wages of \$7 per day. The number of withholding exemptions claimed by the employee is one. Under the table applicable to a daily payroll period, the amount of tax to be deducted and withheld from each such payment of wages is \$0.75.

*Example (2).* During 1965 an individual is employed for 4 days, for which he is paid wages of \$36. The number of withholding exemptions claimed by him is two. The amount of tax to be deducted and withheld under the wage bracket method is \$3 (4 x \$0.75).

PAR. 6. There is inserted immediately after § 31.3402(c)-1 the following new section:

§ 31.3402(c)-2 Wages paid before March 5, 1964.

In respect of wages paid before March 5, 1964, the following tables shall be used in lieu of those set forth in section 3402(c):

And the wages are--		And the number of withholding exemptions claimed is--										
At least--	But less than--	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be--										
		18% of wages										
\$0	\$13	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$13	\$14	\$2.40	.10	0	0	0	0	0	0	0	0	0
\$14	\$15	2.60	.30	0	0	0	0	0	0	0	0	0
\$15	\$16	2.80	.50	0	0	0	0	0	0	0	0	0
\$16	\$17	3.00	.70	0	0	0	0	0	0	0	0	0
\$17	\$18	3.20	.80	0	0	0	0	0	0	0	0	0
\$18	\$19	3.30	1.00	0	0	0	0	0	0	0	0	0
\$19	\$20	3.50	1.20	0	0	0	0	0	0	0	0	0
\$20	\$21	3.70	1.40	0	0	0	0	0	0	0	0	0
\$21	\$22	3.90	1.60	0	0	0	0	0	0	0	0	0
\$22	\$23	4.10	1.70	0	0	0	0	0	0	0	0	0
\$23	\$24	4.20	1.90	0	0	0	0	0	0	0	0	0
\$24	\$25	4.40	2.10	0	0	0	0	0	0	0	0	0
\$25	\$26	4.60	2.30	0	0	0	0	0	0	0	0	0
\$26	\$27	4.80	2.50	.20	0	0	0	0	0	0	0	0
\$27	\$28	5.00	2.60	.30	0	0	0	0	0	0	0	0
\$28	\$29	5.10	2.80	.50	0	0	0	0	0	0	0	0
\$29	\$30	5.30	3.00	.70	0	0	0	0	0	0	0	0
\$30	\$31	5.50	3.20	.90	0	0	0	0	0	0	0	0
\$31	\$32	5.70	3.40	1.10	0	0	0	0	0	0	0	0
\$32	\$33	5.90	3.50	1.20	0	0	0	0	0	0	0	0
\$33	\$34	6.00	3.70	1.40	0	0	0	0	0	0	0	0
\$34	\$35	6.20	3.90	1.60	0	0	0	0	0	0	0	0
\$35	\$36	6.40	4.10	1.80	0	0	0	0	0	0	0	0
\$36	\$37	6.60	4.30	2.00	0	0	0	0	0	0	0	0
\$37	\$38	6.80	4.40	2.10	0	0	0	0	0	0	0	0
\$38	\$39	6.90	4.60	2.30	0	0	0	0	0	0	0	0
\$39	\$40	7.10	4.80	2.50	.20	0	0	0	0	0	0	0
\$40	\$41	7.30	5.00	2.70	.40	0	0	0	0	0	0	0
\$41	\$42	7.50	5.20	2.90	.50	0	0	0	0	0	0	0
\$42	\$43	7.70	5.30	3.00	.70	0	0	0	0	0	0	0
\$43	\$44	7.80	5.50	3.20	.90	0	0	0	0	0	0	0
\$44	\$45	8.00	5.70	3.40	1.10	0	0	0	0	0	0	0
\$45	\$46	8.20	5.90	3.60	1.30	0	0	0	0	0	0	0
\$46	\$47	8.40	6.10	3.80	1.40	0	0	0	0	0	0	0
\$47	\$48	8.60	6.20	3.90	1.60	0	0	0	0	0	0	0
\$48	\$49	8.70	6.40	4.10	1.80	0	0	0	0	0	0	0
\$49	\$50	8.90	6.60	4.30	2.00	0	0	0	0	0	0	0
\$50	\$51	9.10	6.80	4.50	2.20	0	0	0	0	0	0	0
\$51	\$52	9.30	7.00	4.70	2.30	0	0	0	0	0	0	0
\$52	\$53	9.50	7.10	4.80	2.50	.30	0	0	0	0	0	0
\$53	\$54	9.60	7.30	5.00	2.70	.40	0	0	0	0	0	0
\$54	\$55	9.80	7.50	5.20	2.90	.60	0	0	0	0	0	0
\$55	\$56	10.00	7.70	5.40	3.10	.80	0	0	0	0	0	0
\$56	\$57	10.20	7.90	5.60	3.20	.90	0	0	0	0	0	0
\$57	\$58	10.40	8.00	5.70	3.40	1.10	0	0	0	0	0	0
\$58	\$59	10.50	8.20	5.90	3.60	1.30	0	0	0	0	0	0
\$59	\$60	10.70	8.40	6.10	3.80	1.50	0	0	0	0	0	0
\$60	\$62	11.00	8.70	6.40	4.10	1.70	0	0	0	0	0	0
\$62	\$64	11.30	9.00	6.70	4.40	2.10	0	0	0	0	0	0
\$64	\$66	11.70	9.40	7.10	4.80	2.50	.20	0	0	0	0	0
\$66	\$68	12.10	9.80	7.40	5.10	2.80	.50	0	0	0	0	0
\$68	\$70	12.40	10.10	7.80	5.50	3.20	.90	0	0	0	0	0
\$70	\$72	12.80	10.50	8.20	5.90	3.50	1.20	0	0	0	0	0
\$72	\$74	13.10	10.80	8.50	6.20	3.90	1.60	0	0	0	0	0
\$74	\$76	13.50	11.20	8.90	6.60	4.30	2.00	0	0	0	0	0
\$76	\$78	13.90	11.60	9.20	6.90	4.60	2.30	0	0	0	0	0
\$78	\$80	14.20	11.90	9.60	7.30	5.00	2.70	.40	0	0	0	0
\$80	\$82	14.60	12.30	10.00	7.70	5.30	3.00	.70	0	0	0	0
\$82	\$84	14.90	12.60	10.30	8.00	5.70	3.40	1.10	0	0	0	0
\$84	\$86	15.30	13.00	10.70	8.40	6.10	3.80	1.50	0	0	0	0
\$86	\$88	15.70	13.40	11.00	8.70	6.40	4.10	1.80	0	0	0	0
\$88	\$90	16.00	13.70	11.40	9.10	6.80	4.50	2.20	0	0	0	0
\$90	\$92	16.40	14.10	11.80	9.50	7.10	4.80	2.50	.20	0	0	0
\$92	\$94	16.70	14.40	12.10	9.80	7.50	5.20	2.90	.60	0	0	0
\$94	\$96	17.10	14.80	12.50	10.20	7.90	5.60	3.30	.90	0	0	0
\$96	\$98	17.50	15.20	12.80	10.50	8.20	5.90	3.60	1.30	0	0	0
\$98	\$100	17.80	15.50	13.20	10.90	8.60	6.30	4.00	1.70	0	0	0
\$100	\$105	18.50	16.10	13.80	11.50	9.20	6.90	4.60	2.30	0	0	0
\$105	\$110	19.40	17.00	14.70	12.40	10.10	7.80	5.50	3.20	.90	0	0
\$110	\$115	20.30	17.90	15.60	13.30	11.00	8.70	6.40	4.10	1.80	0	0
\$115	\$120	21.20	18.80	16.50	14.20	11.90	9.60	7.30	5.00	2.70	.40	0
\$120	\$125	22.10	19.70	17.40	15.10	12.80	10.50	8.20	5.90	3.60	1.30	0
\$125	\$130	23.00	20.60	18.30	16.00	13.70	11.40	9.10	6.80	4.50	2.20	0
\$130	\$135	23.90	21.50	19.20	16.90	14.60	12.30	10.00	7.70	5.40	3.10	.80
\$135	\$140	24.80	22.40	20.10	17.80	15.50	13.20	10.90	8.60	6.30	4.00	1.70
\$140	\$145	25.70	23.30	21.00	18.70	16.40	14.10	11.80	9.50	7.20	4.90	2.60
\$145	\$150	26.60	24.20	21.90	19.60	17.30	15.00	12.70	10.40	8.10	5.80	3.50
\$150	\$160	27.90	25.60	23.30	21.00	18.70	16.40	14.10	11.70	9.40	7.10	4.80
\$160	\$170	29.70	27.40	25.10	22.80	20.50	18.20	15.90	13.50	11.20	8.90	6.60
\$170	\$180	31.50	29.20	26.90	24.60	22.30	20.00	17.70	15.30	13.00	10.70	8.40
\$180	\$190	33.30	31.00	28.70	26.40	24.10	21.80	19.50	17.10	14.80	12.50	10.20
\$190	\$200	35.10	32.80	30.50	28.20	25.90	23.60	21.30	18.90	16.60	14.30	12.00
		15 percent of the excess over \$200 plus--										
\$200 and over		35.00	33.70	31.40	29.10	26.80	24.50	22.20	19.80	17.50	15.20	12.90

RULES AND REGULATIONS

If the payroll period with respect to an employee is biweekly—

And the wages are—		And the number of withholding exemptions claimed is—										
		0	1	2	3	4	5	6	7	8	9	10 or more
At least—	But less than—	The amount of tax to be withheld shall be—										
		18% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0	\$26	\$4.90	.20	0	0	0	0	0	0	0	0	0
\$26	\$28	5.20	.60	0	0	0	0	0	0	0	0	0
\$28	\$30	5.60	1.00	0	0	0	0	0	0	0	0	0
\$30	\$32	5.90	1.30	0	0	0	0	0	0	0	0	0
\$32	\$34	6.30	1.70	0	0	0	0	0	0	0	0	0
\$34	\$36	6.70	2.00	0	0	0	0	0	0	0	0	0
\$36	\$38	7.00	2.40	0	0	0	0	0	0	0	0	0
\$38	\$40	7.40	2.80	0	0	0	0	0	0	0	0	0
\$40	\$42	7.70	3.10	0	0	0	0	0	0	0	0	0
\$42	\$44	8.10	3.50	0	0	0	0	0	0	0	0	0
\$44	\$46	8.50	3.80	0	0	0	0	0	0	0	0	0
\$46	\$48	8.80	4.20	0	0	0	0	0	0	0	0	0
\$48	\$50	9.20	4.60	0	0	0	0	0	0	0	0	0
\$50	\$52	9.50	4.90	.30	0	0	0	0	0	0	0	0
\$52	\$54	9.90	5.30	.70	0	0	0	0	0	0	0	0
\$54	\$56	10.30	5.60	1.00	0	0	0	0	0	0	0	0
\$56	\$58	10.60	6.00	1.40	0	0	0	0	0	0	0	0
\$58	\$60	11.00	6.40	1.70	0	0	0	0	0	0	0	0
\$60	\$62	11.30	6.70	2.10	0	0	0	0	0	0	0	0
\$62	\$64	11.70	7.10	2.50	0	0	0	0	0	0	0	0
\$64	\$66	12.10	7.40	2.80	0	0	0	0	0	0	0	0
\$66	\$68	12.40	7.80	3.20	0	0	0	0	0	0	0	0
\$68	\$70	12.80	8.20	3.50	0	0	0	0	0	0	0	0
\$70	\$72	13.10	8.50	3.90	0	0	0	0	0	0	0	0
\$72	\$74	13.50	8.90	4.30	0	0	0	0	0	0	0	0
\$74	\$76	13.90	9.20	4.60	0	0	0	0	0	0	0	0
\$76	\$78	14.20	9.60	5.00	.40	0	0	0	0	0	0	0
\$78	\$80	14.60	10.00	5.30	.70	0	0	0	0	0	0	0
\$80	\$82	14.90	10.30	5.70	1.10	0	0	0	0	0	0	0
\$82	\$84	15.30	10.70	6.10	1.50	0	0	0	0	0	0	0
\$84	\$86	15.70	11.00	6.40	1.80	0	0	0	0	0	0	0
\$86	\$88	16.00	11.40	6.80	2.20	0	0	0	0	0	0	0
\$88	\$90	16.40	11.80	7.10	2.50	0	0	0	0	0	0	0
\$90	\$92	16.70	12.10	7.50	2.90	0	0	0	0	0	0	0
\$92	\$94	17.10	12.50	7.90	3.30	0	0	0	0	0	0	0
\$94	\$96	17.50	12.80	8.20	3.60	0	0	0	0	0	0	0
\$96	\$98	17.80	13.20	8.60	4.00	0	0	0	0	0	0	0
\$98	\$100	18.20	13.60	8.90	4.30	0	0	0	0	0	0	0
\$100	\$102	18.50	13.90	9.30	4.70	.10	0	0	0	0	0	0
\$102	\$104	18.90	14.30	9.70	5.10	.40	0	0	0	0	0	0
\$104	\$106	19.30	14.60	10.00	5.40	.80	0	0	0	0	0	0
\$106	\$108	19.60	15.00	10.40	5.80	1.20	0	0	0	0	0	0
\$108	\$110	20.00	15.40	10.70	6.10	1.50	0	0	0	0	0	0
\$110	\$112	20.30	15.70	11.10	6.50	1.90	0	0	0	0	0	0
\$112	\$114	20.70	16.10	11.50	6.90	2.20	0	0	0	0	0	0
\$114	\$116	21.10	16.40	11.80	7.20	2.60	0	0	0	0	0	0
\$116	\$118	21.40	16.80	12.20	7.60	3.00	0	0	0	0	0	0
\$118	\$120	22.00	17.30	12.70	8.10	3.50	0	0	0	0	0	0
\$120	\$124	22.70	18.10	13.40	8.80	4.20	0	0	0	0	0	0
\$124	\$128	23.40	18.80	14.20	9.60	4.90	.30	0	0	0	0	0
\$128	\$132	24.10	19.50	14.90	10.30	5.70	1.00	0	0	0	0	0
\$132	\$136	24.80	20.20	15.60	11.00	6.40	1.80	0	0	0	0	0
\$136	\$140	25.60	20.90	16.30	11.70	7.10	2.50	0	0	0	0	0
\$140	\$144	26.30	21.70	17.00	12.40	7.80	3.20	0	0	0	0	0
\$144	\$148	27.00	22.40	17.80	13.20	8.50	3.90	0	0	0	0	0
\$148	\$152	27.70	23.10	18.50	13.90	9.30	4.60	0	0	0	0	0
\$152	\$156	28.40	23.80	19.20	14.60	10.00	5.40	.70	0	0	0	0
\$156	\$160	29.20	24.50	19.90	15.30	10.70	6.10	1.50	0	0	0	0
\$160	\$164	29.90	25.30	20.60	16.00	11.40	6.80	2.20	0	0	0	0
\$164	\$168	30.60	26.00	21.40	16.80	12.10	7.50	2.90	0	0	0	0
\$168	\$172	31.30	26.70	22.10	17.50	12.90	8.20	3.60	0	0	0	0
\$172	\$176	32.00	27.40	22.80	18.20	13.60	9.00	4.30	0	0	0	0
\$176	\$180	32.80	28.10	23.50	18.90	14.30	9.70	5.10	.50	0	0	0
\$180	\$184	33.60	28.90	24.20	19.60	15.00	10.40	5.80	1.20	0	0	0
\$184	\$188	34.20	29.60	25.00	20.40	15.70	11.10	6.50	1.90	0	0	0
\$188	\$192	34.90	30.30	25.70	21.10	16.30	11.80	7.20	2.60	0	0	0
\$192	\$196	35.60	31.00	26.40	21.80	17.20	12.60	7.90	3.30	0	0	0
\$196	\$200	36.30	31.70	27.10	22.50	18.40	13.80	9.20	4.60	0	0	0
\$200	\$210	38.70	34.10	29.50	24.90	20.20	15.60	11.00	6.40	1.80	0	0
\$210	\$220	40.50	35.90	31.30	26.70	22.00	17.40	12.80	8.20	3.60	0	0
\$220	\$230	42.30	37.70	33.10	28.50	23.80	19.20	14.60	10.00	5.40	.80	0
\$230	\$240	44.10	39.50	34.90	30.30	25.60	21.00	16.40	11.80	7.20	2.60	0
\$240	\$250	45.90	41.30	36.70	32.10	27.40	22.80	18.20	13.60	9.00	4.40	0
\$250	\$260	47.70	43.10	38.50	33.90	29.20	24.60	20.00	15.40	10.80	6.20	1.50
\$260	\$270	49.50	44.90	40.30	35.70	31.00	26.40	21.80	17.20	12.60	8.00	3.30
\$270	\$280	51.30	46.70	42.10	37.50	32.80	28.20	23.60	19.00	14.40	9.80	5.10
\$280	\$290	53.10	48.50	43.90	39.30	34.60	30.00	25.40	20.80	16.20	11.60	6.90
\$290	\$300	55.80	51.20	46.60	42.00	37.30	32.70	28.10	23.50	18.90	14.30	9.60
\$300	\$320	59.40	54.80	50.20	45.60	40.90	36.30	31.70	27.10	22.50	17.90	13.20
\$320	\$340	63.00	58.40	53.80	49.20	44.50	39.90	35.30	30.70	26.10	21.50	16.80
\$340	\$360	66.60	62.00	57.40	52.80	48.10	43.50	38.90	34.30	29.70	25.10	20.40
\$360	\$380	70.20	65.60	61.00	56.40	51.70	47.10	42.50	37.90	33.30	28.70	24.00
18 percent of the excess over \$400 plus—												
\$400 and over		72.00	67.40	62.80	58.20	53.50	48.90	44.30	39.70	35.10	30.50	25.80



RULES AND REGULATIONS

13945

If the payroll period with respect to an employee is semimonthly--

And the wages are--		And the number of withholding exemptions claimed is--										
At least--	But less than--	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be--										
		18% of wages										
\$0	\$28	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$28	\$30	.20	0	0	0	0	0	0	0	0	0	0
\$30	\$32	.60	0	0	0	0	0	0	0	0	0	0
\$32	\$34	1.00	0	0	0	0	0	0	0	0	0	0
\$34	\$36	1.40	0	0	0	0	0	0	0	0	0	0
\$36	\$38	1.80	0	0	0	0	0	0	0	0	0	0
\$38	\$40	2.20	0	0	0	0	0	0	0	0	0	0
\$40	\$42	2.60	0	0	0	0	0	0	0	0	0	0
\$42	\$44	3.00	0	0	0	0	0	0	0	0	0	0
\$44	\$46	3.40	0	0	0	0	0	0	0	0	0	0
\$46	\$48	3.80	0	0	0	0	0	0	0	0	0	0
\$48	\$50	4.20	0	0	0	0	0	0	0	0	0	0
\$50	\$52	4.60	0	0	0	0	0	0	0	0	0	0
\$52	\$54	5.00	0	0	0	0	0	0	0	0	0	0
\$54	\$56	5.40	0	0	0	0	0	0	0	0	0	0
\$56	\$58	5.80	.30	0	0	0	0	0	0	0	0	0
\$58	\$60	6.20	.60	0	0	0	0	0	0	0	0	0
\$60	\$62	6.60	1.00	0	0	0	0	0	0	0	0	0
\$62	\$64	7.00	1.30	0	0	0	0	0	0	0	0	0
\$64	\$66	7.40	1.70	0	0	0	0	0	0	0	0	0
\$66	\$68	7.80	2.10	0	0	0	0	0	0	0	0	0
\$68	\$70	8.20	2.40	0	0	0	0	0	0	0	0	0
\$70	\$72	8.60	2.80	0	0	0	0	0	0	0	0	0
\$72	\$74	9.00	3.10	0	0	0	0	0	0	0	0	0
\$74	\$76	9.40	3.50	0	0	0	0	0	0	0	0	0
\$76	\$78	9.80	3.90	0	0	0	0	0	0	0	0	0
\$78	\$80	10.20	4.20	0	0	0	0	0	0	0	0	0
\$80	\$82	10.60	4.60	0	0	0	0	0	0	0	0	0
\$82	\$84	11.00	4.90	0	0	0	0	0	0	0	0	0
\$84	\$86	11.40	5.30	.30	0	0	0	0	0	0	0	0
\$86	\$88	11.80	5.70	.70	0	0	0	0	0	0	0	0
\$88	\$90	12.20	6.00	1.10	0	0	0	0	0	0	0	0
\$90	\$92	12.60	6.40	1.40	0	0	0	0	0	0	0	0
\$92	\$94	13.00	6.70	1.70	0	0	0	0	0	0	0	0
\$94	\$96	13.40	7.10	2.10	0	0	0	0	0	0	0	0
\$96	\$98	13.80	7.50	2.50	0	0	0	0	0	0	0	0
\$98	\$100	14.20	7.80	2.80	0	0	0	0	0	0	0	0
\$100	\$102	14.60	8.20	3.20	0	0	0	0	0	0	0	0
\$102	\$104	15.00	8.50	3.50	0	0	0	0	0	0	0	0
\$104	\$106	15.40	8.90	3.90	0	0	0	0	0	0	0	0
\$106	\$108	15.80	9.30	4.30	0	0	0	0	0	0	0	0
\$108	\$110	16.20	9.60	4.60	0	0	0	0	0	0	0	0
\$110	\$112	16.60	10.00	5.00	0	0	0	0	0	0	0	0
\$112	\$114	17.00	10.30	5.30	.30	0	0	0	0	0	0	0
\$114	\$116	17.40	10.70	5.70	.70	0	0	0	0	0	0	0
\$116	\$118	17.80	11.10	6.10	1.10	0	0	0	0	0	0	0
\$118	\$120	18.20	11.40	6.40	1.40	0	0	0	0	0	0	0
\$120	\$124	19.00	12.00	7.00	2.00	0	0	0	0	0	0	0
\$124	\$128	19.80	12.70	7.70	2.70	0	0	0	0	0	0	0
\$128	\$132	20.60	13.40	8.40	3.40	0	0	0	0	0	0	0
\$132	\$136	21.40	14.10	9.10	4.10	0	0	0	0	0	0	0
\$136	\$140	22.20	14.80	9.80	4.80	0	0	0	0	0	0	0
\$140	\$144	23.00	15.50	10.50	5.50	.60	0	0	0	0	0	0
\$144	\$148	23.80	16.30	11.30	6.30	1.30	0	0	0	0	0	0
\$148	\$152	24.60	17.00	12.00	7.00	2.00	0	0	0	0	0	0
\$152	\$156	25.40	17.70	12.70	7.70	2.70	0	0	0	0	0	0
\$156	\$160	26.20	18.40	13.40	8.40	3.40	0	0	0	0	0	0
\$160	\$164	27.00	19.20	14.20	9.20	4.20	0	0	0	0	0	0
\$164	\$168	27.80	19.90	14.90	9.90	4.90	0	0	0	0	0	0
\$168	\$172	28.60	20.60	15.60	10.60	5.60	0	0	0	0	0	0
\$172	\$176	29.40	21.30	16.30	11.30	6.30	1.30	0	0	0	0	0
\$176	\$180	30.20	22.00	17.00	12.00	7.00	2.00	0	0	0	0	0
\$180	\$184	31.00	22.80	17.80	12.80	7.80	2.80	0	0	0	0	0
\$184	\$188	31.80	23.50	18.50	13.50	8.50	3.50	0	0	0	0	0
\$188	\$192	32.60	24.20	19.20	14.20	9.20	4.20	0	0	0	0	0
\$192	\$196	33.40	24.90	19.90	14.90	9.90	4.90	0	0	0	0	0
\$196	\$200	34.20	25.60	20.60	15.60	10.60	5.60	.60	0	0	0	0
\$200	\$210	36.00	26.90	21.90	16.90	11.90	6.90	1.90	0	0	0	0
\$210	\$220	37.80	28.20	23.20	18.20	13.20	7.90	2.90	0	0	0	0
\$220	\$230	39.60	29.50	24.50	19.50	14.50	8.90	3.90	0	0	0	0
\$230	\$240	41.40	30.80	25.80	20.80	15.80	9.90	4.90	0	0	0	0
\$240	\$250	43.20	32.10	27.10	22.10	17.10	10.90	5.90	0	0	0	0
\$250	\$260	45.00	33.40	28.40	23.40	18.40	11.90	6.90	0	0	0	0
\$260	\$270	46.80	34.70	29.70	24.70	19.70	12.90	7.90	0	0	0	0
\$270	\$280	48.60	36.00	31.00	26.00	21.00	13.90	8.90	0	0	0	0
\$280	\$290	50.40	37.30	32.30	27.30	22.30	14.90	9.90	0	0	0	0
\$290	\$300	52.20	38.60	33.60	28.60	23.60	15.90	10.90	0	0	0	0
\$300	\$320	58.00	43.80	40.80	35.80	30.80	20.80	15.80	5.80	0	0	0
\$320	\$340	64.00	49.40	46.40	41.40	36.40	26.40	21.40	11.40	0	0	0
\$340	\$360	70.00	55.00	52.00	47.00	42.00	32.00	27.00	17.00	0	0	0
\$360	\$400	82.00	66.00	63.00	58.00	53.00	43.00	38.00	28.00	0	0	0
\$400	\$420	88.00	72.00	69.00	64.00	59.00	49.00	44.00	34.00	0	0	0
\$420	\$440	94.00	78.00	75.00	70.00	65.00	55.00	50.00	40.00	0	0	0
\$440	\$460	100.00	84.00	81.00	76.00	71.00	61.00	56.00	46.00	0	0	0
\$460	\$480	106.00	90.00	87.00	82.00	77.00	67.00	62.00	52.00	0	0	0
\$480	\$500	112.00	96.00	93.00	88.00	83.00	73.00	68.00	58.00	0	0	0
		15 percent of the excess over \$500 plus--										
\$500 and over		90.00	85.00	80.00	75.00	70.00	65.00	60.00	55.00	50.00	45.00	40.00



If the payroll period with respect to an employee is a daily payroll period or a miscellaneous payroll period—

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—												
		0	1	2	3	4	5	6	7	8	9	10 or more		
At least—	But less than—	The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—												
		18% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$0	\$2.00	\$0.40												
\$2.00	\$2.25	.45	.05											
\$2.25	\$2.50	.45	.10											
\$2.50	\$2.75	.45	.15											
\$2.75	\$3.00	.50	.20											
\$3.00	\$3.25	.55	.25											
\$3.25	\$3.50	.60	.30											
\$3.50	\$3.75	.65	.30											
\$3.75	\$4.00	.70	.35	.05										
\$4.00	\$4.25	.75	.40	.10										
\$4.25	\$4.50	.80	.45	.15										
\$4.50	\$4.75	.85	.50	.15										
\$4.75	\$5.00	.90	.55	.20										
\$5.00	\$5.25	.90	.60	.25										
\$5.25	\$5.50	.95	.65	.30										
\$5.50	\$5.75	1.00	.70	.35	.05									
\$5.75	\$6.00	1.05	.75	.40	.05									
\$6.00	\$6.25	1.10	.75	.45	.10									
\$6.25	\$6.50	1.15	.80	.50	.15									
\$6.50	\$6.75	1.20	.85	.55	.20									
\$6.75	\$7.00	1.25	.90	.60	.25									
\$7.00	\$7.25	1.30	.95	.60	.30									
\$7.25	\$7.50	1.35	1.00	.65	.35									
\$7.50	\$7.75	1.35	1.05	.70	.40	.05								
\$7.75	\$8.00	1.40	1.10	.75	.45	.10								
\$8.00	\$8.25	1.45	1.15	.80	.50	.15								
\$8.25	\$8.50	1.50	1.20	.85	.50	.20								
\$8.50	\$8.75	1.55	1.20	.90	.55	.25								
\$8.75	\$9.00	1.60	1.25	.95	.60	.30								
\$9.00	\$9.25	1.65	1.30	1.00	.65	.35								
\$9.25	\$9.50	1.70	1.35	1.05	.70	.35	.05							
\$9.50	\$9.75	1.75	1.40	1.05	.75	.40	.10							
\$9.75	\$10.00	1.80	1.45	1.10	.80	.45	.15							
\$10.00	\$10.50	1.85	1.50	1.20	.85	.50	.20							
\$10.50	\$11.00	1.95	1.60	1.30	.95	.60	.30							
\$11.00	\$11.50	2.05	1.70	1.35	1.05	.70	.40	.05						
\$11.50	\$12.00	2.10	1.80	1.45	1.15	.80	.45	.15						
\$12.00	\$12.50	2.20	1.90	1.55	1.20	.90	.55	.25						
\$12.50	\$13.00	2.30	1.95	1.65	1.30	1.00	.65	.30						
\$13.00	\$13.50	2.40	2.05	1.75	1.40	1.05	.75	.40	.10					
\$13.50	\$14.00	2.50	2.15	1.80	1.50	1.15	.85	.50	.15					
\$14.00	\$14.50	2.55	2.25	1.90	1.60	1.25	.90	.60	.25					
\$14.50	\$15.00	2.65	2.35	2.00	1.65	1.35	1.00	.70	.35					
\$15.00	\$15.50	2.75	2.40	2.10	1.75	1.45	1.10	.75	.45	.10				
\$15.50	\$16.00	2.85	2.50	2.20	1.85	1.50	1.20	.85	.55	.20				
\$16.00	\$16.50	2.95	2.60	2.25	1.95	1.60	1.30	.95	.60	.30				
\$16.50	\$17.00	3.00	2.70	2.35	2.05	1.70	1.35	1.05	.70	.40	.05			
\$17.00	\$17.50	3.10	2.80	2.45	2.10	1.80	1.45	1.15	.80	.45	.15			
\$17.50	\$18.00	3.20	2.85	2.55	2.20	1.90	1.55	1.20	.90	.55	.25			
\$18.00	\$18.50	3.30	2.95	2.65	2.30	1.95	1.65	1.30	1.00	.65	.35			
\$18.50	\$19.00	3.40	3.05	2.70	2.40	2.05	1.75	1.40	1.05	.75	.40	.10		
\$19.00	\$19.50	3.45	3.15	2.80	2.50	2.15	1.80	1.50	1.15	.85	.50	.20		
\$19.50	\$20.00	3.55	3.25	2.90	2.55	2.25	1.95	1.60	1.25	.90	.60	.25		
\$20.00	\$21.00	3.70	3.35	3.05	2.70	2.35	2.05	1.70	1.40	1.05	.75	.40		
\$21.00	\$22.00	3.85	3.55	3.20	2.90	2.55	2.25	1.90	1.55	1.25	.90	.60		
\$22.00	\$23.00	4.05	3.70	3.40	3.05	2.75	2.40	2.10	1.75	1.40	1.10	.75		
\$23.00	\$24.00	4.25	3.90	3.55	3.25	2.90	2.60	2.25	1.95	1.60	1.25	.95		
\$24.00	\$25.00	4.40	4.10	3.75	3.40	3.10	2.75	2.45	2.10	1.80	1.45	1.10		
\$25.00	\$26.00	4.60	4.25	3.95	3.60	3.25	2.95	2.60	2.30	1.95	1.65	1.30		
\$26.00	\$27.00	4.75	4.45	4.10	3.80	3.45	3.15	2.80	2.45	2.15	1.80	1.50		
\$27.00	\$28.00	4.95	4.60	4.30	3.95	3.65	3.30	3.00	2.65	2.30	2.00	1.65		
\$28.00	\$29.00	5.15	4.80	4.45	4.15	3.80	3.50	3.15	2.85	2.50	2.15	1.85		
\$29.00	\$30.00	5.30	5.00	4.65	4.30	4.00	3.65	3.35	3.00	2.70	2.35	2.00		
		18 percent of the excess over \$30 plus—												
\$30.00 and over		5.40	5.05	4.75	4.40	4.10	3.75	3.45	3.10	2.75	2.45	2.10		

PAR. 7. Section 31.3402(g)-1 is amended by revising paragraphs (a) (2) and (b) (1) to read as follows:

§ 31.3402(g)-1 Supplemental wage payments.

(a) In general. . . .  
 (2) The supplemental wages, if paid concurrently with wages for a payroll period, shall be aggregated with the wages paid for such payroll period. If not paid concurrently, the supplemental wages shall be aggregated with the wages paid or to be paid within the same calendar year for the last preceding payroll period or for the current payroll period. The amount of tax to be withheld shall

be determined as if the aggregate of the supplemental wages and the regular wages constituted a single wage payment for the regular payroll period.

Example (1). A is employed as a salesman at a monthly salary of \$100 plus commissions on sales made during the month. The number of withholding exemptions claimed is one. During January 1965 A earns \$275 in commissions, which together with the salary of \$100 is paid on February 10, 1965. Under the wage bracket method the amount of the tax required to be withheld is shown in the table applicable to a monthly payroll period. Under this table it will be found that the amount of tax required to be withheld is \$44.30.

Example (2). B is employed at a salary of \$3,000 per annum paid semimonthly on the 15th day and the last day of each month, plus a bonus and commission determined at the end of each 3-month period. The number of withholding exemptions claimed is four. The bonus and commission for the 3-month period ending on March 31, 1965, amount to \$250, which is paid on April 10, 1965. Under the wage bracket method, the amount of tax required to be withheld on the aggregate of the bonus of \$250 and the last preceding semimonthly wage payment of \$125, or \$375 is \$36.20. Since tax in the amount of \$2.10 was withheld on the semimonthly wage payment of \$125, the amount to be withheld on April 10, 1965, is \$34.10.

If, however, supplemental wages are paid and tax has been withheld from the employee's regular wages, the employer may determine the tax to be withheld from supplemental wages by using the applicable rate under section 3402(a) without allowance for exemption and without reference to any regular payment of wages.

(b) Special rule where aggregate withholding exemption exceeds wages paid.

(1) If supplemental wages are paid to an employee during a calendar year for a period which involves two or more consecutive payroll periods, for which other wages also are paid during such calendar year, and the aggregate of such other wages is less than the aggregate of the amounts determined under the table provided in section 3402(b) (1) as the withholding exemptions applicable for such payroll periods, the amount of the tax required to be withheld on the supplemental wages shall be computed as follows:

- Step 1. Determine an average wage for each of such payroll periods by dividing the sum of the supplemental wages and the wages paid for such payroll periods by the number of such payroll periods.
- Step 2. Determine a tax for each payroll period as if the amount of the average wage constituted the wages paid for such payroll period.
- Step 3. From the sum of the amounts of tax determined in Step 2 subtract the total amount of tax withheld, or to be withheld, from the wages, other than the supplemental wages, for such payroll periods. The remainder, if any, shall constitute the amount of the tax to be withheld upon the supplemental wages.

Example. An employee has a weekly payroll period ending on Saturday of each week, the wages for which are paid on Friday of the succeeding week. On the 10th day of each month he is paid a bonus based upon production during the payroll periods for which wages were paid in the preceding month. The employee is paid a weekly wage of \$64 on each of the five Fridays occurring in April 1965. On May 10, 1965, the employee is paid a bonus of \$125 based upon production during the five payroll periods covered by the wages paid in April. On the date of payment of the bonus, the employee who is married and has three children, has a withholding exemption certificate in effect claiming five withholding exemptions. The amount of the tax to be withheld from

the bonus paid on May 10, 1965, is computed as follows:

Wages paid in April 1965 for 5 payroll periods (5×\$64).....	\$320.00
Bonus paid May 10, 1965.....	125.00
Aggregate of wages and bonus.....	445.00
Average wage per payroll period (\$445÷5).....	89.00
Computation of tax under percentage method: Withholding exemptions (5×\$13).....	65.00
Remainder subject to tax.....	24.00
Tax on average wage for 1 week (14 percent of \$24).....	3.36
Tax on average wage for 5 weeks.....	16.80
Less: Tax previously withheld on weekly wage payments of \$64.....	None
Tax to be withheld on supplemental wages.....	16.80
Computation of tax under wage bracket method: Tax on \$89 wage under weekly wage table (\$3.50 per week for 5 weeks).....	17.50
Less: Tax previously withheld on weekly wage payments of \$64 (\$0.10 per week for 5 weeks).....	0.50
Tax to be withheld on supplemental wages.....	17.00

Because this Treasury decision amends existing regulations merely by setting forth the rate and tables prescribed by section 302 (a) and (b) of the Revenue Act of 1964 (78 Stat. 140) to be used in determining the amount of tax to be deducted and withheld from wages paid after March 4, 1964, and by making conforming changes in the examples in the regulations to reflect such statutory changes, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of said Act.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] SHELDON S. COHEN,  
Commissioner of Internal Revenue.

Approved: October 26, 1965.

STANLEY S. SURREY,  
Assistant Secretary  
of the Treasury.

[F.R. Doc. 65-11647; Filed, Nov. 3, 1965;  
8:45 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 6904; Amdt. 39-153]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Mooney Models M20 and M20A Airplanes

Amendment 39-138 (30 F.R. 11849), AD 65-22-3, requires repetitive reinspec-

tion, and repair or replacement where necessary of the tail truss on the subject airplanes. Subsequent to the issuance of Amendment 39-138, there have been reports of confusion in determining to which Mooney models the subject AD applies. The alleged confusion exists since there are certain Mooney models with wood wings and empennage. This AD applies to Models M20 and M20A, all of which have wood wings and empennage. Therefore, the AD is amended to reflect this change.

Since this amendment provides a clarification only, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-138 (30 F.R. 11849), AD 65-22-3, is amended as follows:

By inserting the words "on airplanes with wood wings and wood empennage" immediately after the words "supports the empennage" in the introductory paragraph of this directive.

This amendment becomes effective November 4, 1965.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on October 28, 1965.

C. W. WALKER,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 65-11828; Filed, Nov. 3, 1965;  
8:45 a.m.]

[Airspace Docket No. 65-CE-102]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Control Zone, Designation of Transition Area and Revocation of Control Area Extension

On August 24, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 10953) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the vicinity of Jamestown, N. Dak.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 3, 1966, as hereinafter set forth:

(1) In § 71.165 (29 F.R. 17557) the Jamestown, N. Dak., control area extension is revoked in its entirety.

(2) In § 71.171 (29 F.R. 17581) the Jamestown, N. Dak., control zone is amended to read:

#### JAMESTOWN, N. DAK.

Within a 5-mile radius of Jamestown, N. Dak., Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.).

(3) In § 71.181 (29 F.R. 17643) the following transition area is added:

#### JAMESTOWN, N. DAK.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown, N. Dak., Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.); and within 2 miles each side of the Jamestown VOR 190° radial extending from the 7-mile radius area to 8 miles S of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles E and 5 miles W of the Jamestown VOR 010° and 190° radials, extending from 4 miles N to 13 miles S of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on October 26, 1965.

DONALD S. KING,  
Acting Director, Central Region.

[F.R. Doc. 65-11829; Filed, Nov. 3, 1965;  
8:45 a.m.]

[Airspace Docket No. 65-EA-45]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Control Zone

On page 11393 of the FEDERAL REGISTER for September 8, 1965, the Federal Aviation Agency published a proposed regulation which would alter the North Philadelphia, Pa., control zone.

Interested parties were given 30 days after publication in which to submit written data or views. All comments received were favorable.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., January 6, 1966.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on October 26, 1965.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the North Philadelphia control zone the words and figures "039°" and "NE of the VOR" and insert in lieu thereof "234°" and "SW of the VOR" respectively.

[F.R. Doc. 65-11830; Filed, Nov. 3, 1965;  
8:45 a.m.]

[Airspace Docket No. 65-EA-49]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Control Zone

On Page 11393 of the FEDERAL REGISTER for September 8, 1965, the Federal Aviation Agency published proposed regulations which would alter the Richmond, Va., control zone.

Interested parties were given 30 days after publication in which to submit written data or views. All comments received were favorable.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., January 6, 1966.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on October 26, 1965.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Richmond, Va., control zone description the figures "132" appearing after "Richmond VOR" and insert in lieu thereof "134". Further, delete the period (.) at the end of the description, insert therefor a semicolon (;) and add "within 2 miles each side of the Richmond VOR 341° radial, extending from the 5-mile radius zone to 7 miles north of the VOR."

[F.R. Doc. 65-11831; Filed, Nov. 3, 1965; 8:45 a.m.]

[Airspace Docket No. 65-EA-61]

**PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS**

**Alteration of Control Zone**

On page 11395 of the FEDERAL REGISTER of September 8, 1965, the Federal Aviation Agency published proposed regulations which would alter the Morristown, N.J., control zone.

Interested parties were given 30 days after publication in which to submit written data or views. All comments received were favorable.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., January 6, 1966.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on October 26, 1965.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting in the Morristown, N.J., control zone the figures "227" and insert in lieu thereof the figures "204".

[F.R. Doc. 65-11832; Filed, Nov. 3, 1965; 8:45 a.m.]

[Airspace Docket No. 65-EA-85]

**PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS**

**Revocation of Control Area Extensions**

The Federal Aviation Agency proposes to amend § 71.165 of Part 71 of the Federal Aviation Regulations so as to revoke the Richmond, Va. (29 F.R. 17575), and

Washington, D.C. (29 F.R. 17579), control area extensions.

These control area extensions are now encompassed in transition areas thereby voiding their usefulness.

Since this amendment effects no substantial change to the regulations, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulations are adopted effective 0001 e.s.t., January 6, 1966, as follows:

1. Amend § 71.165 so as to delete the Richmond, Va., and Washington, D.C., control area extensions.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on October 26, 1965.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

[F.R. Doc. 65-11833; Filed, Nov. 3, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-62]

**PART 73—SPECIAL USE AIRSPACE**

**Designation of Restricted Area**

On July 23, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 9221) stating that the Federal Aviation Agency proposed to designate a restricted area at Hawthorne, Nev.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. One objection was submitted on the grounds that the proposed restricted area would create navigation difficulties for VFR traffic in this vicinity and that the Navy could conduct its demolition activities elsewhere. The Agency has considered this comment carefully and determined that VFR traffic in the area generally follows Nevada State Highway 31, a readily discernible landmark. Therefore, circumnavigation of the proposed restricted area should not be difficult for VFR traffic. Due to the relatively small size and remote location of the proposed restricted area the suggestion that the explosives should be transported from the ammunition depot to another existing restricted area would place an undue burden upon the Navy because of the hazards and costs involved.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., January 6, 1966, as hereinafter set forth.

Section 73.48 (29 F.R. 17754) is amended by adding the following:

R-4811 HAWTHORNE, NEV.

Boundaries. A 1½-nautical-mile radius circle centered at latitude 38°14'45" N., longitude 118°38'15" W.

Designated altitudes. Surface to 15,000 feet MSL.

Time of designation. 0800 to 1500 local time, Monday through Friday.

Using agency. Commanding Officer, Naval Ammunition Depot, Hawthorne, Nev.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on October 27, 1965.

CLIFFORD P. BURTON,  
Acting Director, Air Traffic Service.

[F.R. Doc. 65-11835; Filed, Nov. 3, 1965; 8:45 a.m.]

**Title 47—TELECOMMUNICATION**

**Chapter I—Federal Communications Commission**

[Docket No. 16083; FCC 65-970]

**PART 31—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND B TELEPHONE COMPANIES**

**Accounting Classification of Costs Incurred in Recovering Salvage on Station Apparatus**

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 27th day of October 1965:

The Commission having under consideration the notice of proposed rule making in the above-entitled matter which was published in the FEDERAL REGISTER on July 9, 1965 (30 F.R. 8692), in accordance with section 4(a) of the Administrative Procedure Act; and

It appearing, that the time for filing comments with respect to this matter has expired and no comments have been received; and

It further appearing, that the proposed amendments should be adopted exactly as proposed in the notice of proposed rule making with respect to this matter; and

It further appearing, that the amendments ordered herein are issued pursuant to authority contained in sections 4(i) and 220 of the Communications Act of 1934, as amended:

It is ordered, That Part 31, Uniform System of Accounts for Class A and Class E Telephone Companies, of the Commission's rules is amended as set forth below, effective January 1, 1967: *Provided, however*, That any company may, at its option, adopt these changes as of any earlier date which is subsequent to the date of this order; and

It is further ordered, That this proceeding is hereby terminated.

Released: October 29, 1965.

(Secs. 4, 220, 48 Stat. 1066, 1078, as amended, U.S.C. 154, 220)

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

Part 31—Uniform System of Accounts for Class A and Class B Telephone Companies, is amended as follows:

1. Section 31.01-3 is amended as follows:

**§ 31.01-3 Definitions.**

(dd) "Service value" means the difference between the original cost and:

<sup>1</sup> Commissioner Hyde absent.

(1) The net salvage value as defined in paragraph (t) of this section as specially modified in § 31.92-80(c) for station apparatus and station connections.

(2) The net salvage value as defined in paragraph (t) of this section for other telephone plant.

2. Section 31.02-80 is amended as follows:

§ 31.02-80 Computation of depreciation rates.

(c) The company shall keep such records of property and property retirements as will reflect the service life of property which has been retired, or will permit the determination of service-life indications by mortality, turnover, or other appropriate methods, and also such records as will reflect the percentage of salvage value, or net salvage value, as appropriate, for property retired from each class of depreciable telephone plant. For purposes of the records required to be kept under this paragraph, that portion of the costs incurred in the removal (see § 31.01-3(k)) of station apparatus from customers' premises, by reason of service discontinuance, from the inception of the removal through transportation of the removed apparatus to the company's premises shall be recorded as applicable to account 232, "Station connections," rather than being associated with account 231, "Station apparatus." (See also account 605.)

3. Section 31.704 is amended as follows:

§ 31.704 Supply expense.

NOTE B: Transportation charges on material purchased shall be, so far as practicable, included as a part of the cost of the particular material to which they relate.

[F.R. Doc. 65-11875; Filed, Nov. 3, 1965; 8:49 a.m.]

[Docket No. 16063; FCC 65-980]

**PART 73—RADIO BROADCAST SERVICES**

**Table of Assignments, FM Broadcast Stations**

*First report and order.* In the matter of amendment of § 73.202, *Table of Assignments*, FM broadcast stations (Portage and Shawano, Wis., Murray, Ky., New Port Richey and Clearwater, Fla., Scott City, Kans., Maquoketa and Cedar Rapids, Iowa, Fairmont, W. Va., Galesburg, Ill., Prestonsburg, Ky., Austin and Georgetown, Tex., Bellevue, Ohio, Dalhart, Tex., Las Cruces, N. Mex., Petersburg, Va., Wichita, Kans., Fergus Falls, Minn., Pittsfield, Ill.); Docket No. 16063, RM-720, RM-756, RM-757, RM-763, RM-759, RM-762, RM-767, RM-768, RM-770, RM-771, RM-769, RM-777.

1. The Commission has before it for consideration its notice of proposed rule making, released June 18, 1965 (FCC 65-543), and published in the *FEDERAL REGISTER* on June 23, 1965 (30 F.R. 8067), proposing a number of changes in the FM Table of Assignments.

2. This decision disposes of all petitions except RM-762 which is not covered here because of receipt of a conflicting request and will be handled separately. We have considered all of the numerous statements filed in response to the notice proposals.

3. *RM-720, Portage, Wis.* In acknowledgment of the amended petition of Comstock Publishing Co., licensee of Station WPDR(AM), our notice proposed the assignment of a first FM channel, 261A, to Portage by replacing Channel 262 in Shawano with Channel 261A, or simply deleting Channel 262 in that community.

4. 36,708 persons live in Columbia County.<sup>1</sup> Its county seat, and largest community, Portage, has a population of 7,822. This community has but one station, WPDR, a daytime-only operation. At the present time, it is not assigned an FM channel. Shawano, the county seat of Shawano County, has a population of 6,103. Its county's population is 34,351. Its only AM facility (WTCH) is an unlimited-time operation. Two wide-coverage FM channels are assigned to the community—262, for which there is a construction permit outstanding granted on BPH-4400, and 274, for which there are no applications pending. Petitioner supports the assignment of a Class A channel to Portage by underlining its size and its importance to the surrounding area as a center for civic, social, and economic activity. It argues, we believe correctly, that a community with the characteristics of Portage both deserves and needs full time radio service. It appears that the only way the community can receive such local service in the early morning and nighttime hours is by locating an FM station there. Shawano County Leader Publishing Co. opposes petitioner's proposal on the grounds that it would have to shift its proposed operation on Channel 262 in Shawano to either Channel 274 or a possible Channel, 261A. Its construction permit for Channel 262 was granted on July 14, 1965, with the expressed condition that it would be subject to any alteration required by the action taken in the instant proceeding. The action we are taking in this proceeding will permit the choice of either a limited-coverage Channel (261A) or a wide-coverage Channel (274).<sup>2</sup>

5. In light of the above, we are of the view that it is in the public interest to delete Channel 262 from Shawano, and assign Channel 261A to both Shawano and Portage.

6. *RM-756, Murray, Ky.* On April 7, 1965, the Commission received a petition from Michael R. Freeland, doing business as Murray Broadcasting Co. In light of this petition, our notice proposed to assign Channel 279 to Murray.

7. Murray is the largest community in, and the county seat of, Calloway

County. Its population is 9,303, while the county's population is 20,972. There are no FM channels assigned to the community. However, it does have AM Station WNBS, an unlimited-time operation. Petitioner's view is that in light of the community's growth and size, significance to the surrounding area in governmental, business, and social matters, that it deserves a first local FM service so as to give it two full-time services providing a variety of local programs. We agree and note that the proposed assignment meets our minimum mileage separation requirements, does not disturb other FM assignments, and that petitioner claims that he will promptly apply for the channel's use. In view of the foregoing, we are of the opinion it is in the public interest to assign Channel 279 to Murray.

8. *RM-763, Clearwater, Fla.; RM-757, New Port Richey, Fla.* In this rule-making proceeding, we proposed the examination of the possible assignment of wide-coverage Channel 250 to either Clearwater or New Port Richey. The assignments are mutually exclusive. Mr. John K. Pringle requests the channel's assignment to Clearwater while Richey Airwaves, Inc., requests its assignment to New Port Richey.

9. Clearwater (population 34,653), is located in Pinellas County with 374,665 persons residing there. At the present time, it is assigned one wide-coverage FM channel, 239, which is occupied, as well as two AM stations, WAZE, a daytime-only operation and WTAN, an unlimited-time Class IV station. Pasco County (population 36,785), contains the community of New Port Richey which has a population of 3,520. It has no FM assignment and receives its only immediate local radio service from WGUL, a daytime-only operation. Careful examination of the record brings several basic policies and facts to the forefront which argue for the assignment of Channel 250 to Clearwater. First, since the establishment of our Table of FM Assignments, it has been our policy to assign wide-coverage channels to larger communities and not to smaller communities unless a strong showing of isolation is made.<sup>3</sup> Second, New Port Richey is approximately 1/10th of the size of Clearwater. Third, a wide-coverage channel, 250, located in Clearwater would serve a population which has both ties to, and interest in, that city, whereas a wide-coverage channel, 250, assigned to New Port Richey would serve a segment of the surrounding population which has no real economic or social connection with that community. Fourth, it is our policy to attempt to avoid the intermixture of wide and narrow coverage channels. It does not appear that a wide-coverage channel other than 250 can be used to meet Clearwater's needs.

10. An examination of local service available to each community indicates to us that both communities do deserve additional service. We are convinced

<sup>1</sup> All population figures herein are those of the 1960 U.S. Census.

<sup>2</sup> We are aware of the fact that the use of Channel 274 will require an installation 11 miles distant from Shawano, however, an FM transmitter located at that distance can effectively serve Shawano and the surrounding area.

<sup>3</sup> Assignments which may appear to be deviations from this policy pre-date our Table of Assignments.

that the most prudent and orderly manner of providing such additional service is by adopting a counter-proposal filed by Mr. John K. Pringle, i.e., to assign the wide-coverage Channel 250 to Clearwater, and the limited-coverage Channel 288A to New Port Richey. It is our view that such assignments are the most appropriate way to meet the needs of each community. Both assignments meet our minimum mileage spacing requirements.

11. The above indicates to us that it is in the public interest to assign Channel 250 to Clearwater and Channel 288A to New Port Richey.

12. *RM-759, Scott City, Kans.* Our notice, in response to the petition of George Basil Anderson and Florence L. Anderson, doing business as The Broadcasters of Scott City, proposed to delete Channel 232A from Scott City and replace it with Channel 233.

13. Petitioner, licensee of KFLA-FM (Channel 232A in Scott City), bases its proposal primarily on three factors—a wide-coverage Channel 233 can be assigned to Scott City and meet all of our minimum mileage separation requirements—a basic need for early morning and nighttime service in the area—the fact that Scott City falls within, allegedly, our exception to the policy of assigning wide-coverage channels only to urban areas. A careful review indicates that petitioner is correct and that wide-coverage Channel 233 can be assigned to Scott City without violating our rules if Channel 232A is deleted from that community. In respect to the need for service, Scott City, with a population of 3,555, is located in Scott County with its population of 5,228. It has only one FM channel assigned to it, Channel 232A (petitioner is licensee), and one AM station, a daytime-only operation. Engineering statements submitted by petitioner, indicate that a wide-coverage channel will serve, both during day and night, a substantial portion of west central Kansas presently not receiving radio service local in nature. Although Scott City is a small community, it is substantial in view of the density of population in its county and area, and therefore (being the county seat and largest community in its county), it does serve as a center for the area to be served by the proposed wide-coverage channel. This community is the type which we consider merits an exception to our general policy of assigning wide-coverage channels only to urban areas. There is no question as to its isolation. Wichita is approximately 200 miles distant, Hutchinson is approximately 150 miles distant while the next nearest communities with populations in excess of 10,000 persons are Hays (population 11,947), 88 miles distant, Dodge City (population 13,520) 69 miles distant and Garden City (population 11,811) 35 miles distant.

14. These facts, as well as the lack of demand or possible use of wide-coverage Channel 233 in an urban area, bring us to the decision that it is in the public interest to delete Channel 232A from Scott City and replace it with Channel 233.

15. *RM-767, Fairmont, W. Va.* With the purpose of providing Fairmont with a wide-coverage channel, Broadcast Enterprises, Inc., requested a series of FM reassignments as set forth in our notice. We excluded for consideration several of the reassignments proposed in that they were not directly pertinent to petitioner's aim. However, we did propose the following pertinent changes:

City	Channel No.	
	Present	Proposed
Fairmont, W. Va. ....	261A, 276A	250, 276A
Clarksburg, W. Va. ....	234A, 249A, 293	234A, 285A, 293

16. Fairmont, the largest city and county seat of Marion County (population 63,717), has a population of 27,477. As indicated above, at the present time Channels 261A and 276A are assigned to Fairmont. Neither is licensed or applied for. The two unlimited-time AM stations located in the community are WMMN and WTCS. Petitioner's main contention is that since Fairmont is equal in approximate size and importance to Clarksburg (18 miles distant, population 28,112) and Morgantown (population 22,487, 15 miles distant), it too is worthy of a wide-coverage channel assignment. Clarksburg has two limited and one wide-coverage assignment while Morgantown has one wide-coverage and one limited-coverage assignment. We have noted the size of the three communities and their close proximity, and are of the view that there is some substance to the claim that a limited-coverage operation at Fairmont would be at a disadvantage in competing with nearby wide-coverage operations in Morgantown and Clarksburg in respect to the ability to attract regional and national advertisers. The substantial size of Fairmont and its importance as a county seat as well as the rugged terrain in the area, are additional factors which indicate the assignment of a wide-coverage channel to the community. The proposed reassignments meet our minimum mileage separation requirements.<sup>44</sup> No objections have been filed to the proposal.

17. The public interest will best be served, we think, by deleting Channel 261A from Fairmont and replacing it with Channel 250 while deleting Channel 249A and replacing it with Channel 285A in Clarksburg.<sup>45</sup>

18. *RM-768, Galesburg, Ill.* Petitioner, Galesburg Broadcasting Corp., stated in its petition filed with the Commission on April 20, 1965, " \* \* \* Class B and C FM stations are designed to render service to a sizable community, city or town, or to the principal city or cities of an urbanized area, and to the surrounding area," and that Galesburg, in its view, under this principle should have assigned

<sup>44</sup> A site for Channel 250 will have to be selected about 4 miles out of town.

<sup>45</sup> For the reasons stated in the text, we believe the mixture of a Class A and B assignment in this community is warranted.

to it wide-coverage Channel 235. Our Notice responded by proposing this channel's assignment to the community.

19. The status of broadcast service in Galesburg is as follows: One daytime-only AM station WAIK; one unlimited-time AM station WGIL, a Class IV operation; and one educational FM station licensed and operating on Channel 213. There is also one unapplied for FM channel (272A). With 37,243 persons residing in Galesburg, it is the largest city in Knox County (population 61,280). As the county seat and largest community in this county, it has a significance to a relatively large area surrounding it in its political, business and social functions. Petitioner is of the view that Galesburg is the size community which deserves and needs a wide-coverage and additional local early morning and nighttime service. On the whole, we concur with petitioner that the factors in favor of the assignment, in this instance, more than counterbalance the undesirability of mixing wide and limited-coverage assignments.

20. Therefore, we hereby assign Channel 235 to Galesburg in order that the public interest might best be served.

21. *RM-770, Prestonsburg, Ky.* Stephens Industries, Inc., licensee of Station WPRT (AM), in a petition received April 21, 1965, requested the substitution of wide-coverage Channel 255 for limited-coverage Channel 288A in Prestonsburg. Our notice responded by setting out the facts and proposal.

22. In this proceeding, July 20, 1965, was set as the date by which all comments were to be filed. We subsequently extended the time for filing reply comments from July 30, 1965 to August 16, 1965, on RM-770 only. A number of pleadings were filed late; however, since we believe the reasons given for the late filings do have merit, we have considered them all in this proceeding.

23. The petition and Comments in this Rule Making indicate that there are three communities in the area to which Channel 255 can be assigned which are desirous of having that channel assigned—Prestonsburg, Paintsville, and Jackson, all in the State of Kentucky. These three communities are well isolated from any urban areas, are county seats and the largest communities in their respective counties.

24. Prestonsburg, a community of 3,133 persons is located in Floyd County (population 41,462). FM Channels 238 (licensed to Gordon Collins as WDOC-FM), and 288A (unlicensed and unapplied for) are assigned to Prestonsburg. WDOC-AM (also licensed to Gordon Collins) broadcasts in Prestonsburg on 1310 kc, 5 kw, daytime-only, while WPRT-AM (licensed to Stephens Industries, Inc.), broadcasts in the community on 960 kc, 5 kw, daytime-only. Stephens' Industries, Inc., position is that the Commission should provide it with an opportunity to apply for a wide-coverage FM channel, 255, in order to permit it to establish an FM service which would be completely competitive with the FM operation of WDOC, AM

and FM—the rationale for our policy of attempting to avoid the inter-mixture of wide and limited coverage FM assignments. We concede that competitive equality is an important factor in assigning FM stations. It is our view, however, that a community the size of Prestonsburg does not warrant a second wide-coverage assignment,<sup>5</sup> particularly, in light of the needs of other communities described below.

25. Two counter-proposals have been filed in this rule making. Big Sandy Broadcasting Co., Inc., proposes the replacement of its Channel 261A in Paintsville with Channel 255, while Jerry F. Howell of Jackson, proposes the assignment of Channel 255 to Jackson. Johnson County (population 19,748) has as its county seat Paintsville, a community in which 4,025 persons reside. Big Sandy Broadcasting Co., Inc., broadcasts on the only FM channel assigned there, 261A, and on the community's only AM station, WSIP, an unlimited-time operation. Its contention is that Paintsville needs a wide-coverage channel in order to obtain adequate coverage for their service area. Jackson, a community of 1,852 persons, is the county seat of Breathitt County (population 15,490). There is no FM channel assigned to the community nor is there an AM station. The basic arguments forwarded for an assignment of Channel 255 there are, that a limited-coverage channel broadcasting from Jackson could not survive because its coverage would not be sufficiently broad, in this sparsely populated area, to attract advertisers, that there is no broadcast service of any kind presently assigned to this county seat, and that a wide-coverage assignment at Jackson would not merely duplicate the service of wide-coverage Channel 238 presently located in Prestonsburg, but would, instead, serve a new area as Jackson is approximately 35 miles southwest of Prestonsburg. Channel 261A was assigned to Paintsville to replace the channel presently in contention, 255, in our report and order, FCC 64-616, adopted July 1, 1964, released July 7, 1964, Docket Number 15424, RM-569, at the request of Big Sandy Broadcasting Co., Inc., because it made a good showing to the effect that a limited-coverage channel was more appropriate for Paintsville than a wide-coverage assignment. We do not feel that Big Sandy's change of mind and current desire to have a wide-coverage FM channel are sufficient grounds to overturn the action we took at its request on July 1, 1964, particularly in view of the limited time (6 months) that Channel 261A has been in operation. The arguments given as a basis for assigning Channel 255 to Jackson are the most convincing. In order for a station to survive in Jackson (this centrally located community is the largest in its sparsely populated county), it does appear that it may need wide-coverage

<sup>5</sup> An additional wide-coverage assignment to Prestonsburg would not bring service to any area not presently receiving service from Channel 238.

facilities so as to reach a sufficient number of residents to attract advertisers. Furthermore, there is no question that this community does deserve, as a county seat and the largest city in its county, at least one aural facility to meet its entertainment, news, and cultural needs. Jerry F. Howell has stated that he would promptly apply for Channel 255 on its assignment to Jackson.

26. We have decided, in view of the number and nature of existing and potential aural services in Prestonsburg, Paintsville, and Jackson, as well as the other factors discussed above in respect to each of the communities, that it is in the public interest to assign Channel 255 to Jackson. Because of our separation requirements, the transmitter for this channel will have to be located some distance from the center of Jackson.

27. RM-777, Austin, Tex. On May 6, 1965, we received a petition from KVET Broadcasting Co., Inc. which sought "a practical" FM assignment for Austin. Our notice proposed to replace Austin's Channel 234 (an allegedly impractical present assignment) with Channel 264 by deleting Channel 265A in Georgetown, Tex., and replacing it with Channel 280A.

28. The petition and this rule making in no way indicates a desire to vary the number or nature of FM assignments to Austin. They do indicate a realization of the need to examine the necessity for replacing presently assigned Channel 234. Petitioner states in respect to Austin's Channel 234 " \* \* \* Because of requirements for spacing from Channel 234 in San Angelo, Channel 233 in Houston, and Channel 235 in Cleburne, it would be necessary to locate a Channel 234 station in Austin in a narrow, wedge-shaped area south-southwest of the city. The nearest point of the wedge is more than 20 miles from the farthest city limit. Under the circumstances, a station which would place the required minimum signal over the city of Austin would require an uneconomic tower height and/or transmitter power." In addition, petitioner makes a showing that its good faith effort to obtain a suitable transmitter site has failed. In light of the distance Austin's Channel 234 must be located from the city, and technical and economic problems the distance presents, as well as the availability of Channel 264 for assignment to Austin, we are convinced of the prudence of the proposal set out in our notice. The substitution of Channel 280A for Channel 265A in Georgetown required by an assignment of Channel 264 to Austin, presents no problem in that presently assigned Channel 265A is unapplied for. Both the assignments of Channels 264 and 280A meet our minimum mileage separation requirements. Georgetown Broadcasting Co., licensee of Station KGTV (AM), Georgetown and a prospective applicant for an FM station in that community opposes the substitution of Channel 280A for 265A. KGTV states that this assignment is objectionable since Channel 285A is assigned and in operation in Temple, Tex., about 30 miles

distant. No data is given by KTGN to warrant the opposition. Under our rules stations five channels removed (or even four channels removed) may be assigned in the same community. We therefore find no merit to the opposition by KTGN.

29. We are persuaded, as a result of the above, that it is in the public interest to replace Channel 234 with Channel 264 in Austin and Channel 265A with Channel 280A in Georgetown.

30. RM-769, Bellevue, Ohio. We invited Comments on the possible assignment of Class A Channel 221A to Bellevue as requested by the Gazette Publishing Company, with the stated intention of applying for its use, in its petition received by the Commission on April 21, 1965. One supporting comment was filed.

31. At the present time there is no local AM, FM or TV service in Bellevue, a community of 8,286 persons located, roughly, half in Huron County (population 47,326) and half in Sandusky County (population 56,486). It is stated that Bellevue's trade area includes approximately 20,000 people. There are 98 retail stores in the city with total annual sales approximating \$16,000,000, and an annual payroll of about \$2,000,000.

32. In view of the availability of Channel 221A for assignment to the community, and petitioner's statement as to the supporting economic structure in the community, a first aural service for Bellevue appears warranted and, we find, in the public interest.

33. RM-771, Petersburg, Va. An assignment of FM Channel 237A to Petersburg was proposed in our notice as a result of the petition of Smiles of Virginia, Inc., filed on June 22, 1965.

34. Petersburg, an independent incorporated city containing 36,750 persons, presently has 2 AM stations—WSSV, an unlimited-time Class IV operation is licensed to Petersburg Broadcasting Co., and WPVA, a daytime-only station, is licensed to petitioner, Smiles of Virginia, Inc. Both interests have filed applications (which have been designated for hearing) for the one FM channel presently assigned to the community (257A). It is petitioner's contention, and our belief, that there is ample precedent for two Class A FM assignments in a city with a population of over 36,000 persons. This, particularly in light of petitioner's statement to the effect that the three surrounding counties, Chesterfield, Dinwiddie, and Prince George, have no FM assignments at this time. Furthermore, the establishment of two FM services would substantially improve the early morning and nighttime service in the area. Such an improvement can be expected in the relatively near future if petitioner's request is granted as it is petitioner's stated intention to amend its competing application for Channel 257A to specify Channel 237A, thereby avoiding the necessity of a lengthy and costly comparative hearing. Channel 237A can be assigned to Petersburg in full compliance with our minimum mileage separation requirements if its transmitter is located approximately 4 miles distant from the commu-



nity. No objections to the proposed assignment were filed.

35. We find, therefore, that it is in the public interest to assign Channel 237A to Petersburg.

36. *Dalhart, Tex.; Fergus Falls, Minn.; Las Cruces, N. Mex.; Pittsfield, Ill.; and Wichita, Kans.* On our own motion, in this proceeding, we proposed to make the following substitutions for existing short-spaced assignments:

City	Short-spaced assignment	Proposed substituted assignment
Dalhart, Tex.	232A	240A
Fergus Falls, Minn.	226	277
Las Cruces, N. Mex.	237A	280A
Pittsfield, Ill.	228A	249A
Wichita, Kans.	262	

\* Applications have been tendered for the following: Channel 232A in Dalhart by Dalhart Broadcasters; Channel 237A in Las Cruces by Chaparral Broadcasting Services, Inc.; and Channel 228A in Pittsfield by Pike Broadcasting Co., Inc. None have been accepted by the Commission due to the short-spacing problems confronting the channels applied for.

37. In view of the violations of our minimum mileage separation requirements, the fact that substitute channels equivalent to those proposed to be deleted are available for assignment, that no objections to our substitutions have been filed, and that the substitutions will permit interested parties to proceed with their plans for FM stations in these communities, we believe that it is in the public interest to adopt the above-outlined substitutions. Channel 262 was previously authorized to Station KFH-FM at Wichita, Kans., at a very short spacing to co-channel Station KTOP-FM at Topeka (about 130 miles as against the required 180 miles). KFH-FM is now operating on Channel 250 (grant BLH-2963). With Channel 262 deleted, Wichita would still have five Class C FM assignments as well as six AM stations. Hence, we are of the view that it is in the public interest to delete Channel 262.

38. Authority for the amendment adopted herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

39. In accordance with the determinations made above: *It is ordered*, That effective December 6, 1965, § 73.202 of the Commission's rules, the Table of Assignments, is amended to read, with respect to the communities listed below, as follows:

City	Channel No.
Florida:	
Clearwater	239, 250
New Port Richey	288A
Illinois:	
Galesburg	235, 272A
Pittsfield	249A
Kansas:	
Scott City	233
Wichita	250, 267, 275, 279, 297
Kentucky:	
Jackson	255
Murray	279
Minnesota: Fergus Falls	243, 277
New Mexico: Las Cruces	280A
Ohio: Bellevue	221A
Texas:	
Austin	229, 238, 252A, 264
Dalhart	240A
Georgetown	280A

Virginia: Petersburg	237A, 257A
West Virginia:	
Clarksburg	224A, 285A, 293
Fairmont	250, 276A
Wisconsin:	
Portage	261A
Shawano	261A, 274

40. *It is further ordered*, That effective December 6, 1965, and pursuant to section 316(a) of the Communications Act of 1934, as amended, the outstanding Construction Permit (BPH-4400) of Shawano County Leader Publishing Co. for operation on FM Channel 262 in Shawano, Wis., is modified to specify operation on Channel 261A or 274, the channels assigned to Shawano as of the date herein specified; this in lieu of operation on Channel 262 and subject to the following conditions:

(a) The permittee shall inform the Commission by November 22, 1965, of its choice of Channel 261A or 274 for its Shawano operation.

(b) The permittee shall submit to the Commission by November 22, 1965, the technical information normally required for the issuance of a construction permit for operation on Channel 261A or Channel 274, including any changes in antenna and transmission line.

41. *It is further ordered*, That effective December 6, 1965, and pursuant to section 316(a) of the Communications Act of 1934, as amended, the outstanding license of George Basil Anderson and Florence L. Anderson, doing business as The Broadcasters of Scott City, for station KFLA-FM, Scott City, Kans., is modified to specify operation on Channel 233 in lieu of 232A, subject to the following conditions:

(a) The licensee shall inform the Commission by November 22, 1965, of its acceptance of this modification.

(b) The licensee shall submit to the Commission by November 22, 1965, the technical information normally required for the issuance of a construction permit for operation on Channel 233, including any changes in antenna and transmission line.

(c) The licensee may continue to operate on Channel 232A until upon its request, the Commission authorizes interim operation on Channel 233, following which the licensee shall submit (within 30 days) the measurement data normally required of an applicant for an FM broadcast station license.

42. *It is further ordered*, That all petitions, comments, reply comments, pleadings, briefs, and other instruments filed in this proceeding are adopted or denied in whole or part as is consistent with the actions we take herein.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: October 27, 1965.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11876; Filed, Nov. 3, 1965; 8:49 a.m.]

\* Commissioners Hyde and Bartley absent.

## Title 50—WILDLIFE AND FISHERIES

### Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

#### PART 32—HUNTING

##### Bosque del Apache National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

#### NEW MEXICO

##### BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

The public hunting of geese on the Bosque del Apache National Wildlife Refuge, N. Mex., is permitted from December 4, 1965, through January 9, 1966, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 4,700 acres in Unit A and 1,300 acres in Unit B, is delineated on maps available at refuge headquarters, San Antonio, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 9, 1966.

H. O. CROWLEY,  
Acting Regional Director,  
Albuquerque, N. Mex.

OCTOBER 28, 1965.

[F.R. Doc. 65-11846; Filed, Nov. 3, 1965; 8:46 a.m.]

#### PART 33—SPORT FISHING

##### Mattamuskeet National Wildlife Refuge, N.C.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

#### NORTH CAROLINA

##### MATTAMUSKEET NATIONAL WILDLIFE REFUGE

Sport fishing on the Mattamuskeet National Wildlife Refuge, New Holland, N.C., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 40,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Sport fishing shall be in accordance with all applicable State

## RULES AND REGULATIONS

regulations subject to the following special conditions:

(1) The sport fishing season on the refuge extends from January 15, 1966, through the day before the opening of the waterfowl hunting season.

(2) Certain areas will be posted as closed to motor boats to prevent disturbance in prime spawning zones.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

W. L. TOWNS,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

OCTOBER 28, 1965.

[P.R. Doc. 65-11847; Filed, Nov. 3, 1965;  
8:46 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Fiscal Service

[ 31 CFR Part 209 ]

### DRAWING OF CHECKS IN FAVOR OF FINANCIAL ORGANIZATIONS FOR THE CREDIT OF PERSONS' ACCOUNTS

#### Notice of Proposed Rule Making

Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) that the Secretary of the Treasury is considering the adoption of regulations, pursuant to section 3620 of the Revised Statutes (31 U.S.C. 492), as amended by Public Law 89-145 (79 Stat. 582), to govern the drawing of checks in favor of financial organizations for the credit of persons' accounts. The regulations under consideration apply to checks in payment of (1) salaries or wages, and (2) other classes of recurring payments with specific approval of the Fiscal Assistant Secretary of the Treasury.

The regulations proposed for adoption would constitute a new part, designated Part 209, of Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations, and would read as follows:

#### PART 209—DRAWING OF CHECKS IN FAVOR OF FINANCIAL ORGANIZATIONS FOR THE CREDIT OF PERSONS' ACCOUNTS

Sec.	
209.1	Authority.
209.2	Definitions.
209.3	Individual checks.
209.4	Composite checks.
209.5	Depositor account numbers.
209.6	Assignments prohibited.
209.7	Financial organization as agent.
209.8	Acquittance to United States.
209.9	Financial organization not Government depository.
209.10	Procedural instructions.

**Authority:** The provisions of this Part 209 issued under R.S. 3620, as amended by Pub. L. 89-145; 31 U.S.C. 492, unless otherwise noted.

**Source:** §§ 209.1 to 209.10 contained in Treasury Department Circular No. \_\_\_\_\_, F.R. \_\_\_\_\_, 1965, unless otherwise noted.

#### § 209.1 Authority.

This part is issued pursuant to section 3620 of the Revised Statutes (31 U.S.C. 492), as amended by Public Law 89-145 (79 Stat. 582).<sup>1</sup> Public Law 89-145 further amended section 3620 of the Revised Statutes to permit the heads of

<sup>1</sup> Public Law 89-145 provides: "That section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), is amended—

"(1) By inserting the designation '(a)' before the word 'It' at the beginning thereof; and

agencies to authorize disbursing officers to make certain payments by checks drawn in favor of financial organizations under certain conditions.

#### § 209.2 Definitions.

As used in this part:

(a) "Agency" means any department, agency, independent establishment, board, office, commission or other establishment in the executive, legislative or judicial branch of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia;

(b) "Financial organization" means any bank, savings bank, savings and loan association or similar institution, or Federal or State-chartered credit union.

#### § 209.3 Individual checks.

(a) The head of an agency may authorize the appropriate disbursing officer to pay a person by sending to the financial organization designated by that person a check that is drawn in favor of that organization and for credit to the account of that person.

(b) The procedure set out in paragraph (a) of this section may be adopted only:

(1) If the person to whom payment is to be made provides the agency with a written request, on a standardized Government form established by the Treasury for the purpose, which designates the financial organization and such fi-

"(2) By adding the following new subsections at the end thereof:

"(b) Notwithstanding subsection (a) or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency may, upon the written request of a person to whom a payment is to be made, authorize a disbursing officer to make the payment—

"(1) By sending to the financial organization designated by that person a check that is drawn in favor of that organization and for credit to the account of that person; or

"(2) If more than one person to whom a payment is to be made designates the same financial organization, by sending to the organization a check that is drawn in favor of the organization for the total amount due those persons and by specifying the amount to be credited to the account of each of those persons.

In this subsection, "agency" means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative, or judicial branch, of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; "financial organization" means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"(c) Payment by the United States of a check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the person requesting payment."

financial organization, by endorsement thereon, states its willingness to act in this respect as agent of such person;

(2) For credit to an account established by the person to whom payment is to be made, the title of which contains the name of that person exactly as carried in the official records of the agency;

(3) If the head of the agency makes a determination that economy will result and that no interest of the Government or of the person to whom payment is to be made will be impaired;

(4) For payments of salaries or wages and, with the specific approval of the Fiscal Assistant Secretary of the Treasury, for other classes of recurring payments; and

(5) In the case of an agency under the Treasury disbursing system, after such consultation with the Bureau of Accounts as is necessary to coordinate the agency's operations with disbursing office requirements.

#### § 209.4 Composite checks.

(a) Whenever, under the procedure set out in § 209.3(b), payments may be made by an agency on the same regularly recurring dates to two or more persons who designate the same financial organization, the head of the agency may, with the approval specified in paragraph (b) of this section or upon the determination specified in paragraph (c) of this section, as the case may be, authorize the appropriate disbursing officer to draw a single check for the total amount in favor of that organization for credit to the accounts of the several persons.

(b) An agency under the Treasury disbursing system desiring to use the procedure set out in paragraph (a) of this section may, after consultation with the Bureau of Accounts regarding its requirements, submit through that Bureau a request for approval by the Fiscal Assistant Secretary of the Treasury. The request shall be accompanied by findings as to the effect of the procedure on the agency's costs. The approval of the Fiscal Assistant Secretary will be contingent on his determining that economy will result, considering the effect of the procedure on Government-wide costs.

(c) An agency which does its own disbursing may use the procedure set out in paragraph (a) of this section if the head of the agency makes a determination that, in accordance with standards prescribed in regulations of the agency concurred in by the Fiscal Assistant Secretary of the Treasury, economy will result. Agency regulations shall provide for taking Government-wide costs into account for each application of the procedure, including costs of the agency's internal operations and other Government costs determined by the Treasury.

(d) An agency which uses the procedure set out in paragraph (a) of this section shall prepare and supply to the

## PROPOSED RULE MAKING

disbursing office for forwarding to each financial organization with each check a record which, as a minimum, identifies the agency, the financial organization, the name and amount for each account to be credited, and the date and aggregate amount of the check to be drawn.

#### § 209.5 Depositor account numbers.

At the request of a financial organization to which checks are sent under the procedures set out in § 209.3 or § 209.4, an agency may use depositor account numbers supplied by the financial organization as additional identification on the checks or on the records accompanying them. The United States shall not assume responsibility for the correctness of such account numbers and the name of the person to whom payment is to be made will govern the crediting of the account.

#### § 209.6 Assignments prohibited.

The procedures set out in §§ 209.3 and 209.4 may not be used for allotting a part of a payment or for effectuating an assignment of a payment.

#### § 209.7 Financial organization as agent.

A financial organization which receives checks under the procedures set out in § 209.3 or § 209.4 does so in each case as the agent of the person who has designated the financial organization to receive the check and credit his account. The death of that person revokes the authority of the financial organization to credit the amount to the account of that person. In the case of a check covering a payment to one person, the proceeds of which cannot be credited to the account because of death or any other reason, the financial organization shall promptly return the check to the issuing disbursing officer or remit its own check in an equal amount, with a statement in either case identifying the reason therefor and the person. In the case of a check covering payment to more than one person, a portion of which cannot be credited to an account because of death or for any other reason, the financial organization shall promptly remit to the agency responsible for making payment a check in an amount equal to that portion which could not be properly credited to the account, with a statement identifying the person and the reason for refund.

#### § 209.8 Acquittance to the United States.

Payment by the Treasurer of the United States of a check drawn in favor of and properly endorsed by the financial organization designated by a person to whom payment is to be made shall, if the check or the accompanying document properly specifies that person's name, constitute a full acquittance to the United States for the amount due the person.

#### § 209.9 Financial organization not Government depository.

A financial organization to which a check is drawn under the procedure set out in § 209.3 or § 209.4 does not thereby

become a Government depository and shall not advertise itself as one because of that fact.

#### § 209.10 Procedural instructions.

Procedural instructions for the guidance of agencies in the implementation of this part, as needed, will be issued by the Commissioner of Accounts.

Prior to the adoption of the proposed regulations, set forth above, and the promulgation of the proposed form set forth below, consideration will be given

to any relative data, views or arguments which are submitted in writing to the Commissioner of Accounts, Treasury Department, Washington, D.C., 20226, and received not later than thirty days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held to consider this matter.

Dated: October 29, 1965.

[SEAL]

JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

REQUEST BY EMPLOYEE FOR PAYMENT OF SALARIES OR WAGES BY CREDIT TO ACCOUNT AT A FINANCIAL ORGANIZATION (TO BE SUBMITTED BY EMPLOYEE TO EMPLOYING AGENCY)

(To be completed by employee)	
(Name of employee (as carried on official records of agency))	(Social security number (or other employee number used by agency))
(Home address)	
(Agency include also bureau, division, branch or other designation of employing organization)	
To:	
You are hereby authorized and requested to pay the net amount of salaries or wages due me by credit to my account with the financial organization designated below, beginning with pay for the next full pay period and continuing until canceled by me in writing.	
(Name of financial organization)	(My account number at the financial organization)
(Street address)	
(City)	(State) (ZIP code)
(Signature of employee)	(Date submitted to agency)
(To be completed by financial organization (for return to employee))	
We, the above-designated financial organization, hereby agree to act as agent of the above-named person in the capacity indicated. If possible, our account number shown above for the person named herein, should be included as additional identification, for our convenience, on individual checks forwarded for credit to his account or on records accompanying composite checks for credit to his and other persons' accounts.	
(Authorized signature)	(Title)

This tentative form is made available with these proposed regulations for general information purposes at this time. When made final, it will be promulgated, apart from the regulations, for use by Government agencies and their employees.

[F.R. Doc. 65-11863; Filed, Nov. 3, 1965; 8:48 a.m.]

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[ 8 CFR Parts 103, 204, 205, 206, 211, 212, 212a, 221, 235, 242, 243, 245, 249, 299 ]

#### IMMIGRATION REGULATIONS

#### Notice of Proposed Rule Making

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003), notice is hereby given of the proposed issuance of the following rules implementing the Act of October 3, 1965 (79 Stat. 911). In accordance with subsection (b) of said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 757, 119 D Street NE., Washington, D.C., 20536, written data, views, or arguments relative to these pro-

posed rules. Such representations may not be presented orally in any manner. All relevant material received within 15 days following the day of publication of this notice will be considered.

In addition to the proposed rules set out below, it has been determined that with respect to aliens who on December 1, 1965, are the beneficiaries of valid visa petitions approved prior to that date for first-preference classification, such classification is converted under the Immigration and Nationality Act, as amended by the Act of October 3, 1965, as follows: (1) The first-preference classification accorded to members of the professions and to persons having exceptional ability in the sciences or the arts is converted to third-preference classification; (2) the first-preference classification accorded to all other aliens is converted to sixth-preference classification. In addition, if the approval of any of the foregoing petitions is automatically revoked on or before December 1, 1966, by

the passage of time, such petition is revaluated as of the date of the original approval to December 1, 1966, provided there has been no disqualifying change in the eligibility of a member of the professions or a person having exceptional ability in the sciences or arts, and in the case of other aliens, that there has been no disqualifying change in the circumstances on the basis of which the petition was initially approved. No further certification from the Secretary of Labor is needed since the Department of Labor has notified the Immigration and Naturalization Service that individual clearance orders, and blanket clearance orders for specified occupations, previously issued in these cases are still valid as certifications which are required by section 212(a) (14) of the Immigration and Nationality Act, as amended by the Act of October 3, 1965.

It has also been determined that, with respect to aliens who on December 1, 1965, are the beneficiaries of valid visa petitions approved prior to that date, the classification accorded to the beneficiaries on the basis of relationship to a United States citizen or a lawful permanent resident alien is converted effective December 1, 1965, to the appropriate classification under the Immigration and Nationality Act, as amended by the Act of October 3, 1965, as follows: (1) The nonquota classification accorded to spouses and children of United States citizens and the second-preference classification accorded to parents of United States citizens is converted to the classification of immediate relative under section 201(b) of the Act, as amended; (2) the second-preference classification accorded to unmarried sons and unmarried daughters of United States citizens is converted to first-preference classification under section 203(a) (1) of the Act, as amended; (3) the third-preference classification accorded to spouses and unmarried sons and unmarried daughters of aliens lawfully admitted for permanent residence is converted to second-preference classification under section 203(a) (2) of the Act, as amended; (4) the fourth-preference classification accorded to the married sons and married daughters of United States citizens is converted to fourth-preference classification under section 203(a) (4) of the Act, as amended; (5) the fourth-preference classification accorded to brothers and sisters of United States citizens is converted to fifth-preference classification under section 203(a) (5) of the Act, as amended. In addition, if such converted petition is automatically revoked between December 1, 1965, and December 1, 1968, because of the passage of time, it is revaluated as of the date of initial approval to December 1, 1968, provided there has been no change in the circumstances on which the initial approval was based; furthermore, if the approval of a visa petition based on relationship to a United States citizen or lawful permanent resident alien has been or will be automatically revoked prior to

December 1, 1965, because of the passage of time, such petition is revaluated as of the date of initial approval to December 1, 1968, provided there has been no change in the circumstances on which the initial approval was based and the classification of the beneficiary is converted as set forth herein.

**PART 103—POWERS AND DUTIES OF SERVICE OFFICERS**

1. Subparagraphs (1) through (7) of paragraph (e) of § 103.1 *Delegations of authority* are amended to read as follows:

§ 103.1 *Delegations of authority.*

(e) *Regional commissioners.* The activities of the Service within their respective regional areas, including the following appellate jurisdiction specified in this chapter:

(1) Decisions on third-preference petitions, as provided in § 204.1(c) of this chapter;

(2) Decisions on sixth-preference petitions, as provided in § 204.1(d) of this chapter;

(3) Decisions on orphan petitions, as provided in § 204.1(b) of this chapter;

(4) Decisions on requests for revalidation of certain petitions, as provided in § 205.1(c) of this chapter;

(5) Decisions revoking approval of certain petitions, as provided in § 205.3 of this chapter;

(6) Decisions on applications for permission to reapply for admission to the United States after deportation or removal, as provided in § 212.2 of this chapter;

(7) Decisions on applications for waiver of certain grounds of excludability, as provided in § 212.7(a) of this chapter;

§ 103.2 [Amended]

2. The fourth sentence of paragraph (a) *General of § 103.2 Applications, petitions, and other documents* is amended to read as follows: "Applications or petitions received in any Service office shall be stamped to show the time and date of their actual receipt and, unless otherwise specified in Part 204 of this chapter or returned because they are improperly executed, shall be regarded as filed when so stamped."

§ 103.7 [Amended]

3. The following item in paragraph (c) *Additional fees of § 103.7 Records and fees* is revoked:

For filing application for waiver of grounds of exclusion contained in section 212(a) (14) of the Act..... \$10.00

4. The last item in paragraph (c) *Additional fees of § 103.7 Records and fees* is amended to read as follows:

For filing application for waiver of grounds of excludability under section 212 (h) or (i) of the Act (only a single application and fee shall be required when the alien is applying simultaneously for a waiver under both those sections)..... \$25.00

**PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF UNITED STATES CITIZEN, OR AS PREFERENCE IMMIGRANT**

The headnote to Part 204 is amended as set forth above and that part is amended to read as follows:

§ 204.1 *Petition.*

(a) *Relative.* A petition to accord preference classification under section 203(a) of the Act or classification as an immediate relative under section 201(b) of the Act, other than a child as defined in section 101(b) (1) (F) of the Act, shall be filed on a separate Form I-130 for each beneficiary and shall be accompanied by a fee of \$10. The petition shall be filed in the office of the Service having jurisdiction over the place where the petitioner is residing in the United States. When the petitioner resides outside of the United States, the petition shall be filed with the foreign office of the Service designated to act on the petition which can be ascertained by consulting the nearest American consul. The following American consular officers are also authorized to approve any petition on Form I-130 when the petitioner and the beneficiary are physically present in the area over which the consular officers have jurisdiction: American consular officers assigned to visa-issuing posts in South America (except Venezuela), areas of Asia lying to the east of the western borders of Afghanistan and Pakistan (but not including Hong Kong and adjacent islands, Taiwan, Japan, Okinawa, Korea, and the Philippines), Australia, New Zealand, and Africa (excluding posts in the United Arab Republic, the Mediterranean islands, and Portuguese island possessions); while such consular officers are authorized to approve such petitions, they shall refer any petition which is not clearly approvable to the appropriate Service office outside the United States for decision. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal to the Board within 15 days after mailing of the notification of the decision in accordance with the provisions of Part 3 of this chapter. Without the approval of a separate petition in his behalf, an alien spouse or a child as defined in section 101(b) (1) (A), (B), (C), (D), or (E) of the Act, may be accorded the same classification as his spouse or parent whom he is accompanying or following to join, if the immediate issuance of a visa or conditional entry is not otherwise available under the provisions of section 203 (a) (1) through (8) of the Act.

(b) *Orphan.* A petition in behalf of a child defined in section 101(b) (1) (F) of the Act shall be filed by the United States citizen spouse in the office of the Service having jurisdiction over the place where the petitioner is residing on Form I-600, shall identify the child, and shall be accompanied by a fee of \$10. When

the petitioner resides outside of the United States, the petition shall be filed with the foreign office of the Service designated to act on the petition which can be ascertained by consulting the nearest American consul. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of the right to appeal in accordance with the provisions of Part 103 of this chapter. If the petitioner or spouse intends to proceed abroad to locate an orphan for adoption, a request in writing may be submitted to the district director in whose jurisdiction the petitioner resides to initiate preliminary processing prior to filing a petition.

(c) *Member of the professions or an alien of exceptional ability in the sciences or arts.* A petition to classify the status of an alien under section 203(a)(3) of the Act shall be filed on Form I-140 by such alien or by any person on his behalf. A separate Form I-140 must be submitted for each beneficiary, executed under oath or affirmation, accompanied by a fee of \$10, and by any required certification of the Secretary of Labor specified in § 204.2(f) before it may be accepted by the Service and considered properly filed. The petition shall be filed in the office of the Service having jurisdiction over the place in the United States where the alien intends to reside. An alien abroad who desires to submit a petition in his own behalf must execute the oath or affirmation on the petition before a Service or consular officer abroad. That officer will furnish the address of the Service office in the United States to which the alien should send the petition. The beneficiary and the petitioner may be required, as a matter of discretion, to appear in person before an immigration or consular officer prior to the adjudication of the petition and be interrogated under oath concerning the allegations in the petition. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter.

(d) *Aliens who will perform skilled or unskilled labor.* A person, firm, or organization desiring and intending to employ within the United States an alien entitled to classification as a preference immigrant under section 203(a)(6) of the Act shall file a petition on Form I-140. A separate form must be submitted for each beneficiary, executed under oath or affirmation, accompanied by a fee of \$10, and by any required certification of the Secretary of Labor specified in § 204.2(g) before it may be accepted by the Service and considered properly filed. The petition shall be filed in the office of the Service having jurisdiction over the place where the alien's services are to be performed. The beneficiary and the petitioner may be required, as a matter of discretion, to appear in person before an immigration or consular officer prior to the adjudication of the petition and be interrogated under oath concerning the allegations in the petition. The petitioner

shall be notified of the decision and, if the petition is denied, the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter.

#### § 204.2 Documents.

(a) *General.* When the beneficiary is in the United States, his passport and Form I-94, if one was issued to him, shall be submitted with the petition.

(b) *Evidence of United States citizenship—(1) Birth in the United States.* A petition filed under § 204.1 (a) or (b) by a United States citizen whose citizenship is based on birth in the United States must be accompanied by his birth certificate; or, if his birth certificate is unobtainable, a copy of his baptismal certificate under seal of the church, showing his place of birth and a date of baptism occurring within two months after birth; or if his birth or baptismal certificate cannot be obtained, affidavits of two United States citizens who have personal knowledge of his birth in the United States. A native-born citizen of the United States who files a petition while physically outside the United States may establish his birth by presenting his valid unexpired United States passport containing the date and place of his birth in the United States. A statement executed by a consular officer, certifying the petitioner to be a United States citizen and the bearer of a valid United States passport showing him to be a native-born citizen, may be accepted in lieu of the passport. When a native-born member of the armed forces of the United States serving outside the United States submits a petition without documentary proof of his birth in the United States, a statement from the appropriate authority of the armed forces to the effect that the personnel records of the armed forces show the petitioner was born in the United States on a certain date may be accepted as proof of his birth in the United States if the approving officer finds that to require documentary proof of the petitioner's birth in the United States would cause the petitioner unusual delay or hardship.

(2) *Birth outside the United States.* A petition filed under § 204.1 (a) or (b) by a United States citizen born abroad who became a citizen through the naturalization or citizenship of a parent or husband, and who has not been issued a certificate of citizenship in his or her own name, must be accompanied by evidence of the citizenship and marriage of such parent or husband, as well as the termination of any prior marriages. In addition, if the petitioner claims citizenship through a parent, he must submit his birth certificate and a separate statement showing the date, port, and means of all his arrivals and departures into and out of the United States. If the petitioner is a naturalized citizen of the United States whose naturalization occurred within 90 days immediately preceding the filing of the petition, or if it occurred prior to September 27, 1906, the naturalization certificate must accompany the petition.

(c) *Evidence of lawful admission for permanent residence.* The status of a petitioner who claims that he is a lawful permanent resident alien of the United States will be verified from official records of the Service. In the absence of such a record, the petitioner shall be required to establish that he is a lawful permanent resident alien by the submission of evidence such as his passport bearing a Service endorsement reflecting a lawful admission for permanent residence, his Form I-151 alien registration receipt card, or his immigrant identification card.

(d) *Evidence of family relationship between petitioner and beneficiary—(1) General.* A petition filed under § 204.1 (a) must be accompanied by evidence of family relationship.

(2) *Petition for a spouse.* If a petition is submitted on behalf of a wife or husband, it must be accompanied by a certificate of marriage to the beneficiary and proof of the legal termination of all previous marriages of both wife and husband.

(3) *Petition for child.* If a petition is submitted by a mother on behalf of a child, regardless of the child's age, the birth certificate of the child showing the name of the mother must accompany the petition. If a petition is submitted by a father or stepparent on behalf of a child, regardless of age, a certificate of marriage of the parents, proof of termination of their prior marriages, and the birth certificate of the child must accompany the petition.

(4) *Petition for a brother or sister.* If a petition is submitted on behalf of a brother or sister, the birth certificate of the petitioner and the birth certificate of the beneficiary, showing a common mother, must accompany the petition. If the petition is on behalf of a brother or sister having a common father and different mothers, the marriage certificate of the petitioner's parents, and the beneficiary's parents, and proof of the termination of the parents' prior marriages, if any, must accompany the petition.

(5) *Petition in behalf of a parent.* If a petition is submitted in behalf of a mother, the petitioner's birth certificate showing the name of the mother must accompany the petition. If a petition is submitted on behalf of a father or stepparent, the petitioner's birth certificate and the marriage certificate of his parent and stepparent must accompany the petition, as well as proof of the termination of their prior marriages, if any.

(6) *Married women.* If either the petitioner or the beneficiary is a married woman, her marriage certificate must accompany the petition. However, when the relationship between the petitioner and beneficiary is that of a mother and child, regardless of the child's age, the mother's marriage certificate need not be submitted if the mother's present married name appears on the birth certificate of the child.

(7) *Relationship by adoption.* If the petitioner and the beneficiary are related to each other by adoption, a certified copy of the adoption decree must accompany the petition.

(c) *Evidence required to accompany petition for orphan*—(1) *General*. A petition filed in behalf of an orphan under § 204.1(b) must be accompanied by evidence of the United States citizenship of the petitioning husband or wife as provided in paragraph (b) of this section; a certificate of marriage of the petitioner and spouse and proof of legal termination of their previous marriages, if any; proof of age of the orphan in the form of a birth certificate, or if such certificate is not available other evidence of his birth; evidence that the petitioner and spouse are able to care for the orphan properly, such as letters from employers, banks and accountants, financial statements, copies of income-tax returns; a certified copy of the adoption decree together with certified translation, if the orphan has been lawfully adopted abroad; evidence that the sole or surviving parent is incapable of providing for the orphan's care and has in writing irrevocably released the orphan for emigration and adoption if the orphan has only one parent; and fingerprint charts of the petitioning husband and spouse on Form FD-258.

(2) *Preadoption requirements*. If the orphan is to be adopted in the United States, the petitioner must submit evidence of compliance with the preadoption requirements, if any, of the state of the orphan's proposed residence, except any such requirements that cannot be complied with prior to the child's arrival in the United States.

(3) *Beneficiary adopted abroad without having been seen and observed*. An orphan who is adopted abroad without having been personally seen and observed by the petitioning husband and wife prior to or during the adoption proceedings shall be processed as a child coming to the United States for adoption. Before a petition in behalf of such a child is approved, the petitioner and spouse must submit a statement indicating their willingness and intent to readopt the child in the United States. Unless the Service has already ascertained from the appropriate state authority that readoption is permissible in that state, the petitioner shall be required to submit evidence in the form of a statement from the court having jurisdiction over adoption, the state department of welfare, or the attorney general of the state, indicating that readoption is permissible. As in the case of a petition for any other orphan coming to the United States for adoption, evidence of compliance with the preadoption requirements, if any, of the state of proposed residence must be submitted.

(f) *Evidence of professional status or of exceptional ability in the sciences or arts*. An alien shall not be considered to be a member of the professions within the meaning of section 203(a)(3) of the Act unless he has successfully completed a course of study equivalent, at a minimum, to a four-year course of study at a college or university in the United States, has been awarded a degree or diploma preparatory to entering the profession, and has been granted a license

or similar official permission to practice his profession if a license or similar official permission is required in the country where he has been found qualified to practice his profession. A petition to classify an alien as a member of the professions or as an alien of exceptional ability in the sciences or arts must be accompanied by documentary evidence of the alien's qualifications. A petition in behalf of a member of the professions, or in behalf of an alien with exceptional ability in the arts or sciences whose eligibility is based in whole or in part on high education, must be accompanied by a certified copy of the alien's school record. The record must show the period of attendance, major field of study, and the degrees or diplomas awarded. If a license or other official permission is required to practice a profession in the place where the alien has been found qualified to practice his profession, a copy of the license or other official permission to practice must also be submitted. If the alien's eligibility is based on exceptional ability in the sciences or the arts, documentary evidence thereof, such as affidavits by the alien's present or former employers or by recognized experts familiar with the alien's work, or published material, must be submitted by the petitioner. Each such affidavit must set forth the name and address of the affiant, state how he acquired his knowledge of the alien's qualifications, state the place where and the dates during which the alien acquired his exceptional ability, and must describe in detail the duties performed by the alien. When any material published by or about the alien is submitted, it must be accompanied by information as to date, place, and title of publication. Unless the Secretary of Labor has issued a blanket certification covering the alien's profession or occupation, the petition must be accompanied by a certification of the Secretary of Labor that there are not sufficient workers in the United States who are able, willing, qualified, and available at the place to which the alien is destined to perform like services, and that the alien's admission will not adversely affect the wages and working conditions of workers in the United States similarly employed. An alien who does not meet the foregoing qualifications for consideration as a member of the professions, but who has had a substantial amount of education, specialized experience or technical training, may be processed as an immigrant capable of performing specified skilled labor within the meaning of section 203(a)(6) of the Act.

(g) *Evidence required to accompany petition for skilled or unskilled laborer*. A petition to classify an alien as a skilled or unskilled laborer under section 203(a)(6) of the Act must be accompanied by documentary evidence that the alien is qualified to perform the services specified in the petition. If the alien's eligibility is based in whole or in part on high education or attendance at a technical or vocational school, a certified copy of his school record must be submitted by the petitioner. The record must show the period of attendance, major field of

study, and degrees or diplomas awarded. If the alien's eligibility is based on technical training, specialized experience, or exceptional ability, documentary evidence thereof, such as affidavits or published material must be submitted by the petitioner. Affidavits must be made by the alien's present and former employers, or by recognized experts familiar with the alien's work. Each such affidavit must set forth the name and address of the affiant, and state how he acquired his knowledge of the alien's qualifications, state the place where and the dates during which the alien gained his experience, and must describe in detail the duties performed by the alien, any tools used, and any supervision received or exercised by the alien. When any material published by or about the alien is submitted, it must be accompanied by information as to date, place, and title of publication. Unless the Secretary of Labor has issued a blanket certification covering the alien's occupation, the petition must be accompanied by a certification of the Secretary of Labor that there are not sufficient workers in the United States who are able, willing, qualified and available at the place to which the alien is destined to perform like services, and that the alien's admission will not adversely affect the wages and working conditions of workers in the United States similarly employed.

#### § 204.3 Disposition of approved petitions.

If the beneficiary of an approved petition will apply to an American consulate for a visa, the approved petition shall be forwarded to the consulate designated by the petitioner. When the beneficiary of an approved petition will file an application for adjustment of status under section 245 of the Act, as amended, the approved petition will be retained by the Service for consideration in connection with that application.

#### § 204.4 Validity of approved petitions.

The approval of a petition to classify an alien as a preference immigrant under section 203(a)(3) or (6) of the Act shall remain valid for a period of one year from the date of any individual certification issued by the Secretary of Labor pursuant to section 212(a)(14) of the Act; if a blanket certification has been issued covering the alien's profession or occupation, the approval shall remain valid for a period of one year from the date of approval. The approval of a petition to classify an alien as a preference immigrant under section 203(a)(1), (2), (4), or (5) or as an immediate relative under section 201(b) of the Act shall remain valid for a period of five years from the date of approval. The validity of any petition under this section may be revoked pursuant to the provisions of Part 205 of this chapter prior to the one- or five-year limitations set forth herein.

#### § 204.5 Automatic conversion of classification of beneficiary.

(a) *By change in beneficiary's marital status*. (1) A currently valid petition

classifying the child of a United States citizen as an immediate relative under section 201(b) of the Act, or classifying the unmarried son or unmarried daughter of a United States citizen under section 203(a)(1) of the Act, shall be regarded as approved for preference status under section 203(a)(4) of the Act as of the date the beneficiary marries.

(2) A currently valid petition classifying the married son or married daughter of a United States citizen for preference status under section 203(a)(4) of the Act shall, upon the presentation of satisfactory evidence of the legal termination of the beneficiary's marriage, be regarded as approved for preference status under section 203(a)(1) of the Act, or, if the beneficiary is under 21 years of age, for status as an immediate relative under section 201(b) of the Act, as of the date of termination of the marriage.

(b) *By beneficiary's attainment of the age of 21 years.* A currently valid petition classifying the child of a United States citizen as an immediate relative under section 201(b) of the Act shall, if the beneficiary is still unmarried, be regarded as approved for preference status under section 203(a)(1) of the Act as of the beneficiary's attainment of his twenty-first birthday.

(c) *By petitioner's naturalization.* Effective upon the date of naturalization of a petitioner who had been lawfully admitted for permanent residence, a currently valid petition according preference status under section 203(a)(2) of the Act to the petitioner's spouse, unmarried son, or unmarried daughter, shall be regarded as approved to accord status as an immediate relative under section 201(b) of the Act to the spouse and unmarried son or unmarried daughter who is under 21 years of age, and to accord preference status under section 203(a)(1) of the Act to the unmarried son or unmarried daughter who is 21 years of age or older.

#### PART 205—REVOCATION OF APPROVAL OF PETITIONS

The headnote to Part 205 is amended as set forth above and that part is amended to read as follows:

##### § 205.1 Automatic revocation.

The approval of a petition made under section 204 of the Act and in accordance with Part 204 of this chapter is revoked as of the date of approval in any of the following circumstances:

(a) *Relative petitions.* (1) Upon formal notice of withdrawal filed by the petitioner with the officer who approved the petition.

(2) Upon the death of the petitioner or beneficiary.

(3) Upon the legal termination of the relationship of husband and wife when a petition has accorded status as the spouse of a citizen or lawful resident alien, respectively, under section 201(b), or section 203(a)(2) of the Act.

(4) Upon a beneficiary accorded immediate relative status as the child of a United States citizen reaching the age of 21, except that such petition is valid

to accord a status under section 203(a)(1) of the Act if the beneficiary remains unmarried, and a status under section 203(a)(4) of the Act in the event of marriage, for a period of five years from the date of initial approval or last revalidation.

(5) Upon the marriage of a beneficiary accorded a status as a son or daughter of a United States citizen under section 203(a)(1) of the Act, except that such petition is valid to accord a status under section 203(a)(4) of the Act for a period of five years from the date of initial approval or last revalidation.

(6) Upon the marriage of a beneficiary accorded a status as a son or daughter of a lawful resident alien under section 203(a)(2) of the Act.

(7) Upon the expiration of five years from the date of initial approval or last revalidation.

(b) *Other petitions.* (1) The beneficiary is an alien seeking classification under section 203(a)(3) or (6) of the Act and is not issued a visa on or prior to the expiration date of approval shown on the approved petition.

(2) The petitioner dies, goes out of business, or files a written withdrawal of the petition before the beneficiary's journey to the United States commences.

(3) The certification required by section 212(a)(14) of the Act is cancelled, withdrawn, or expires.

(c) *Revalidation.* Any petition approved under section 204 of the Act, which was automatically revoked, may be revalidated by a district director retroactively as of the date of the initial approval, if the requirements of section 204 of the Act currently exist. The following American consular officers are also authorized to revalidate any petition on Form I-130 when the petitioner and the beneficiary are physically present in the area over which the consular officers have jurisdiction: American consular officers assigned to visa-issuing posts in South America (except Venezuela), areas of Asia lying to the east of the western borders of Afghanistan and Pakistan (but not including Hong Kong and adjacent islands, Taiwan, Japan, Okinawa, Korea, and the Philippines), Australia, New Zealand, and Africa (excluding posts in the United Arab Republic, the Mediterranean islands and Portuguese island possessions); while such consular officers are authorized to revalidate such petitions, they shall refer any petition which is not clearly subject to revalidation to the appropriate Service office outside the United States for decision. A petitioner may request revalidation of a petition approved under section 204 of the Act. Before the petition may be revalidated, the beneficiary's current eligibility must be established. The petitioner shall be notified of the decision on his request for revalidation and, if revalidation is not granted, of the reasons therefor, and shall have 15 days after the mailing of the notification of decision within which to appeal, as provided in Part 3 of this chapter, if the petition was filed for a preference under paragraph (1), (2), (4), or (5) of section 203(a) of the Act, or for an

immediate relative as defined in section 201(b) of the Act other than a child as defined in section 101(b)(1)(F) of the Act, or as provided in Part 103 of this chapter, if the petition was filed for a preference under paragraph (3) or (6) of section 203(a) of the Act, or for a child as defined in section 101(b)(1)(F) of the Act. When a visa petition has been approved, and subsequently a new petition by the same petitioner is approved in behalf of the same beneficiary, the latter approval shall be regarded as a revalidation of the original petition.

(d) *Notice.* When it shall appear to a district director that the approval of a petition has been automatically revoked, he shall cause a notice of such revocation to be sent promptly to the consular office having jurisdiction over the visa application and a copy of such notice to be mailed to the petitioner's last known address.

##### § 205.2 Revocation on notice.

The approval of a petition made under section 204 of the Act and in accordance with Part 204 of this chapter may be revoked on any ground other than those specified in § 205.1 by any officer authorized to approve such petition when the propriety of such revocation is brought to the attention of the Service, including requests for revocation or reconsideration made by consular officers.

##### § 205.3 Procedure.

Revocation of approval of a petition under § 205.2 shall be made only upon notice to the petitioner who shall be given an opportunity to offer evidence in support of the petition and in opposition to the grounds alleged for revocation of the approval. If upon reconsideration the approval previously granted is revoked, the petitioner shall be informed of the decision with the reasons therefor and shall have 15 days after the mailing of the notification of decision within which to appeal as provided in Part 3 of this chapter, if the petition was filed for a preference under paragraph (1), (2), (4), or (5) of section 203(a) of the Act, or for an immediate relative as defined in section 201(b) of the Act other than a child as defined in section 101(b)(1)(F) of the Act, or as provided in Part 103 of this chapter, if the petition was filed for a preference under paragraph (3) or (6) of section 203(a) of the Act, or for a child as defined in section 101(b)(1)(F) of the Act, and the consular office having jurisdiction over the visa application shall be notified of the revocation.

#### PART 206—REVOCATION OF APPROVAL OF PETITIONS

Part 206 is revoked.

#### PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

##### § 211.2 [Amended]

Section 211.2 *Passports* is amended by deleting the words "first-preference



quota immigrant" and inserting in lieu thereof the words "third-preference immigrant."

**PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE**

§ 212.2 [Amended]

1. The second sentence of § 212.2 *Consent to reapply for admission after deportation, removal, or departure at Government expense* is amended by deleting the words "section 212 (g) or (h)" and inserting in lieu thereof the words "section 212 (g), (h), or (i)" wherever they appear.

§ 212.5 [Amended]

2. Paragraph (b) *Refugee-escapees of § 212.5 Parole of aliens into the United States* is revoked.

§ 212.7 [Amended]

3. The headnote to paragraph (a) of § 212.7 *Waiver of certain grounds of excludability* is amended to read "Section 212 (h) or (i)" and the first sentence of paragraph (a) is amended by deleting the words "section 212 (g) or (h)" and inserting in lieu thereof the words "section 212 (h) or (i)."

4. Paragraph (b) of § 212.7 *Waiver of certain grounds of excludability* is amended to read as follows:

(b) *Section 212(g) (tuberculosis and certain mental conditions)*. An alien who is an applicant for an immigrant visa and who, pursuant to section 212(g) of the Act, as amended, is seeking a waiver of his excludability under section 212(a) (1), (3), or (6) of the Act shall file (or if the alien is incompetent to do so, the family member specified in section 212(g) shall file) an application on Form I-601 at the consular office considering the application for a visa. An alien who is applying at a port of entry for admission to the United States, or who is within the United States and who is under any proceeding before the Service in which a waiver pursuant to section 212(g) is required before it may be determined that he is not excludable under section 212(a) (1), (3), or (6) of the Act, may file an application on Form I-601 with the Service office having jurisdiction over the port of entry or place where he is located.

(1) *Section 212(a) (6) (tuberculosis)*. If the alien is excludable under section 212(a) (6) of the Act because of tuberculosis, he or his sponsoring family member shall submit with his Form I-601 a statement by a state, territorial, or local health department, or by a recognized hospital or other institution in the United States engaged in the treatment of tuberculosis. The statement shall include the name and address of the facility where the alien will be treated, and shall affirm (i) that arrangements have been made for any treatment and observation required for proper management of the alien's condition, in conformity with local standards of medical practice, and that upon arrival at such facility the alien

will be placed in an inpatient or outpatient status as determined by the responsible local physician; (ii) that such facility will submit the following to the United States Quarantine Station, Rosebank, Staten Island, N.Y., 10305: an initial report giving a clinical evaluation of the alien, including necessary X-ray films, within 30 days after the alien's arrival at the hospital or other institution (or, if within 30 days after receipt of notice from the United States Public Health Service that the alien has arrived in the United States he has not reported to the facility, a notice of his failure to report), and a report of the final disposition of the case; and (iii) that complete financial arrangements for the alien's care have been made by the alien, the sponsoring family member, or other responsible person; or that the eligibility of the alien under the dependents medical care provisions of sections 1071-1085 of Title 10 of the United States Code has been established. Whenever the required statement is submitted by a hospital or other institution, it must bear an endorsement by a state, territorial, or local health department affirming its recognition of the facility as being qualified to engage in the treatment of tuberculosis, unless the United States Public Health Service shall have determined that the facility is qualified for that purpose.

(2) *Section 212(a) (1) and (3) (certain mental conditions)*. If the alien is excludable under section 212(a) (1) or (3) (because of mental retardation, or because of a past history of mental illness), he or his sponsoring family member shall submit an executed Form I-601 to the consular or Service office with a statement that arrangements have been made for submission to that office of a medical report. The medical report shall contain a complete medical history of the alien, including details of any hospitalization or institutional care or treatment for any physical or mental condition; findings as to the current physical condition of the alien, including reports of chest X-ray examination, of serologic test for syphilis, and other pertinent diagnostic tests; findings as to the current mental condition of the alien, with information as to prognosis and life expectancy; and a report of a psychiatric examination conducted by a psychiatrist and, in case of mental retardation, a report of a psychologist. Upon receipt of the medical report, the consular or Service office shall refer it to the United States Public Health Service for review. Upon being notified that the medical report has been reviewed by the United States Public Health Service and determined to be acceptable, the alien or the sponsoring family member shall submit to the consular or Service office a statement, from a hospital, institution, school, or other specialized facility, or specialist in the United States acceptable to the United States Public Health Service which shall include the name and address of the hospital, institution, school, or other specialized facility, or specialist, and shall affirm that such facility or specialist has agreed to accept the alien

for all necessary diagnostic studies, care, training, or schooling for a period of at least five years; that complete financial arrangements have been made by the alien, the sponsoring family member, or other responsible person for payment for all care, training, or schooling to be provided to the alien; that such facility or specialist will provide the United States Quarantine Station, Rosebank, Staten Island, N.Y., 10305, with an initial report giving a current evaluation of the mental status of the alien within 30 days after his arrival; semiannual reports of his mental status for a period of at least 5 years, even if he has been discharged from care, training, or schooling unless approval has been granted by the United States Public Health Service to transfer responsibility for the care and observation of the alien to another facility or specialist; prompt notification of the death of the alien, of his departure without approval of the facility or specialist, or of his failure to report to the facility or specialist as may be required in connection with semiannual reports, or of his failure to report to the facility or specialist within 30 days after the facility or specialist receives notice from the United States Public Health Service that he has arrived in the United States; and that upon arrival at the designated facility or specialist's office in the United States the alien will be placed in an outpatient, inpatient, or other status as determined by the responsible local physician or specialist.

(3) *Assurances: bonds*. In all cases under this paragraph (b) the alien or sponsoring family member shall also submit an assurance that the alien will comply with any special travel requirements as may be specified by the United States Public Health Service and that upon the admission of the alien into the United States, he will proceed directly to the facility or specialist specified for the initial evaluation, and submit to such further examination, treatment, schooling, training, and medical regimen as may be required, whether on an inpatient, outpatient, or other basis, and that before responsibility for the care, observation, training, or schooling of the alien is transferred to another facility or specialist the alien or the sponsoring family member will obtain approval from the United States Quarantine Station, Rosebank, Staten Island, N.Y., 10305. The alien, the sponsoring family member, or some other responsible individual shall provide such assurances or bond as may be required to assure that the necessary expenses of the alien will be met and that he will not become a public charge.

5. The fourth sentence of paragraph (c) *Section 212(e) of § 212.7 Waiver of certain grounds of excludability* is amended by deleting the words "Part 205" and inserting in lieu thereof the words "Part 204."

**PART 212a—ADMISSION OF CERTAIN ALIENS TO PERFORM SKILLED OR UNSKILLED LABOR**

Part 212a is revoked.

### PART 221—ADMISSION OF VISITORS OR STUDENTS

Part 221 is added to read as follows:

#### § 221.1 Admission under bond.

The district director having jurisdiction over the intended place of residence of an alien may accept a bond on behalf of an alien defined in section 101(a)(15)(B) or (F) of the Act prior to the issuance of a visa to the alien upon receipt of a request directly from a United States consular officer or upon presentation by an interested person of a notification from the consular officer requiring such a bond. All bonds given as a condition of admission of an alien under section 221(g) of the Act shall be executed on Form I-352 and shall be in the sum of not less than \$500. The officer accepting such deposit shall give his receipt therefor on Form I-305.

### PART 235—INSPECTION OF ALIENS APPLYING FOR ADMISSION

Section 235.9 is added to read as follows:

#### § 235.9 Conditional entries.

(a) *Application.* A separate application for conditional entry under section 203(a)(7) of the Act shall be executed and submitted by each applicant on Form I-590 to the officer in charge of the nearest Service office outside the United States. Each applicant under this paragraph shall appear in person before an immigration officer and excepting a child under 14 years of age shall, prior to the adjudication of his application, be interrogated under oath concerning his eligibility for conditional entry into the United States. Conditional entry will not be authorized until a medical examination has been completed and until assurances of employment and housing in the United States for a period of two years on Form I-591 and assurances of transportation from the applicant's place of abode to point of final destination in the United States have been provided. The approval of an application by an officer in charge outside the United States authorizes the district director at a port of entry to effect the conditional entry of the applicant upon arrival at such port within four months after the date of the approval. Upon arrival, every conditional entrant 14 years old or over shall execute Form I-592. For the purposes of section 203(g) and (h) of the Act, the two-year period shall commence on the date of the applicant's conditional entry following his arrival in the United States.

(b) *Inspection of conditional entrant as to admissibility for permanent residence.* Two years subsequent to conditional entry in the United States, each conditional entrant shall be required to appear before an immigration officer. The conditional entrant, if over 14 years of age, shall be interrogated by an immigration officer under oath and a determination of admissibility shall be made in accordance with this part and Part 236

of this chapter. Except as provided in Parts 245 and 249 of this chapter, an application under this part shall be the sole method of requesting the exercise of discretion under section 212(g), (h), or (i) of the Act, insofar as they relate to the excludability of an alien in the United States.

### PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

#### § 242.17 [Amended]

The sixth sentence of paragraph (c) *Temporary withholding of deportation* of § 242.17 *Ancillary matters, applications* is amended to read as follows: "The respondent has the burden of satisfying the special inquiry officer that he would be subject to persecution on account of race, religion, or political opinion as claimed."

### PART 243—DEPORTATION OF ALIENS IN UNITED STATES

#### § 243.8 [Amended]

The second sentence of § 243.8 *Imposition of sanctions* is amended to read as follows: "The sanctions imposed on residents of the Union of Soviet Socialist Republics, Czechoslovakia, and Hungary pursuant to section 243(g) may be waived in an individual case for the beneficiary of a petition accorded a status under section 201(b) or section 203(a)(1), (2), (4), or (5) of the Act, and may also be waived for the beneficiary of a petition accorded a status under section 203(a)(3) of the Act who resides in Hungary."

### PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

1. the headnote to Part 245 is amended as set forth above.

#### § 245.1 [Amended]

2. Section 245.1 is amended by deleting the existing fifth, sixth, seventh, eighth, and ninth sentences, and inserting in lieu thereof the following: "A visa shall not be held to be available for an alien claiming immediate relative status under section 201(b) or preference status under section 203(a)(1) through 203(a)(6) of the Act unless a petition to accord such status has been approved in accordance with Part 204 of this chapter, including the certification from the Secretary of Labor required for aliens claiming preference status under section 203(a)(3) or 203(a)(6) of the Act. A visa shall not be held to be available for an alien claiming nonpreference classification unless he presents with his application a certification from the Secretary of Labor as required by section 212(a)(14) of the Act. Except as provided in §§ 235.9 and 249.1 of this chapter, an application under this part shall be the sole method of requesting the exercise of discretion

under sections 212(g), (h), and (i) of the Act, insofar as they relate to the excludability of an alien in the United States. When a reduction of the preference or nonpreference category is required to be made, the current Department of State Visa Office Bulletin will be consulted to determine whether an immigrant visa is immediately available; and immigrant visa is considered available for accepting and processing the application if the applicant has a priority date on the waiting list which is not more than 90 days later than the date shown in the bulletin. The application shall not be approved until an immigrant visa number has been allocated by the Department of State. Information as to immediate availability of an immigrant visa may be obtained at the nearest Service office."

#### §§ 245.5, 245.6 [Redesignated]

3. Existing §§ 245.4 and 245.5 are redesignated as 245.5 and 245.6, respectively and new § 245.4 is added to read as follows:

§ 245.4 Adjustment of status under the proviso to section 203(a)(7) of the Act, as amended.

The provisions of section 245 of the Act and this part shall govern the adjustment of status provided for in the proviso to section 203(a)(7) of the Act, as amended. In addition to establishing admissibility and visa availability, the applicant under this section shall establish that he is within the class of persons described in section 203(a)(7) of the Act, as amended, including his present inability to return to the country from which he fled, if eligibility is based on section 203(a)(7)(A) of the Act, as amended, or from his usual place of abode, if under section 203(a)(7)(B) of the Act, as amended, for the reasons set forth in that section.

### PART 249—CREATION OF RECORDS OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE

#### § 249.1 [Amended]

1. Section 249.1 *Waiver of inadmissibility* is amended by deleting the words "section 212(g)" and inserting in lieu thereof the words "section 212(h)."

#### § 249.2 [Amended]

2. Section 249.2 *Application* is amended by deleting the date "June 28, 1940," in the third sentence and inserting in lieu thereof the date "June 30, 1948."

### PART 299—IMMIGRATION FORMS

#### § 299.1 [Amended]

The list of forms in § 299.1 *Prescribed forms* is amended by adding the following form in numerical sequence:

Form No.	Title and description
I-592	Declaration of Conditional Entrant at Time of Arrival.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Dated: October 29, 1965.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 65-11861; Filed, Nov. 3, 1965;  
8:47 a.m.]

**DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE**

Food and Drug Administration

[ 21 CFR Part 42 ]

**EGGS AND EGG PRODUCTS**

**Extension of Time for Filing Comments on Proposed Amendments to Provide Salmonella-Free Products**

In the matter of amending the identity standards for whole egg products and for egg yolk products and of establishing identity standards for egg white products to provide that such egg products shall be pasteurized or otherwise treated to result in finished products that are free of viable Salmonella micro-organisms:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of August 21, 1965 (30 F.R. 10905). It announced a period of 60 days for interested persons to file comments. The Commissioner of Food and Drugs has received requests for an extension of the time for filing comments. Good reasons therefor having been furnished, the time for filing comments in this matter is extended to November 21, 1965.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90).

Dated: October 28, 1965.

Geo. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 65-11845; Filed, Nov. 3, 1965;  
8:46 a.m.]

**FEDERAL AVIATION AGENCY**

[ 14 CFR Part 39 ]

[Docket No. 6999]

**AIRWORTHINESS DIRECTIVES**

**Mooney Models M20 and M20A Airplanes**

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Mooney Models M20 and M20A airplanes. There have been reports of wood and glue joint deterioration on the subject airplanes. Since this condition is likely to exist or develop in other Model M20 and M20A airplanes, the proposed AD would require inspection, and repair where neces-

sary, of the wood wing and wood empennage.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before December 6, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

**MOONEY.** Applies to Models M20 and M20A airplanes.

Compliance required at the next periodic inspection after the effective date of this AD and thereafter at each periodic inspection.

To detect wood and glue joint deterioration on wood wing and wood empennage airplanes, accomplish the following:

a. Remove rear seat, auxiliary fuel tank and wing-to-fuselage fairing. Visually inspect all exposed areas for wood or glue joint deterioration. Apply one coat of aluminized sealer or spar varnish to the interior center section after inspection or repair.

b. Visually inspect the main wheel well areas for wood or glue joint deterioration. Apply one coat of aluminized sealer or spar varnish to the wing wheel well compartment after inspection or repair.

c. Remove all wing access panels. Visually inspect all areas that can be viewed through these openings for wood or glue deterioration.

d. Visually inspect the wing trailing edge for wood or glue joint deterioration. Visually inspect the fabric for cracks or breaks. In areas where fabric is cracked or broken, open the fabric and inspect the adjacent wood or glue joint.

e. Clear all wing drain holes.

f. Scupper Boxes: Fill any space between the sides of the fuel tank scupper boxes and wing with Scotch caulking compound or equivalent.

g. Wing-Fuselage Joint: Check the condition of the tape that seals the joint between the wing and fuselage. Inspect and determine that the tape is applied tightly against the wing and fuselage from the leading edge to the trailing edge of the wing. Replace this seal if necessary using a water resistant tape. Add this tape on airplanes prior to S/N 1196.

h. Remove fairings between fuselage and empennage and visually inspect the empennage areas which are not covered with fabric for wood and glue joint deterioration. In areas where the fabric is cracked or broken, open the fabric and inspect the adjacent wood and glue joints for deterioration.

i. Clear empennage drain holes.

j. Add a piece of water resistant tape over cutout adjacent to fin on right and left sides of horizontal stabilizer.

k. Repair all structure having wood or glue joint deterioration in accordance with Mooney Service Letters Nos. 20-67 and 20-70 within the next 10 hours time in service after the inspection.

Issued in Washington, D.C., on October 28, 1965.

C. W. WALKER,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 65-11836; Filed, Nov. 3, 1965;  
8:45 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-WE-93]

**TRANSITION AREA**

**Proposed Alteration**

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the transition area at The Dalles, Oreg.

The Agency has completed a comprehensive review of the terminal airspace structure requirements in The Dalles, Oreg., terminal area and is considering the following airspace action:

Amend The Dalles transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of The Dalles Municipal Airport (latitude 45°37'05" N., longitude 121°10'05" W.), and within 2 miles each side of The Dalles VORTAC 270° radial from the 5-mile radius area to the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 5 miles north and 8 miles south of The Dalles VORTAC 276°/096° radials, extending from 7 miles west to 14 miles east of the VORTAC.

Alteration of the transition area, as proposed, would provide protection for instrument approach, departure, and holding procedures in The Dalles, Oreg., terminal area.

Certain minor revisions to prescribed instrument procedures would accompany the action proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or landing minimums be adversely affected.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in

order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on October 27, 1965.

LEE E. WARREN,  
Acting Director,  
Western Region.

[P.R. Doc. 65-11837; Filed, Nov. 3, 1965;  
8:45 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-WE-99]

### TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Greeley, Colo., terminal area.

The Agency has completed a comprehensive review of the terminal airspace structure requirements and is considering the following airspace action:

Designate the Greeley transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Weld County Airport (latitude 40°26'57" N., longitude 104°42'38" W.), and within 2 miles each side of the Gill VOR 038° and 218° radials, extending from the 6-mile radius area to 8 miles northeast of the VOR; that airspace extending upward from 1,200 feet above the surface within 10 miles northwest and 7 miles southeast of the Gill VOR 038° and 218° radials, extending from 20 miles northeast to 13 miles southwest of the VOR.

The transition area proposed herein would provide protection for aircraft executing instrument approach, departure, and holding procedures proposed to be established at Weld County Airport.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accord-

ance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on October 27, 1965.

LEE E. WARREN,  
Acting Director,  
Western Region.

[P.R. Doc. 65-11838; Filed, Nov. 3, 1965;  
8:45 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-WE-103]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Durango, Colo., terminal area.

The Agency has completed a comprehensive review of the airspace structure required pursuant to the commissioning of the Bondad Fan Marker at latitude 37°02'59" N., longitude 107°52'34" W., and is considering the following airspace actions:

1. Alter the Durango control zone by redesignating it as that airspace within a 5-mile radius of La Plata Field (latitude 37°09'15" N., longitude 107°45'00" W.), and within 2 miles either side of the Durango VOR 225° radial extending from the 5-mile radius zone to 9 miles southwest of the VOR, effective from 0600 to 2200 hours, local time, daily.

2. Alter the Durango transition area by redesignating it as that airspace extending upward from 700 feet above the surface within a 5-mile radius of La Plata Field (latitude 37°09'15" N., longitude 107°45'00" W.), and within 2 miles southwest and 3 miles northeast of the Durango VOR 118° radial, extending from the 5-mile radius area to 8 miles southeast of the VOR, and within 2 miles each side of the Durango VOR 225° radial extending from the 5-mile radius area to 9 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 9 miles southwest and 6 miles northeast of the Durango VOR 298° and 118° radials, extending from 7 miles northwest to 14 miles southeast of the VOR.

The alteration of the control zone would provide protection to aircraft executing instrument approaches at La Plata Field based on the Durango VOR 225° radial and the Bondad Fan Marker when the zone is effective. The 700-foot transition area alteration would provide protection to aircraft executing the same

approach at altitudes between 1,000 and 1,500 feet above the surface during time when the control zone is not effective.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel Federal Aviation Agency 5651 West Manchester Avenue Los Angeles Calif. 90045.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on October 28, 1965.

A. E. HORNING,  
Acting Director,  
Western Region.

[P.R. Doc. 65-11839; Filed, Nov. 3, 1965;  
8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 73 ]

[Docket No. 16212]

### TABLE OF ASSIGNMENTS, FM BROADCAST STATIONS

#### Order Extending Time To File Comments and Reply Comments

In the matter of amendment of § 3.202, Table of Assignments, FM broadcast stations (Carrollton, Ky., Columbia, Tenn., San Clemente and Lancaster, Calif., Providence, R.I., Salt Lake City and Toole, Utah, Carroll, Cherokee, and Algonia, Iowa, Nacogdoches and Lufkin, Tex., Charleroi and Uniontown, Pa., Clarksburg, Fairmont, Morgantown and New Martinsville, W. Va., Denison, Iowa, Immokalee, Fla., New London, Neenah-Menasha and Green Bay, Wis.); Docket No. 16212, RM-818, RM-819, RM-816, RM-830, RM-822, RM-808, RM-817, RM-837, RM-825, RM-838, RM-841, RM-844.

1. On October 1, 1965, the Commission issued a notice of rule making (FCC 65-881) in Docket No. 16212, proposing

changes in the FM Table of Assignments contained in § 73.202 of the Commission's rules, pertaining to the communities referred to in the caption. Comments in this proceeding were due on or before October 29, 1965, and reply comments on or before November 8, 1965.

2. On October 25, 1965, Kirk Munroe, trading as El Camino Broadcasting Co., petitioned for an extension of time to November 15, 1965, to file comments and to November 22, 1965, to file reply comments directed toward alternative proposals to assign either Channel 300 (RM-822) or Channel 285A (RM-837) to San Clemente, Calif. Petitioner states he needs additional time to prepare an engineering study concerning both assignments, which will materially aid the Commission in reaching its decision.

3. On October 27, 1965, J. C. Stallings, licensee of Station KEEE, Nacogdoches, Tex., petitioned for an extension of time to November 12, 1965, to file comments and to November 22, 1965, to file reply comments directed to the proposal to delete Channel 277 from Lufkin, Tex., and to reassign that Channel to Nacogdoches, Tex. (RM-830). Stallings also states that an adequate engineering study will require more time than that allowed by the Commission.

4. The Commission is of the view that good cause has been shown for granting the requested extensions. Furthermore, since several counterproposals pertaining to other communities are involved in this proceeding, the time for filing comments and reply comments for all the amendments proposed in Docket No. 16212 will likewise be extended.

5. Accordingly, it is ordered, This 29th day of October 1965, that the time for filing comments in this proceeding is extended from October 29, 1965, to November 15, 1965, and the time for filing reply comments is extended from November 8, 1965, to November 26, 1965.

6. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: November 1, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

(SEAL) BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-11877; Filed, Nov. 3, 1965;  
8:49 a.m.]

#### [ 47 CFR Parts 89, 91, 93 ]

[Docket No. 16259; FCC 65-964]

### SECONDARY FREQUENCY ASSIGNMENTS IN CALIFORNIA, TEXAS, AND CHICAGO

#### Notice of Proposed Rule Making

1. On May 10, 1965, Parts 89, 91 and 93 of the Commission's rules were amended in Docket 15399 (see the Report and Order published in the FEDERAL REGISTER on April 9, 1965 (30 P.R. 4614) (FCC 65-250)), in order to conduct an experiment in the State of California to explore the possibility of "borrowing," by certain

land mobile services, unused or lightly used frequencies which are presently allocated to other land mobile services in the Safety and Special Radio Services. The test program was to be limited to five hundred applicants with an April 1, 1966, deadline for filing applications. To date, however, no applications for secondary assignments have been filed. Since the experiment was undertaken as one possible means of relieving the problem of frequency congestion existing in certain of the land mobile radio services, the Commission has been concerned over the reason for such a negative response.

2. The Commission's staff has had informal discussions with representatives of land mobile users in an effort to obtain information regarding this matter. Also, the California Public Safety Radio Association, Inc. (CPRA) has submitted a report of a survey it conducted concerning the feasibility of the secondary sharing in 210 cities and counties in Southern California which gives the reasons why potential public safety applicants for secondary frequencies in that area have not participated in the test. In addition, the City of Burbank, Calif., filed a petition for reconsideration of our report and order in Docket 15399 requesting that we permit licensees of secondary frequencies to operate also on their primary frequency while using their secondary assignments. The information thus gathered indicates that potential participants have not applied for secondary frequencies because of the various limitations we incorporated in the rules concerning frequency selection and assignment, operating limitations, and the secondary status of secondary frequency assignments.

3. The major conditions, limitations and requirements in the rules governing the test in California may be summarized as follows:

(a) The applicant for a secondary frequency has to show that all primary frequencies are assigned and in use within 75 miles from his proposed base station location;

(b) That he has operated on his primary frequency for 90 days and found it unsatisfactory because of congestion;

(c) The secondary frequency selected must be within tuning range of his primary;

(d) Only one secondary frequency would be assigned in the 150 Mc/s range and two frequencies in the 450 Mc/s range;

(e) Secondary frequencies selected are to be coordinated through a frequency coordinating committee or by an independent field study showing that no base or fixed stations are on that frequency within a radius of 125 miles from the proposed base station;

(f) Licensees would not be permitted to use their primary frequencies until they have given up their secondary frequency;

(g) Licensees must have capability to revert to their primary frequency in fifteen days; and

(h) Secondary assignments are subject to cancellation without a hearing.

4. These limitations, we are told, have discouraged participation. For example, the CPRA in its report to the Commission on its survey concludes that " \* \* \* the secondary frequency plan, in its present form, does not appear to be workable," and that "administrators (of public safety agencies) cannot afford to gamble with tax money" in taking advantage of the availability of secondary frequencies, although "there is congestion on the frequencies assigned to the Public Safety services." Specifically, prospective participants claim that permitting only one secondary frequency per system in the 150 Mc/s band precludes licensees from operating either a mobile relay system or a two frequency duplex system in the test. They claim that the requirement for having a valid primary assignment for ninety days before they may apply for a secondary assignment is unnecessary, and that the co-channel restriction of 125 miles operation is inconsistent with the rules governing coordination of primary assignments, where it is 75 miles, and restricts the availability of frequencies for secondary assignment.

5. But the basic objection is directed to the requirement of the rules that a licensee of a secondary frequency may not use his primary frequency until he no longer has his secondary assignment. On this, the CPRA report states that "most requests for frequency recommendations directed to this organization are for new systems or established systems in larger communities which need separating, requiring another frequency and retention of their existing frequency in its present form." In the petition for reconsideration filed by the City of Burbank, California, it is stated that the frequency congestion problem is most serious for those licensees operating many mobile units and who are unable to obtain an additional primary frequency, because additional frequencies are not available, and the secondary frequency would enable such licensees to reduce the loading of the primary frequency and possibly would permit expansion of their systems.

6. Further, with respect to the temporary nature of the operation, it was claimed that the 5-year period during which, under the terms of the test, licensees would be permitted on secondary frequencies is too restrictive and that secondary frequencies should be available on a permanent basis because otherwise the cost of changing over to a new frequency on such temporary basis cannot be justified.

7. It should be emphasized that, in Docket 15399, we merely instituted a test to see if borrowing of frequencies among some of the land mobile services is feasible. We did not adopt the secondary frequency concept as a permanent arrangement. Rather, we wanted to find out, on the basis of experience with a limited number of participants and during a 5-year period, the possible frequency relief this concept could afford and the operational and administrative problems we expect to encounter. The conditions and limitations we imposed for participation were designed to keep

the test under strict control. More specifically, our rules were designed to (1) contain the test within the general principles and context of rules governing the Safety and Special Radio Services; (2) insure that licensees participating in the test would be able to revert easily to their primary frequency assignment should interference develop; (3) provide and retain interference protection to existing licensees; and (4) prevent systems from expanding, by the use of secondary assignments, to a point where it would be impossible to revert to the primary assignment, thereby making a de facto reallocation.

8. If the test proves successful and the concept of secondary sharing is adopted on a more permanent basis, we expect to adopt rules based on the knowledge we gain from the test. Participation in this test would not only enable a number of users to ease their interference problems, but also would develop the information we need to evaluate the possibilities of secondary sharing. Since this is a test, it would not be advisable to say, at the outset, for example, that assignees of secondary frequencies would be able to use those frequencies beyond the five-year period, as it has been suggested, although, if the results of the test are favorable and we adopt this concept, those who have been assigned secondary frequencies during the test may be permitted to continue operation on those frequencies. Therefore, we do not propose to remove all of the conditions and limitations that have caused concern.

9. However, we think that some changes in the present rules may be warranted. Thus, we propose to permit participants to use their primary frequency while also operating on the secondary frequency and to apply for as many secondary frequencies as primary frequencies used in the system. This would grant, in substance, the petition of the City of Burbank, Calif. This would enable us, we believe, to gain information as to whether the secondary frequency concept we are testing may be used to relieve congestion for licensees operating large systems, for expansion of systems, as well as for switching completely to a borrowed frequency if congestion on primary frequencies becomes severe. However, in order to get the widest possible range of information, we would urge participants, where possible, to switch their entire system to a secondary frequency so that we may obtain information on this aspect of the experiment. Applicants would be required to inform the Commission in their application for a secondary frequency whether they propose to operate on both primary and secondary or on the secondary frequency alone. It should be made clear, however, that those licensees who establish a system on a secondary frequency alone should expect to give up that frequency and make other arrangements should interference be caused to a primary user.

10. Further, we propose to delete the requirement that an applicant must first operate for 90 days on his primary frequency before applying for a secondary

frequency. Instead, we propose to require that the applicant first obtain a primary authorization and show that all of the primary frequencies, including his own, in the 150 or in the 450 Mc/s area, as the case may be, are assigned to qualify for a secondary frequency. In addition, we would reduce the primary-secondary co-channel separation from 125 miles to 75 miles.

11. Our present rules confine the test to the State of California. The State of California was initially chosen as the test area for the following reasons:

(a) The various metropolitan areas of California currently experience varying degrees of congestion believed to be representative of similar situations elsewhere in the nation; and

(b) The extent of land mobile frequency usage in adjacent states is such that border problems during the test period are expected to be minimal.

12. However, to insure wider participation and to test the secondary sharing concept in areas with different frequency usage patterns, we propose to permit the test, in addition to California, in the State of Texas and in the area within a 100-mile radius of the Navy Pier in Chicago, Ill. The State of Texas was selected because of its size and terrain and because in that State there is frequency congestion in the metropolitan area as well as in areas removed from urban centers. The Chicago metropolitan area is highly congested in certain radio services while frequencies are available in other services for borrowing.

13. Because of the modification to the experiment we propose, the initial cut-off date of April 1, 1966, would be cancelled and a new cut-off date would be established. The new date would be given in a public notice. However, we propose to limit the number of applications to 500. The proposed changes are reflected in the Appendix for Part 89. If the proposals contained herein are adopted, corresponding sections of Parts 91 and 93 should be modified accordingly.

14. Authority for the proposed amendment to the appropriate rules is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

15. Any interested person who is of the opinion that the proposed amendment should not be adopted in the form set forth herein may file with the Commission on or before December 6, 1965, written data, views or arguments setting forth his comments. Comments in support of the proposal may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed on or before December 21, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

16. In accordance with § 1.419 of the Commission's rules, an original and fourteen copies of all statements, views or

comments filed shall be furnished the Commission.

Adopted: October 27, 1965.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

1. Subpart D of Part 89 is amended to read as follows:

#### Subpart D—Secondary Frequency Assignments

Sec.	Purpose.
89.221	Purpose.
89.223	Scope.
89.225	Frequency selection and assignments.
89.227	Operating limitations.
89.229	Preparation and filing of applications.
89.231	Secondary licenses.

AUTHORITY: The provisions of this Subpart D issued under sections 4(i) and 303, Communications Act of 1934, as amended.

#### § 89.221 Purpose.

The purpose of this subpart is to establish the procedures and conditions for a limited trial of the practicability of making secondary frequency assignments in the land mobile services. The objective is to determine whether the secondary assignment principle can be used successfully as a device for obtaining greater efficiency of frequency utilization. It is intended for application only in cases where all frequencies normally available for assignment to an applicant already are used in the area and band concerned, and where the applicant is prepared to pay the extra costs to obtain at least temporary use of a more satisfactory channel. In conducting the trial, the Commission will authorize a total of no more than 500 licensees in this Part and in Parts 91 and 93 of this Chapter combined.

#### § 89.223 Scope.

(a) This subpart is applicable only to certain land mobile service radio operations now located, or to be located, wholly within one of the following areas:

- (1) The State of California, or
- (2) The State of Texas, or
- (3) Locations within a 100-mile radius of the Navy Pier in Chicago, Ill.

(b) Persons eligible to operate in the Local Government, Police, Fire, Highway Maintenance, and Forestry-Conservation Radio Services are eligible to file for secondary frequency assignments pursuant to the provisions of this subpart.

(c) Any assignable frequency in the bands 150.8-162 Mc/s and 450-470 Mc/s which presently is allocated to the Public Safety, Industrial, or Land Transportation Radio Services on a primary basis may be requested as a secondary assignment on a basis of non-interference to the primary service except for those frequencies allocated to the State Guard, Special Emergency, Telephone Maintenance, Business Relay Press, and Taxi-

<sup>1</sup> Commissioner Hyde absent.

cab Radio Services; except for the 15 kc/s tertiary frequencies in the 150.8-162 Mc/s band; and except for those frequencies designated for itinerant use only.

**§ 89.225 Frequency selection and assignments.**

(a) The applicant for a secondary assignment must submit a statement that all assignable frequencies in his own service and in the band concerned (except tertiary) are already assigned within 75 miles of his base station location. Further, the applicant must have a valid primary assignment. He must also, in his application for a secondary frequency, state whether he proposes to operate on both the primary and secondary frequencies or solely on the secondary frequency. An applicant may apply for, and be authorized to use, no greater number of secondary frequencies than there are primary frequencies assigned to him for use in his system.

(b) To minimize the possibility of harmful interference, the applicant for a secondary assignment must submit one of the following:

(1) A statement from the area frequency advisory committee(s) for the radio service(s) to which the frequency is allocated on a primary basis indicating no assignment of the frequency by a primary user within 75 miles of the proposed new base station.

(2) His own statement that no co-channel base or fixed station assignments to a primary service licensee exist within 75 miles of the secondary base station location and, in the case of the 150.8-162 Mc/s band, that no primary assignments exist within 15 kc/s of the requested frequency within a radius of 25 miles from the secondary base station location.

(c) A prospective applicant for a secondary assignment should not communicate with the area frequency advisory committee until he has made his own frequency search and has good reason to believe he has found an available frequency.

(d) Secondary assignment will not be made to base stations authorized for operation at temporary locations, to mobile stations not associated with one or more base stations, or to fixed relay, repeater, control stations (except control stations which are part of a mobile relay system operation in the 450-470 Mc/s band).

(e) There are a number of assignments to stations in the fixed services in the bands 150.8-162 Mc/s and 450-470 Mc/s. By rule, such fixed relay, repeater, and control stations are assigned on the basis of noninterference to the land mobile services. However, for the purpose of this experiment, persons seeking a secondary assignment in the land mobile services shall regard these fixed station assignments as though they have primary status.

(f) Applications for a secondary frequency assignment will not be granted, despite compliance with the provisions of paragraphs (a) to (e) of this section,

if other circumstances coming to the attention of the Commission indicate that the public interest would not be served thereby. Further, applications for secondary assignments will be accepted for filing with the understanding that, should the application be denied, the applicant waives any right to a formal hearing to which he might otherwise be entitled.

**§ 89.227 Operating limitations.**

(a) Operational conditions which apply to the service to which the secondary frequency is allocated on a primary basis will apply to the secondary user unless the operational conditions of his own service are more restrictive, in which case the latter will apply.

(b) A licensee of a secondary frequency who operates on that frequency only must at all times during the term of authorization:

(1) Be capable of reverting to his primary assignment within 15 days after receipt of written notice from the Commission, and

(2) Retain a complete set of crystals for his primary frequency assignment, and

(3) Utilize equipment with a tuning range encompassing his primary and secondary frequency assignments.

(c) Every application for a secondary assignment shall be accompanied by a statement signed by the applicant in which he agrees that any authorization issued pursuant thereto will be accepted with the express understanding of the applicant that it is subject to change in any of its terms, or to cancellation in its entirety at any time, upon reasonable notice, but without a hearing, if, in the judgment of the Commission, circumstances should so require.

**§ 89.229 Preparation and filing of applications.**

(a) All applications for a secondary frequency assignment shall be submitted on FCC Form 400. Type the word "Secondary" in Item 1(a) above the requested secondary frequency(s). In Item 16(c) enter the call sign of the existing station to which the secondary frequency is to be assigned.

(b) Licensees wishing to request a secondary frequency assignment shall complete and submit separate FCC Form 400 for each base and/or mobile station already licensed in the system for operation on a primary frequency for which a secondary assignment is desired.

(c) Applications for new stations to be added to an existing system operating under the secondary concept shall be filed on FCC Form 400 in accordance with Subpart A of this Part for the primary frequency. A separate application shall be submitted for the secondary frequency(s) in accordance with the provisions of paragraph (a) of this section.

**§ 89.231 Secondary licenses.**

(a) A license to operate on a secondary frequency under the experimental program provided for in this subpart will be issued to run concurrently with the

primary authorization and may be renewed simultaneously with the primary assignment. However, a secondary frequency assignment will not be made for a total period in excess of 5 years.

(b) An authorization to use a secondary frequency will be issued subject to the following conditions:

(1) The licensee will cease operation on the secondary assignment within 15 days after being directed to do so by the Commission.

(2) The secondary authorization will expire simultaneously with the expiration of the primary assignment.

(3) The secondary license may be withdrawn, modified, or suspended by the Commission upon reasonable notice, and without a hearing, if, in the judgment of the Commission, such action should be required to eliminate harmful interference to a primary user.

(c) No subsequent secondary frequency assignment will be granted to a licensee who has previously held such an assignment and failed to cease operation within 15 days after having been notified by the Commission to do so.

[P.R. Doc. 65-11878; Filed, Nov. 3, 1965; 8:49 a.m.]

## INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 71-90]

[Ex Parte No. MC-13; No. 3666]

### EXPLOSIVES AND OTHER DANGEROUS COMMODITIES

#### Transportation of Nitromethane

It appearing, that by an order entered February 23, 1965, in the above-entitled proceeding, the matter of considering the amendment of the order of September 10, 1958, to permit the transportation of "Nitromethane Mixture, Stabilized" in bulk, in railroad tankcars, and in tank motor cars when approved for transportation by the Bureau of Explosives was assigned for hearing at such time and place as hereinafter may be designated;

*It is ordered*, That this proceeding be, and it is hereby, referred to Examiners Henry J. Vinskey and Albert E. Luttrell for hearing on November 29, 1965, at 9:30 a.m., U.S. standard time at the Offices of the Interstate Commerce Commission in Washington, D.C.:

*And it is further ordered*, That the Bureau of Enforcement, Interstate Commerce Commission, be authorized and directed to participate in this proceeding and to introduce such evidence as may be pertinent to a proper consideration of the issues.

Dated at Washington, D.C., this 25th day of October A.D. 1965.

By the Commission, Commissioner Tuggle.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-11857; Filed, Nov. 3, 1965; 8:47 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Arizona 030264]

#### ARIZONA

### Order Providing for Opening of Lands for Recreation and Public Purposes

OCTOBER 29, 1965.

1. Pursuant to the Act of June 14, 1926 (44 Stat. 741; U.S.C. 869), as amended by the Act of June 4, 1954 (68 Stat. 173), as amended, the following described lands have been reconveyed to the United States:

#### GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 12 E.,

Sec. 25, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ -SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ -NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described aggregates 15.625 acres.

2. The lands are located in Pima County, approximately 6 miles west of the city of Tucson. Soils vary from deep silty to sandy loam. The topography is gently sloping to flat.

3. No application for these lands will be allowed except for recreation and public purposes.

4. This order shall become effective at 10 a.m. on December 6, 1965.

5. Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 3022 Federal Building, Phoenix, Ariz., 85025.

RILEY E. FOREMAN,  
Acting State Director.

[P.R. Doc. 65-11848; Filed, Nov. 3, 1965; 8:46 a.m.]

[Riverside 07094]

#### CALIFORNIA

### Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 28, 1965.

The Forest Service, U.S. Department of Agriculture, has filed an application, Serial Number Riverside 07094, for the withdrawal of certain lands from location and entry under the General Mining Laws, subject, however, to existing withdrawals and to valid existing rights.

The lands have previously been withdrawn for the San Bernardino National Forest Reserve by Presidential Proclamation, February 25, 1893, and as such have been open to entry under the general mining laws.

The applicant desires the exclusion of mining activity to permit use of such lands as the Cedar Springs Reservoir Area No. 2 (Feather River Project) for

recreation, watershed management and public access, which use is incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 8th Street, Box 723, Riverside, Calif., 92502.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

#### SAN BERNARDINO MERIDIAN

A strip of land 200 feet wide on each side of the centerline of the proposed State Highway No. 188 through the following described lands, and an area between the proposed roadside zone north to the southerly boundary of withdrawal Los Angeles 0170428 (Cedar Springs Reservoir Area):

T. 2 N., R. 4 W.,

Sec. 7, lot 2 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 9, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .

T. 2 N., R. 5 W.,

Sec. 2, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 12, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 420 acres.

KEITH H. CORRIGALL,  
Acting Manager.

[P.R. Doc. 65-11849; Filed, Nov. 3, 1965; 8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### FLORIDA

### Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Florida a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### FLORIDA

Broward.

Palm Beach.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 29th day of October 1965.

ORVILLE L. FREEMAN,  
Secretary.

[P.R. Doc. 65-11842; Filed, Nov. 3, 1965; 8:46 a.m.]

#### PENNSYLVANIA AND UTAH

### Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Pennsylvania and Utah, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### PENNSYLVANIA

Adams.	Fayette.
Allegheny.	Forest.
Armstrong.	Greene.
Beaver.	Indiana.
Blair.	Somerset.
Cambria.	Venango.
Clarion.	Washington.
Clearfield.	Westmoreland.
Cumberland.	York.

#### UTAH

Sanpete.	Sevier.
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Pursuant to the authority set forth above, emergency loans will not be made in the above-named Pennsylvania counties after December 31, 1966, or in the above-named Utah counties after June 30, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 29th day of October 1965.

ORVILLE L. FREEMAN,  
Secretary.

[P.R. Doc. 65-11843; Filed, Nov. 3, 1965; 8:46 a.m.]

#### WISCONSIN

### Extension of Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration



Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Wisconsin natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Wisconsin  
Jefferson..... Present designation  
30 P.R. 5911

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after December 31, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 29th day of October 1965.

ORVILLE L. FREEMAN,  
Secretary.

[P.R. Doc. 65-11844; Filed, Nov. 3, 1965;  
8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 16584]

### LOUISVILLE-INDIANAPOLIS LOCAL SERVICE

#### Investigation; Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on November 16, 1965, at 10 a.m., e.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner James S. Keith.

Dated at Washington, D.C., October 28, 1965.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[P.R. Doc. 65-11864; Filed, Nov. 3, 1965;  
8:48 a.m.]

[Docket No. 16490]

### PUERTO RICAN FORWARDING CO., INC., ET AL.

#### Notice of Proposed Approval

Application of Puerto Rican Forwarding Co., Inc., et al., for approval of control and interlocking relationships pursuant to sections 408 and 409 of the Federal Aviation Act of 1958, as amended, Docket No. 16490.

Notice is hereby given, pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the attached order under delegated authority. Interested parties are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., November 1, 1965.

[SEAL] J. W. ROSENTHAL,  
Director, Bureau of  
Operating Rights.

## UNITED STATES OF AMERICA

### CIVIL AERONAUTICS BOARD

WASHINGTON, D.C.

#### Issued under delegated authority

Application of Puerto Rican Forwarding Co., Inc., Et Al.; Docket 16490; for approval of control and interlocking relationships under sections 408 and 409 of the Federal Aviation Act of 1958, as amended.

#### ORDER APPROVING CONTROL AND INTERLOCKING RELATIONSHIPS

By joint application filed September 13, 1965, as amended September 27, Max Margolin, Henry Kantzer, Puerto Rican Forwarding Co., Inc. (Forwarding), a domestic and international air freight forwarder, and International Transport, Inc. (Transport) request the Board to approve, pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), the equal common control by Messrs. Margolin and Kantzer of Forwarding and Transport and the proposed acquisition of New England Forwarding Co. (New England) by Transport. They also request approval under section 409 of the Act of interlocking relationships resulting from the positions of Messrs. Kantzer and Margolin as president and director and treasurer and director, respectively, of Forwarding, Transport, and New England.<sup>1</sup> Approval is also requested for the individuals to hold such other positions within the same system of affiliated and subsidiary companies to which they may be hereafter elected or appointed.

Transport is a motor common carrier operating wholly within the State of Massachusetts and New England is a surface freight forwarder. Applicants contend that the above relationships are consistent with the public interest<sup>2</sup> and will tend to promote air transportation by enabling Forwarding to serve the public more effectively. Applicants also contend that approval of this application will be consistent with Board actions in the past<sup>3</sup> and will not tend to restrain competition, create a monopoly or jeopardize any other air carrier.

No adverse comments or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408 of the Act.

Upon consideration of the application, it is concluded that Transport and New England are common carriers and that the above-described control relationships are subject to section 408 of the Act. However, it has been further concluded that such relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not restrain competition or jeopardize another air carrier not a party to the relationships. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing and it is found that the public interest does not require a hearing. The control relationships are similar to others which have been approved by

<sup>1</sup> Messrs. Kantzer and Margolin now hold positions with Forwarding and Transport and they will be elected to positions with New England upon the acquisition thereof.

<sup>2</sup> For example, Alaska Air Forwarding Corporation, Order E-18904 and Wheaton Van Lines, et al., Order E-22468.

the Board and essentially do not present any new substantive issues.<sup>3</sup> It therefore appears that approval of the control relationships would not be inconsistent with the public interest. However, should Transport's motor common carrier services be expanded, new issues would be raised which could only be resolved upon the filing of a further application for prior approval by the Board. Accordingly, approval of the instant relationships will be conditioned so that such approval shall be effective only so long as the operation of motor vehicles by Transport is limited to the State of Massachusetts.

It is also concluded that interlocking relationships within the scope of section 409 (a) of the Act will result from the holding by Messrs. Kantzer and Margolin of the above-described positions with Forwarding, Transport, and New England. However, it is further concluded that the parties have made a due showing in the form and manner prescribed that such interlocking relationships will not adversely affect the public interest. Similarly, it is found that any interlocking relationships which may result from the election or appointment of Messrs. Kantzer and Margolin to other positions with Forwarding, Transport, and New England will not adversely affect the public interest.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without a hearing, and that the interlocking relationships should be approved under section 409 of the Act.<sup>4</sup>

#### Accordingly, it is ordered:

1. That the control by Messrs. Kantzer and Margolin of Forwarding and Transport and the proposed acquisition of New England by Transport be and it hereby is approved;

2. That, subject to the provisions of Part 251 of the Board's Economic Regulations, as now in effect or hereafter amended, the interlocking relationships existing by reason of the holding by Messrs. Kantzer and Margolin of the positions set forth above be and they hereby are approved;

3. Messrs. Kantzer and Margolin are also authorized to hold other positions as officers and/or directors of Forwarding, Transport, and New England to which they may be hereafter elected or appointed; and

4. That the approvals herein shall be effective only so long as the operation of motor vehicles by Transport is limited to the State of Massachusetts.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed or the Board gives notice that it will review this Order on its own motion.

By J. W. ROSENTHAL,  
Director, Bureau of  
Operating Rights.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 65-11865; Filed, Nov. 3, 1965;  
8:48 a.m.]

<sup>3</sup> See Footnote 2, supra.

<sup>4</sup> It has been decided not to enforce the doctrine expressed in Sherman Control and Interlocking Relationships, 15 CAB 876 (1952), and to consider the application on its merits.

[Docket No. 16621; Order E-22819]

**UNITED AIR LINES, INC.****New Jet Fares; Order of Investigation and Suspension**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of October 1965.

By tariff revisions<sup>1</sup> filed October 1, 1965, and marked to become effective October 31, 1965, United Air Lines, Inc. (United), proposes to add new jet fares for first-class, coach, and one-class standard services in various markets. Approximately half of the proposed fares are at the same level as existing propeller fares for the same markets, with the balance being either at higher levels than existing propeller fares, or, in connection with one-class fares, constructed by a formula reflecting a jet service differential. No complaints have been filed.

In support of its proposal, the carrier states that the proposed first-class and coach fares that are higher than existing propeller fares have been constructed at either the lowest jet fare level now in effect or at other levels so as not to undercut existing jet fares in related markets. In addition, the carrier indicates that the one-class standard service fares have been established at the jet coach fare plus approximately one-third of the difference between the jet first-class and jet coach fares.

We note from data reported to the Board that United's earnings have been increasing steadily in recent periods, even though its return is somewhat lower than that for the industry. On this basis, we cannot find an adequate economic justification supporting the jet fares that are proposed at levels higher than existing propeller fares, and we conclude that these fares may be unjust and unreasonable. However, some of the proposed fares have been constructed under a principle designed to avoid undercuts of existing jet fares in other markets. We will permit for a 60-day period (1) the proposed Akron-Chicago and Atlanta-Cleveland jet fares, to avoid "long-and-short-haul" situations; (2) the proposed New York-South Bend jet first-class fare of \$52.30, via Chicago, to avoid the charging of higher fares; and (3) the Cleveland-Jacksonville jet coach fare, to avoid breaking the Cleveland-Miami fare via Jacksonville. Except for these fares which we will permit to become effective, we are suspending and will investigate the jet coach fare increases proposed by United above the current propeller coach fares, as these proposals constitute fare increases above the level of corresponding fares in the applicable market.<sup>2</sup>

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a), 403, 404, and 1002 thereof, *It is ordered, That:*

1. An investigation be instituted to determine whether the fares and provisions

described in Appendix A attached hereto,<sup>3</sup> and rules, regulations, or practices affecting such fares and provisions, are or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and if found to be unlawful to determine and prescribe the lawful fares and provisions, and classifications, rules, regulations or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including January 28, 1966, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This investigation be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. A copy of this order will be filed with the aforesaid tariff and be served on United Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board,<sup>4</sup>

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 65-11866; Filed, Nov. 3, 1965;  
8:48 a.m.]

**CIVIL SERVICE COMMISSION****SPECIAL PAY RANGES****Notice of Increase**

1. Under authority of section 504 of the Federal Salary Reform Act of 1962 and Executive Order 11073, the Civil Service Commission determined on October 22, 1965, that the minimum rates and rate ranges will be adjusted on the effective date of the Classification Act and Postal Field Service salary schedules provided in the Federal Employees Salary Act of 1965 as set forth below. For each grade, the new special minimum salary rate will be equal to the indicated rate on the new statutory salary schedule.

a. For the following occupations on a worldwide basis:

GS-690 Industrial Hygiene Series.  
All professional series in the GS-800 Engineering Group.

The following science series and specializations:

GS-015	Operations Research. <sup>1</sup>
GS-1221	Patent Adviser.
GS-1223	Patent Classifying. <sup>2</sup>
GS-1224	Patent Examining.
GS-1301.1	Physical Science Subseries.
GS-1306	Health Physics.
GS-1310	Physics.
GS-1313	Geophysics (Seismology).
GS-1313	Geophysics (Geomagnetics).
GS-1313	Geophysics (Earth Physics).

<sup>1</sup> Rates do not apply at grades 5 through 8.

<sup>2</sup> Rates apply at GS-11 only.

<sup>3</sup> Filed as part of original document.

<sup>4</sup> Dissent by Member Gilliland filed as part of original document.

GS-1315	Hydrology.
GS-1320	Chemistry.
GS-1321	Metallurgy.
GS-1330	Astronomy and Space Science.
GS-1340	Meteorology.
GS-1360	Oceanography.
GS-1372	Geodesy.
GS-1380	Forest Products Technology.
GS-1390	Technology, in the following specializations: Aviation Survival Equipment. Industrial Radiography. Packaging and Preservation. Photographic Equipment.

GS-1510	Actuary.
GS-1520	Mathematics.
GS-1529	Mathematical Statistics.

GS-5 minimum equal to 7th rate of regular range.

GS-6 minimum equal to 6th rate of regular range.

GS-7 minimum equal to 6th rate of regular range.

GS-8 minimum equal to 4th rate of regular range.

GS-9 minimum equal to 3d rate of regular range.

GS-10 minimum equal to 2d rate of regular range.

GS-11 minimum equal to 2d rate of regular range.

b. For GS-602 Medical Officers under the Classification Act on a worldwide basis:

GS-11 minimum equal to 7th rate of regular range.

GS-12 minimum equal to 7th rate of regular range.

GS-13 minimum equal to 7th rate of regular range.

GS-14 minimum equal to 5th rate of regular range.

GS-15 minimum equal to 2d rate of regular range.

c. For Medical Officers, Occupational Code: 602, Postal Field Service on a nationwide basis:

PFS-12 minimum equal to 8th rate of regular range.

PFS-13 minimum equal to 6th rate of regular range.

PFS-14 minimum equal to 6th rate of regular range.

PFS-15 minimum equal to 6th rate of regular range.

PFS-16 minimum equal to 6th rate of regular range.

d. For Pharmacologists, GS-405 on a nationwide basis:

GS-7 minimum equal to 4th rate of regular range.

GS-9 minimum equal to 4th rate of regular range.

GS-11 minimum equal to 4th rate of regular range.

GS-12 minimum equal to 3d rate of regular range.

GS-13 minimum equal to 2d rate of regular range.

e. For Veterinarian, GS-701 on a worldwide basis:

GS-9 minimum equal to 3d rate of regular range.

f. For Accountants, GS-510, and Internal Revenue Agents, GS-512, California.

GS-5 minimum equal to 5th rate of regular range.

GS-6 minimum equal to 4th rate of regular range.

GS-7 minimum equal to 3d rate of regular range.

<sup>1</sup> Airline Tariff Publishers, Inc., Agent, CAB No. 44.

<sup>2</sup> Orders E-22483 and E-22587.

GS-8 minimum equal to 2d rate of regular range.  
GS-9 minimum equal to 2d rate of regular range.

g. For Dental Officer (Public Health-Pedodontia), GS-680, Washington, D.C., Metropolitan Area:

GS-14 minimum equal to 3d rate of regular range.

h. For Podiatrist, GS-668, Washington, D.C., Metropolitan Area:

GS-9 minimum equal to 7th rate of regular range.

GS-10 minimum equal to 7th rate of regular range.

GS-11 minimum equal to 7th rate of regular range.

2. Corresponding increases are made in the other rates of the rate ranges listed above.

3. Special rate ranges not listed will be adjusted in accordance with § 530.307(a) of the Commission's regulations.

4. The pay of employees on the rolls will be converted in accordance with § 530.307(b)(1) of the Commission's regulations.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,

Director,

Bureau of Management Services.

[P.R. Doc. 65-11870; Filed, Nov. 3, 1965; 8:48 a.m.]

## FEDERAL AVIATION AGENCY

[OE Docket No. 65-CE-13]

### MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC.

#### Notice of Affirmation of Determination

On April 2, 1965, the Motorola Communications and Electronics, Inc., submitted to the Agency a notice of proposed construction. This notice described a tower to be located at latitude 42°42'07", longitude 83°14'35" and to be built at a height of 300 feet above the ground level, 1,248 feet above mean sea level.

On May 18, 1965, the Central Region office of the Federal Aviation Agency issued a determination of no hazard to air navigation in Aeronautical Study No. CE-OE-7620. The determination stated that its findings would become effective and final 30 days after issuance unless an appeal was filed.

The Michigan Department of Aeronautics and the Oakland County Board of Auditors made an appeal within the 30-day period by filing a petition for review under § 77.37 of Part 77 of the Federal Aviation Regulations. Notice of the filing of these petitions was given on June 22, 1965 (30 F.R. 8283), and notice of the grant of review of these petitions was given on August 11, 1965 (30 F.R. 10065).

On June 15, 1965, Motorola Communications and Electronics, Inc., constructed a tower at a height of 300 feet above

ground level and in addition attached a 21-foot whip antenna on top thus erecting a structure with a total overall height of 321 feet above ground level. It was later discovered that the elevation at the proposed site was in error and should have been reported at 1,018 feet instead of 948 feet. This error was the result of a transposition of two elevations on separate projects under construction by the contractor. After discovering this error, the sponsor voluntarily reduced the overall height of the tower to 230 feet above ground level, 1,248 feet above mean sea level. On September 21, 1965, the sponsor submitted an amended Form FAA-117 that indicated the proper elevation and the final overall height of the tower.

The Notice of Grant of Petition for Review listed three issues for consideration requested by the petitioners as follows:

1. The determination is erroneous since the proposed structure was not circularized to interested parties for their consideration prior to the issuance of the determination.

2. The determination is erroneous since the structure would be situated in the area of the planned Oakland County Airport, the proposal for which airspace approval was given on May 1, 1963.

3. The determination is erroneous since the structure would be a hazard to aeronautical operations at Allen Airport.

The three issues for consideration raised by the petitioners have been carefully considered and are answered as follows:

1. There is no requirement in Part 77 of the Federal Aviation Regulations for the circularization of any determination made under that part. Therefore, this is not a proper basis upon which to challenge the determination of no hazard.

2. Although a proposed airport is in the planning stage at Pontiac, Mich., the Central Region found on April 9, 1963, that any such airport would be acceptable for visual flight rules operations only. In view of the fact that there are no definitive plans for the proposed Oakland County Airport, it is not possible to make a precise evaluation of the effect of the tower on any future airport; however, based upon all the information available at this time, there is nothing to indicate that the tower would have any substantial adverse effect on the Oakland County Airport as it is now proposed.

3. The Agency has made an additional study of the effect on the traffic at the Allen Airport of the tower as presently erected. The tower with an overall height of 230 feet above ground level, 1,248 feet above mean sea level, presents no substantial adverse effect on the aeronautical operations at the Allen Airport.

Therefore, pursuant to the authority delegated to me by the Administrator, I find that the determination issued by the Central Region in Aeronautical Study No. CE-OE-7620, with the amended specifications, is affirmed and the determination as modified is final.

Issued in Washington, D.C., on October 28, 1965.

CLIFFORD P. BURTON,  
Acting Director, Air Traffic Service.

[P.R. Doc. 65-11840; Filed, Nov. 3, 1965; 8:45 a.m.]

[OE Docket No. 65-EA-10]

### COUNTY OF HENRICO, VA.

#### Affirmation of Determination of No Hazard to Air Navigation

The Federal Aviation Agency was notified by Form FAA-117 dated March 31, 1965, that the County of Henrico, Va., proposed to construct an antenna tower in Richmond, Va., at latitude 37°32'36" N., longitude 77°23'08" W. The overall height of the structure would be 357 feet above mean sea level (201 feet above ground).

On July 28, 1965, the Eastern Regional Office of the Federal Aviation Agency issued a determination that the proposed structure would not be a hazard to air navigation (Aeronautical Study No. EA-OE-7136). The determination acknowledged that the proposed tower would require an increase from 400 feet to 500 feet in the landing minimum for the ASR approach to Runway 15 at Byrd Field, Richmond, Va. It was determined however, that a modification of the ASR approach procedure to permit retention of the 400-foot minimum would be feasible and acceptable. It was further determined that the proposed antenna tower would have no adverse effect on other aeronautical operations, procedures or minimum flight altitudes.

On August 23, 1965, Worley Brothers Co., Inc., Richmond, Va., petitioned the Administrator for a review of the determination pursuant to § 77.37 of the Federal Aviation Regulations. On September 22, 1965, notice was given that the petition was granted and a review would be conducted on the basis of written materials (30 F.R. 12427).

The review included a study of the instrument flight rules (IFR) operations at Byrd Field, with primary consideration given to the effect the structure would have on approaches to Runway 15. In addition to this study, the material developed in the regional study was re-examined and a survey flight conducted of the area involved.

The petition claims the proposed tower would be a hazard to IFR operations at Byrd Field. No information was submitted by the petitioner in support of this claim, nor was any material developed during the course of the review which would substantiate this allegation. The review confirmed the Region's finding that the only effect the structure would have on operations at Byrd Field was as acknowledged in the determination. The modification of the ASR approach procedure as proposed in the determination was found to alleviate this single effect. Therefore, it was concluded the structure would have no substantial adverse effect upon IFR operations at Byrd Field.

The petition further claimed the structure would be a hazard to IFR and visual flight rules operations at the petitioner's proposed airport. The review disclosed the Agency had no record of a proposal by Worley Brothers Co., Inc., for the airport described in the petition. In this regard, § 77.21(a) of the Federal Aviation Regulations provides for the consideration of a proposed airport only when a plan or proposal for such an airport is on file with the Agency on the date the notice of proposed construction is filed.

Based on the review, it is concluded the determination issued by the Agency's Eastern Region reflected properly the effect the tower would have on aeronautical operations, procedures or minimum flight altitudes. Accordingly, it is the finding of the Agency that the proposed structure would have no substantial adverse effect upon aeronautical operations in the Richmond area and the finding of "no hazard to air navigation" issued by the Eastern Region is affirmed.

Therefore, pursuant to the authority delegated to me by the Administrator (30 F.R. 13023), the Determination of No Hazard to Air Navigation issued by the Eastern Region on July 28, 1965, is affirmed, effective this date.

Issued in Washington, D.C., on October 28, 1965.

CLIFFORD P. BURTON,  
Acting Director, Air Traffic Service.

[F.R. Doc. 65-11841; Filed, Nov. 3, 1965; 8:46 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15469, 15470; FCC 65R-389]

### ADVANCED ELECTRONICS AND INDUSTRIAL COMMUNICATIONS SYSTEMS, INC.

#### Memorandum Opinion and Order Remanding Proceeding

In re applications of R. L. Mohr, doing business as Advanced Electronics, Docket No. 15469, File No. 214-C2-P-63; for a construction permit in the Domestic Public Land Mobile Radio Service at Palos Verdes, Calif.; Industrial Communications Systems, Inc., Docket No. 15470, File No. 1050-C2-P-63; for a construction permit for station KMD990 in the Domestic Public Land Mobile Radio Service at Los Angeles, Calif.

1. The Review Board has before it for consideration a petition to reopen the record and for other appropriate relief, filed on August 2, 1965, by Advanced Electronics (Advanced)<sup>1</sup> to determine

<sup>1</sup> Other pleadings before the Board are: an opposition, filed Aug. 17, 1965, by Industrial Communications Systems, Inc. (Industrial); and a reply, filed Aug. 27, 1965, by Advanced; response to the petition, filed Oct. 18, 1965, by the Common Carrier Bureau in accordance with the Review Board's Order, FCC 65R-371, released Oct. 8, 1965; and a petition for leave to file additional pleading and comments on response of the Bureau,

the availability of one of the two transmitter sites proposed by Industrial and to determine whether Industrial was lacking in candor in failing to report the change in the location of one of the sites specified in its application. In an Initial Decision release on February 12, 1965 (FCC 65D-7), Hearing Examiner Charles J. Frederick recommended a grant of the application of Advanced and a denial of that of Industrial. Exceptions were filed and oral argument before the Board was requested prior to the filing of the instant petition. On the basis of, among other things, its larger service area Industrial seeks reversal of the Examiner's Initial Decision. The applicants herein are mutually exclusive as both propose to operate base stations on 454.30 mc/s. These applications were designated for consolidated hearing<sup>2</sup> on a number of issues, including the nature and extent of the services proposed (37 dbu contour) and the areas and populations the applicants propose to serve, and the need for service in said areas.

2. Industrial proposes to operate on 454.30 mc/s utilizing its two existing transmitters on Santiago Peak and Verdugo Peak, both within Los Angeles County, Calif. The Verdugo Peak site is identified as North latitude 34°12'55", West longitude 118°16'33"; ground elevation 3,075 feet; height of antenna above ground 40 feet. This location was used to compute the area and population within Industrial's 37 dbu contour. (Industrial Exh. 1.) In support of the present petition, Advanced alleges that Mountain Investment Corp. (MIC), lessor of the Verdugo Peak site, has taken several actions concerning Industrial's use of the proposed site, i.e.: on September 4, 1964, MIC informed Industrial that Industrial would be required to move its radio equipment into a building constructed by the lessor on Verdugo Peak by September 30, 1964; on March 29, 1965, MIC gave notice that as of May 30, 1965, Industrial's lease permitting the use of Verdugo Peak would be terminated due to nonpayment of rent and failure to move radio equipment into a building constructed by lessor; terms for a new lease were set forth by MIC on June 11, 1965; no lease was signed by Industrial; and on June 22, 1965, MIC communicated its demand that Industrial vacate the premises. Advanced further alleges that on or about July 6, 1965, Industrial removed its radio equipment from the MIC site to another location on Verdugo Peak without proper zoning authority from the City of Glendale; on July 13, 1965, the City Council of Glendale, Calif., authorized the City Attorney to bring action against Industrial and its president, Homer N. Harris; and on July 16, 1965, a complaint was filed by the City of Glendale in the Superior Court of the State of California for the

filed Oct. 25, 1965, by Industrial. The Board has determined that good cause exists for the filing of Industrial's comments of Oct. 25, 1965, and has therefore considered the merits of the additional pleading in this Memorandum Opinion and Order.

<sup>2</sup> Memorandum Opinion and Order, FCC 64-421, released May 18, 1964.

County of Los Angeles requesting that Industrial be enjoined from operating its radio equipment on Verdugo Peak. Advanced argues that Industrial has been less than candid with the Commission due to its failure to obtain Commission authorization to modify or relocate its transmitter and its failure to make known the impending change in its antenna structure at the time of hearing. In support of the latter argument, Advanced contends that Industrial knew of the impending change at the time of hearing<sup>3</sup> and willfully failed to disclose such information.

3. Industrial's opposition to the instant petition is, in substance, that Industrial has a ten-year lease on the property where its transmitter is now located; applications for conditional use or variance permits for the present site were filed with the City of Glendale in January, 1964, and March, 1964; on June 1, 1965, Industrial was informed by the zoning administrator that the City Council had directed that no conditional use permit be granted for the property in question and Industrial filed an appeal to the Board of Zoning Adjustments, the hearing on which is now scheduled for January 13, 1966; Industrial removed its equipment from the MIC site on June 29, 1965, to its present location; on July 2, 1965, the requested variance was denied and Industrial filed another appeal to the Board of Zoning Adjustments on July 8, 1965; on July 16, 1965, the City of Glendale filed an action to enjoin Industrial; and that on August 10, 1965, Industrial filed a writ of mandate to require the City of Glendale to furnish power and act on Industrial's applications.<sup>4</sup> On the basis of this chronology Industrial argues no issue should be added as it is "confident that it would [ultimately] prevail," that the actions of the City of Glendale were "improper, illegal and unauthorized" and that the Board does not question the availability of site if "reasonable assurance of zoning exists." Industrial cites Chronicle Publishing Company, FCC 64R-309, 3 RR 2d 529. In addition, Industrial asserts that, in view of the long period of time involved, Advanced cannot claim its petition is based on newly discovered evidence. Moreover, Industrial claims it was informed by a Commission staff member that § 21.109(b) did not require prior Commission approval for the relocation of the transmitter and that on July 30, 1965, a letter was sent to the Commission informing it of the relocation of the Verdugo Peak transmitter.

4. In its reply, Advanced notes that Industrial admits that the Verdugo Peak transmitter is not located at the site identified in Industrial's above-specified

<sup>3</sup> MIC informed Industrial on Sept. 4, 1964, that its equipment would have to be moved into the building constructed on the site. The FCC hearing was held subsequently, on Sept. 16-18 and Oct. 9, 1964. This change could modify the radiation figures Industrial supplied relative to its transmitter and the placement of its 37 dbu contour.

<sup>4</sup> Industrial in its additional pleading of Oct. 25, 1965, states that this matter is now set for trial on Dec. 2, 1965.

application; Industrial's reliance on § 21.109(b) is misplaced and additional information was requested by the Commission by letter dated August 20, 1965; the geographical coordinates given for the new site are incorrect, being those specified for the old site; the antenna sketch supplied to the Commission in Industrial's July 30, 1965, letter is at variance with the sketch contained in Exhibit 1 of the record; and Industrial has not explained the technical effects of the new antenna arrangement. Advanced also asserts that information regarding the zoning matter was peculiarly within the knowledge of Industrial and good cause for the instant petition has been shown.

5. The Common Carrier Bureau (Bureau) supports the reopening of the record to determine the availability of the site proposed by Industrial. The Bureau submits that it is apparent from the pleadings that the Verdugo Peak site specified by Industrial is presently a matter of controversy and that certain changes in its presently authorized facilities have been instituted by Industrial as a result of this controversy; under § 1.65 of the rules, Industrial was obligated to give notice of changes in its facilities to the Commission and the parties in this proceeding and to amend its application, if necessary; and the availability of the site proposed by Industrial is significant both as a comparative matter and as a factor in determining the need which Industrial purports to serve.

6. The facts surrounding the difficulties in acquiring a site for its transmitter were within the knowledge of Industrial. There is no evidence presented to controvert Advanced's assertion that it recently discovered such evidence. The Board therefore finds good cause for the late filing of the petition and will consider the merits thereof.

7. It is apparent from the foregoing that the conditions under which Industrial will now perform its proposed operation are not those upon which it relied at the hearing and upon which the Examiner based his findings, including those under Issue C—areas and populations within the 37 dbu contour of each applicant and the need for the proposed service. This is apparently the case whether Industrial has available to it the MIC Verdugo Peak site as specified (see footnote 3) or whether the Examiner allows an amendment to the Industrial application specifying a different site. Under the circumstances it is necessary to reopen the record to allow the Examiner to determine the effect of such changes and to determine whether Industrial possesses the qualifications requisite to construct and operate the proposed station. Industrial's assertion that no issue should be added as to the availability of its proposed site because there is "reasonable assurance that it will prevail" is untenable in light of the actions taken by the City of Glendale. While it is true that the Board has assumed that local zoning authorities would approve an applicant's proposal absent allegations "that zoning approval is unlikely," as of now the local authori-

ties have made a determination adverse to Industrial, thereby overcoming any favorable assumption. Chronicle Publishing Co., supra; Edina Corp., FCC 62R-82, 24 RR 455. There is sufficient doubt as to whether Industrial has a site available for its proposed operation to warrant the addition of an issue. Coastal Broadcasters, Inc., FCC 63R-50, 24 RR 949. Further, the Board finds no merit in Industrial's contention that it was not aware of its obligation to report such a material change of circumstances to the Commission. Aside from the express requirements of prior authorization contained in § 21.109(b), it has long been Commission policy to require applicants to notify the Commission of significant changes in circumstances so long as the case remains in hearing. See Page Boy Radio Corp., FCC 63R-320, 25 RR 765; § 1.65 of the Rules.

8. The Board recognizes that the evidence adduced under the issues added herein will require additional findings to be made under existing Issue C. In this respect the Board notes that a review of the Initial Decision and the exceptions filed thereto<sup>3</sup> indicate that the state of the record with respect to existing Issue C is inadequate. For this reason, and for the reasons stated in the preceding paragraph, the Board will order the record in this proceeding reopened. The applicants and the Common Carrier Bureau are advised that evidence pertaining to the following questions is deemed necessary to allow the Board to make a meaningful choice under existing Issue C ("comparative need issue") and to determine whether the public interest, convenience or necessity will be served by a grant of either of the above-captioned applications: (1) The number of services currently available within the proposed 37 dbu contours of the applicants; (2) the theoretical channel capacity of each of the existing services; (3) the amount of channel congestion presently experienced on those existing services, if any; and (4) whether, and, if so, in what sense, the respective service areas proposed by each of the applicants are not adequately served by existing mobile common carriers.

It is ordered, This 28th day of October 1965, That the petition for leave to file additional pleading, filed on October 25, 1965, by Industrial Communications Systems, Inc., is granted and the comments of Industrial Communications Systems, Inc., on the response of the Common Carrier Bureau to the petition to reopen hearing record and for other appropriate action, filed October 25, 1965, by Industrial Communications Systems, Inc. are accepted;

It is further ordered, That the petition to reopen the record and for other appropriate relief filed on August 2, 1965, by

<sup>3</sup> Initial Decision of Hearing Examiner Charles J. Frederick (FCC 65D-7) released Feb. 12, 1965; exceptions and request for oral argument, filed Mar. 15, 1965, by Advanced; exceptions, supporting brief and request for oral argument, filed Mar. 15, 1965, by Industrial; reply to Advanced's exceptions, filed Mar. 29, 1965, by Industrial; and reply to Industrial's exceptions, filed Mar. 30, 1965, by Advanced.

Advanced Electronics is granted; and that this proceeding is remanded to the Hearing Examiner for further hearing consistent with this opinion and for the issuance of a Supplemental Initial Decision in accordance with additional findings on existing Issue C and the following additional issues:

(a) To determine whether the Verdugo Peak site specified by Industrial Communications Systems, Inc., in its application is available for its proposed operation and, if not, whether Industrial Communications Systems, Inc., has reasonable expectancy of obtaining use of the site from the owner, Mountain Investment Corp., or its successors in interest.

(b) To determine, in light of the evidence adduced under Issue (a), if the Verdugo Peak site is not available and if an amendment to Industrial's application is permitted by the Examiner, whether Industrial Communications Systems, Inc., has the amended transmitter site available for its proposed operation and, if not, whether there is reasonable expectancy of obtaining the use of such site.

(c) To determine whether Industrial Communications Systems, Inc., has violated §§ 1.65 and/or 21.109(b) of the Commission's rules in failing to notify the Commission of the relocation of its Verdugo Peak transmitter.

(d) To determine whether Industrial Communications Systems, Inc., was lacking in candor in this proceeding in failing to properly notify the Commission of the relocation of its Verdugo Peak transmitter and the non-availability of the site as specified in its application and evidenced in the hearing record.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11879; Filed, Nov. 3, 1965;  
8:49 a.m.]

[Docket Nos. 16107, 16108; FCC 65M-1412]

#### ALABAMA MICROWAVE, INC.

#### Memorandum Opinion and Order Continuing Hearing

In re applications of: Alabama Microwave, Inc., Docket No. 16107, File No. 5404-C1-P-64; for a construction permit to establish additional facilities at licensed Station KJJ57, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Capshaw Mountain, Ala.; Docket No. 16108, File No. 5405-C1-P-64; for a construction permit to establish a new radio station in the Domestic Public Point-to-Point Microwave Radio Service near Rogersville, Ala.

1. The Hearing Examiner has under consideration a "Joint Motion," filed in the above-entitled proceeding on October 27, 1965, by respondents North Alabama Broadcasters, Inc., and Muscle Shoals TV Cable Co., requesting indefinite postponement of the hearing (presently scheduled to convene on Novem-

ber 1). The applicant, Alabama Microwave, Inc., through its counsel, has informed the Hearing Examiner orally that it has no objection to the motion. The Commission's Broadcast Bureau has advised him that the staff has no objection to a 60-day continuance.

2. The Hearing Examiner, as a matter of general principle, disfavors indefinite postponements of hearings in any type of proceeding. Continuances, if justified, to dates certain, serve to keep the parties' (and their lawyers') feet to the fire, thereby helping to expedite the adjudicatory process. In the present situation, moreover, there are factors which militate against granting the indefinite postponement requested herein. The moving parties assert that they have reached an amicable settlement which is presently being formalized and that this agreement will be submitted to the Commission for inclusion in the record of this proceeding. They have made no commitment as to when this agreement is to be submitted. In the meantime, the applicant, Alabama Microwave, Inc., has submitted to the Examiner a petition in which it requests leave for the dismissal of its application "without prejudice". Time must be afforded under the Commission's rules for the submission of comments addressed to the petition to dismiss, and a question is raised whether action on that pleading ought to be withheld pending Commission consideration of an "agreement" which is not yet on file. If dismissal is granted, whether "with prejudice" or "without prejudice," it may be doubted that the stated purpose of the moving parties to present their agreement to the Commission "for inclusion in the record in this proceeding" can be accomplished, because a concomitant of dismissal of the application, on which the proceeding is based, is termination of the proceeding itself.

3. Under the circumstances outlined above, the Hearing Examiner has decided, on his own motion, to continue the hearing until Monday, January 3, 1966, subject, of course, to such further Order or Orders as future developments may necessitate. At the same time, the Examiner requests the parties to address themselves to the procedural questions raised in paragraph 2 above in such comments as they may wish to file in response to the applicant's petition to dismiss.

Accordingly, it is ordered, This 29th day of October 1965, that the "Joint Motion" for indefinite postponement of the hearing is denied; and

It is ordered further, On the Hearing Examiner's own motion, as noted in paragraph 3 hereinabove, that the hearing is hereby continued until 10 a.m., Monday, January 3, 1966, at the Commission's offices, Washington, D.C.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11880; Filed, Nov. 3, 1965;  
8:49 a.m.]

[Docket Nos. 13341-13344; FCC 65M-1416]

**CREEK COUNTY BROADCASTING CO.  
ET AL.**

**Order Scheduling Prehearing  
Conference**

In re applications of: T. M. Raburn, Jr., trading as Creek County Broadcasting Co., Sapulpa, Okla., Docket No. 13341, File No. BP-11605; Tinker Area Broadcasting Co., Midwest City, Okla., Docket No. 13342, File No. BP-12410; Sapulpa Broadcasting Corp., Sapulpa, Okla., Docket No. 13343, File No. BP-12595; M. W. Cooper, Midwest City, Okla., Docket No. 13344, File No. BP-12887; for construction permits.

The hearing in the above-entitled proceeding was continued without date on September 28, 1961, over 4 years ago, in conformity with the "freeze" imposed by the Commission in Docket 6741 (Clear Channels), effective September 14 of that year.<sup>1</sup> It appears quite likely that the passage of so much time can only have made the proposals of these applicants stale; and it may also be questioned whether the applicants would be disposed to prosecute the applications in their present form at any foreseeable date in the future, even if the door were opened to them. The Hearing Examiner has therefore decided to summon the parties, or their counsel, to a prehearing conference to attempt to ascertain for the record just where they can "expect to go from here". It is hoped that a disposition that would either result in the reactivation of the hearing process in the near future or in the voluntary dismissal of these applications (or their removal from the Hearing Examiner's caseload)<sup>2</sup> will eventuate from the prehearing conference discussions.

Accordingly, it is ordered, This 29th day of October 1965, that a prehearing conference in the above-captioned proceeding will be convened at 10 a.m., Wednesday, November 10, 1965, at the Commission's offices, Washington, D.C.;

It is ordered further, That all the parties, by themselves or through their counsel, shall be present at the aforesaid prehearing conference and shall be prepared to discuss the matters referred to hereinabove.<sup>3</sup>

Released: October 29, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11881; Filed, Nov. 3, 1965;  
8:49 a.m.]

<sup>1</sup>The "freeze" remains in effect under present Rule 1.569(b)(3), which prescribes that "Applications which fail to comply with one or more of the standards (set forth elsewhere in the Rule) will be retained in the pending file without further processing or consideration".

<sup>2</sup>Possibly, the applications could be removed from the Examiner's jurisdiction and placed in the general "pending file without further processing or consideration". Rule 1.569(b)(3). Inquiries concerning the status of this proceeding may then be directed to the custodian of the "pending file" rather

[Docket Nos. 16209, 16210; FCC 65M-1466]

**ELYRIA-LORAIN BROADCASTING CO.  
ET AL.**

**Order Continuing Hearing**

In re applications of Elyria-Lorain Broadcasting Co., Docket No. 16209, File Nos. BR-2173, BRH-571, for renewal of licenses of Stations WEOL AM and FM, Elyria, Ohio; and Loren M. Berry Foundation (Transferor), and The Lorain County Printing and Publishing Co. (Transferee), Docket No. 16210, File No. BTC-4707; for transfer of control of Elyria-Lorain Broadcasting Co.

The Hearing Examiner having under consideration communication from counsel for Elyria-Lorain Broadcasting Co., dated October 27, 1965, requesting that the hearing now scheduled for February 1, 1966, be continued to February 8, 1966. Counsel further advises that all other counsel in this proceeding have acceded to the request;

It appearing, that good cause exists why said request should be granted and there is no opposition thereto;

Accordingly, it is ordered, This 28th day of October 1965, that the request is granted and the hearing now scheduled for February 1, 1966, be and the same is hereby rescheduled for February 8, 1966, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: October 28, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11882; Filed, Nov. 3, 1965;  
8:50 a.m.]

[Docket Nos. 15875, 15876; FCC 65M-1420]

**ERWAY TELEVISION CORP. AND  
CHESAPEAKE ENGINEERING  
PLACEMENT SERVICE, INC.**

**Orders Scheduling Further Prehearing  
Conference**

In re applications of Erway Television Corp., Baltimore, Md., Docket No. 15875, File No. BPCT-3058; Chesapeake Engineering Placement Service, Inc., Baltimore, Md., Docket No. 15876, File No. BPCT-3479; for construction permit for new television broadcast station.

On the Examiner's own motion: It is ordered, This 29th day of October 1965, that a further prehearing conference in the above-entitled proceeding, be, and the same is, hereby scheduled for November 4, 1965, at 9 a.m.; and that the presently scheduled date of November 5, 1965, for the final exchange of exhibits is hereby continued to a date to be set at the aforesaid prehearing conference.

than to the Office of Hearing Examiners of this Hearing Examiner.

Failure of any applicant to appear at the prehearing conference, without "good cause", will be construed as a default, subjecting the applicant concerned to possible dismissal of its application.

Released: November 1, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-11883; Filed, Nov. 3, 1965;  
8:50 a.m.]

[Docket No. 14832; FCC 65M-1414]

**BIGBEE BROADCASTING CO.**

**Memorandum Opinion and Order  
Scheduling Prehearing Conference**

In re application of Paul D. Nichols, William C. Reid, and Houston L. Pearce, doing business as Bigbee Broadcasting Co., Demopolis, Ala., Docket No. 14832, File No. BP-13976; for construction permit.

1. On October 21, 1964, the above-styled applicant, hereinafter referred to as Bigbee, filed a "Petition for Leave to Dismiss" its application. The Broadcast Bureau filed an opposition to such petition on October 30, 1964. On January 4, 1965, Bigbee filed its "Reply to Opposition of the Broadcast Bureau", and on January 19, 1965, oral argument with respect to said pleadings was held before the Examiner. By Memorandum Opinion and Order dated February 2, 1965, the Examiner, after considering the aforesaid pleadings and oral argument thereon, released an order granting the Bigbee "Petition for Leave to Dismiss", but with prejudice, and approving the agreement for reimbursement of Bigbee's out-of-pocket expenses in an amount not to exceed \$5,000. Said order also terminated the proceeding. On February 10, 1965, the Broadcast Bureau filed an appeal to the Review Board from the Examiner's Memorandum Opinion and Order dismissing the above-captioned application; on February 23, Bigbee filed its opposition to the Broadcast Bureau's appeal; and on March 5, 1965, the Broadcast Bureau filed its reply to Bigbee's opposition to the aforesaid appeal. By Memorandum Opinion and Order released May 7, 1965, the Review Board set aside the Hearing Examiner's Memorandum Opinion and Order dated February 2, 1965, which dismissed Bigbee's application and approved the proposed settlement between Bigbee and Demopolis Broadcasting Co., thus, in effect, remanding the case to the Hearing Examiner for further proceedings.

2. On May 14, 1965, Bigbee filed, before the Commission, its application for review of said Memorandum Opinion and Order of the Review Board; on June 1, 1965, the Broadcast Bureau filed its opposition to Bigbee's application for review; and on June 11, 1965, Bigbee filed its reply to the latter-mentioned opposition. By Order released July 2, 1965, the Commission denied Bigbee's application for review.

3. An examination of the Review Board's Memorandum Opinion and Order of May 7, 1965, reveals that it held, contrary to the Broadcast Bureau's contention, that the Hearing Examiner had the delegated authority to act upon this

particular petition to dismiss, and apparently based its order setting aside the Examiner's ruling on the fact that the Broadcast Bureau had not had the opportunity to cross-examine Mr. Gross, nor had his study ever been introduced into evidence, nor that he had been qualified as an expert, contentions, which incidentally, the Bureau raised for the first time in its application for review of the Examiner's ruling. It is true that the Broadcast Bureau had given notice to the parties that it desired the presence of Mr. Gross as a witness when the case was originally scheduled for hearing, but after the petition to dismiss had been filed and the agreement to reimburse Bigbee for out-of-pocket expenses had been entered into, the record, prior to the Examiner's ruling of February 2, 1965, contains no request by the Bureau for either the introduction into evidence of the Gross report which the Bureau, as well as the other parties, including the Examiner, had received on August 11, 1964, or the right to cross-examine Mr. Gross on his report.

4. After the Commission denied Bigbee's petition for review of the Review Board's Memorandum Opinion and Order, on the Examiner's own motion a further prehearing conference in the above-entitled matter was scheduled for October 5, 1965, at which conference all parties appeared and presented their views as to the proper procedural steps to be taken. It was the position of counsel for Bigbee and Demopolis that the Review Board's Memorandum Opinion and Order had been based upon the Broadcast Bureau's lack of cross-examination of Mr. Gross and that a hearing should be scheduled to afford the Bureau an opportunity to test the qualifications of Mr. Gross as an expert and afford it the right to cross-examine him. It was the contention of the Broadcast Bureau that the only question before the Examiner was whether or not the applicant intended to prosecute his application and that in the event it did not so desire its application should be dismissed. During the argument upon the position of the Bureau and the other parties, the Examiner specifically requested of counsel for Bigbee that he obtain from his client a statement as to its intention to prosecute its application, and on October 13, 1965, counsel duly presented a statement from Bigbee which is as follows:

OCTOBER 8, 1965.

Re Docket No. 14832.

HON. MILLARD F. FRENCH,  
Hearing Examiner,  
Federal Communications Commission,  
Washington, D.C., 20554.

DEAR MR. FRENCH: In response to the question you asked of our counsel, Percy H. Russell, at the pre-hearing conference on October 5 regarding our intentions concerning our application for a new AM station at Demopolis, Ala., we wish to advise you that we entered in good faith into an agreement with Demopolis Broadcasting Co. concerning the payment of our out-of-pocket expenses up to \$5,000 along with the dismissal of our application. The agreement was entered into after examining carefully the detailed exhibit presented by Mr. Gross. We were very dis-

appointed that the Review Board did not see fit to approve the agreement. We wish to advise you that we desire to have our agreement with Demopolis Broadcasting Co. approved and to dismiss our application. We feel in all equity that this should be done because the agreement was entered into in good faith on both sides. In view of this agreement, it is not our intention to ask for a grant of our application, regardless of the decision respecting the agreement.

Sincerely,

PAUL D. NICHOLS,  
WILLIAM C. REID,  
HOUSTON L. PEARCE,  
Doing business as  
Bigbee Broadcasting Co.

By /s/ Paul D. Nichols  
PAUL D. NICHOLS

From the foregoing statement of intent, it is noted that the applicant desires to have its agreement with Demopolis approved, and "In view of this agreement, it is not our intention to ask for a grant of our application, regardless of the decision respecting the agreement". It thus appears that the applicant is willing to stand on the approval or disapproval of its agreement with Demopolis for repayment of its out-of-pocket expenses, and that, in either event, its application should be dismissed.

5. After having fully considered the Review Board's Memorandum Opinion and Order, the contentions of the applicant and the Bureau with respect to the interpretation to be placed on said order, and the statement of intent presented by the applicant, it is the opinion of the Examiner that the position taken by the applicant is in accord with the public interest, and that a hearing in this matter should be held. The evidence to be presented at said hearing shall be restricted to the basis for the applicant's action in dismissing its application and entering into the agreement to reimburse it for its out-of-pocket expenses. In no event will evidence outside of the Carroll issue be received, either in the affirmative presentation or in rebuttal thereto. The purpose of the hearing shall be solely to determine whether the applicant has made a "clear and compelling showing" as required in *Woma Typa Broadcasting Co.*, 25 RR 900, that the institution of a second broadcast service in Demopolis would not be in the public interest.

Accordingly, it is ordered, This 28th day of October 1965 that a hearing in accordance with the provisions of paragraph 5, supra, shall be held in the above-entitled proceeding; and

It is further ordered, That for the purpose of ascertaining procedural dates and a date for the holding of said hearing, a further prehearing conference, be, and the same is, hereby scheduled for November 9, 1965, at 9 a.m., in the Offices of the Commission, Washington, D.C.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-11884; Filed, Nov. 3, 1965;  
8:50 a.m.]

[Docket Nos. 16266, 16267; FCC 65-975]

**PALMETTO BROADCASTING SYSTEM, INC. (WAGL) AND WPEG, INC. (WPEG)**

**Order Designating Applications for Consolidated Hearing on Stated Issues**

In re applications of Palmetto Broadcasting System, Inc. (WAGL), Lancaster, S.C., Docket No. 16266, File No. BP-16,486; has: 1560 kc, 1 kw, Day (500 w, C-H), Class II, requests: 1560 kc, 10 kw, Day (500 w, C-H), Class II; WPEG, Inc. (WPEG), Winston-Salem, N.C., Docket No. 16267, File No. BP-16,492; has: 1550 kc, 1 kw, Day, Class II, requests: 1560 kc, 10 kw, DA-D, Class II; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 27th day of October 1965;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The applications propose co-channel operations at a distance of approximately 100 miles and are mutually exclusive in that they involve prohibited overlap of contours as defined by § 73.37 (a) of the Commission's rules.

2. The proposed WPEG directional antenna parameters, as amended September 21, 1965, do not accurately depict the proposed radiation pattern along all azimuths. Accordingly, a question obtains as to whether the proposal would provide adequate daytime skywave protection to co-channel Class 1-B Station WQXR, New York, N.Y., in accordance with § 73.187 of the rules. Thus, issues with respect thereto will be included and the licensee of WQXR made a party to the proceeding.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the 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 may be expected to gain or lose primary service from the proposed operations of Stations WAGL and WPEG and the availability of other primary service to such areas and populations.

2. To determine whether the directional antenna parameters proposed by WPEG accurately depict the radiation values indicated on the horizontal and vertical plane radiation patterns specified in the application.

3. To determine, in the light of evidence adduced pursuant to the foregoing issue, whether adequate daytime skywave protection would be afforded Class 1-B Station WQXR, New York, N.Y., in accordance with § 73.187 of the Commission's rules.

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

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That Interstate Broadcasting Co., Inc., licensee of Station WQXR is made a party to the proceeding.

It is further ordered, That, in the event of a grant either application, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) 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.

It is further ordered, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: November 1, 1965.

FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.D. Doc. 65-11885; Filed, Nov. 3, 1965; 8:50 a.m.]

[Docket No. 15871; FCC 65M-1415]

**SOUTHINGTON BROADCASTERS**

**Order Continuing Hearing**

In re application of Fitzgerald C. Smith trading as Southington Broadcasters, Southington, Conn., Docket No.

<sup>1</sup> Commissioners Hyde and Bartley absent.

15871, File No. BP-16405; for construction permit.

Under consideration is a Motion for Continuance filed by Southington on October 26, 1965, requesting continuance of hearing until the Commission has acted upon pending petitions to consolidate this proceeding with two other proceedings in which applicant's principal, Fitzgerald C. Smith, is involved; and

It appearing that neither the Broadcast Bureau nor Intervenor, Meriden-Wallingford Radio, Inc., the only other parties to the proceeding, has objection to grant of the petition or to its immediate consideration; and

It further appearing that there are considerations militating against grant of the motion, namely, the desirability of clearing up character qualification issues as promptly as possible and not unnecessarily breaching a general policy of the Examiner, which over the years has proven effective in expediting proceedings, not to postpone proceedings because of pendency of interlocutory matters before other authority; but

It also appearing that should hearing move forward as scheduled, parties at odds with Smith in other proceedings might well insist that character matters developed here against him should be injected into their proceedings for their own culling and amplification; and

It finally appearing that, on balance, the threat of duplicating effort and its attendant waste of time, effort, and money accompanying this latter consideration outweigh those considerations suggesting denial of continuance;

It is therefore ordered, This 28th day of October 1965, that the Motion for Continuance filed by Southington Broadcasters on October 26, 1965, is granted and hearing is continued from November 1, 1965, to a date to be determined at a conference to convene at the call of the Examiner.

Released: October 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11886; Filed, Nov. 3, 1965; 8:50 a.m.]

[Docket No. 12782; FCC 65M-1422]

**STUDY OF RADIO AND TELEVISION NETWORK BROADCASTING**

**Order Scheduling Hearing**

It is ordered, This 1st day of November 1965, in accordance with the order of the United States District Court, Southern District of California, filed October 14, 1965 (FCC v. Taft B. Schreiber and MCA, Inc., Civil No. 1258-61-Y), that public sessions of this investigatory proceeding shall be reconvened at 10 a.m., Thursday, December 16, 1965, at the Offices of the Commission, Washington, D.C.; and Taft B. Schreiber and MCA, Inc., are hereby commanded to appear at the said time and place and to testify and produce evidence in accordance with the order of the Commission released



January 27, 1961 (FCC 61-122; Mimeo. No. 99337), heretofore duly served on said Taft B. Schreiber and MCA, Inc., and in accordance with the further orders and directions of the Presiding Officer in pursuance thereof, and to produce all the information and data required by subpoena duces tecum issued October 17, 1960, by the Presiding Officer herein heretofore duly served on Taft B. Schreiber and MCA, Inc.

Released: November 1, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-11867; Filed, Nov. 3, 1965;  
8:50 a.m.]

## FEDERAL MARITIME COMMISSION

### AMERICAN EXPORT ISBRANDTSEN LINES, INC., AND DANUBE EAST MEDITERRANEAN LINE

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. P. J. Warmstein, Manager, Conference & Tariffs, American Export Isbrandtsen Lines, Inc., 26 Broadway, New York, N.Y., 10004.

Agreement 9481 covers a through billing arrangement for the transportation of general cargo under through bills of lading from loading ports of the originating carrier, Danube East Mediterranean Line (Demline), in Roumania to United States ports of call of the second carrier, American Export Isbrandtsen Lines, Inc., north of Cape Hatteras with transshipment at Beirut. Notice of the filing of Agreement 9481 was originally published in the FEDERAL REGISTER on August 10, 1965, but the agreement has been refiled to: (1) Add the transshipment ports of Salonica, Pireus, and Istanbul, and (2) provide that the agreement and/or any modifications thereto

shall not become effective or be implemented prior to approval by the Federal Maritime Commission.

Dated: November 1, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-11867; Filed, Nov. 3, 1965;  
8:48 a.m.]

## COMPAGNIE MARITIME DES CHARGEURS REUNIS, S.A., AND ELDER DEMPSTER LINES, LTD.

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Thomas K. Roche, Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y., 10004.

Agreement 9475-1, between Compagnie Maritime Des Chargeurs Reunis, S.A. and Elder Dempster Lines, Ltd., proposes to modify Agreement 9475 by changing the scope thereof to include the trade in both directions as set forth in the agreement.

Dated: November 1, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-11868; Filed, Nov. 3, 1965;  
8:48 a.m.]

## HARRIS COUNTY HOUSTON SHIP CHANNEL NAVIGATION DISTRICT AND SEA-LAND SERVICE, INC.

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.

Agreement No. T-1873, between the Harris County Houston Ship Channel Navigation District (Port) and Sea-Land Service, Inc. (Sea-Land); provides that Port install a dockside gantry crane on Wharf 16 for Sea-Land's preferential use in connection with its container service. As compensation for the use of the crane, Sea-Land agrees to pay annually, during the 20 year term of the agreement, eight percent of the total construction cost. The Port has the right to use the crane, if such use does not interfere with Sea-Land's operations, and to assess and collect for its own account, its tariff charges for crane usage. Sea-Land will furnish the crane operator and will receive credit, against the annual rental, for all revenues which the Port earns in exercising its right of secondary use.

Dated: November 1, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-11869; Filed, Nov. 3, 1965;  
8:48 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3882]

### BELOCK INSTRUMENT CORP. Order Suspending Trading

OCTOBER 29, 1965.

The common stock, 50 cents par value, and the 6 percent convertible subordinated debentures, series A (due 1975), of Belock Instrument Corp., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock and the 6 percent convertible subordinated debentures, series B (due 1975), being traded over the counter; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities

on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 30, 1965, through November 8, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 65-11851; Filed, Nov. 3, 1965;  
8:47 a.m.]

[812-1832]

### INSURORS MUTUAL FUND, INC.

#### Notice of Application by Investment Company for Exemption

OCTOBER 29, 1965.

Notice is hereby given that Insurors Mutual Fund, Inc. ("Applicant"), 1438 North Stoughton Road, Madison, Wis., a Wisconsin corporation and a registered, open-end, diversified investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for exemption from sections 24(d), 22(d) and 20(a) of the Act, and from Rule 20a-1 of the general rules and regulations promulgated thereunder. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations, which are summarized below.

Applicant, since its organization in April 1959, has served as a medium for the common investment of surplus funds and reserves held by certain town mutual insurance companies ("town mutuals") located in Wisconsin. The town mutuals were organized, pursuant to Wisconsin law, during the period 1860-1927 in order to provide fire insurance coverage to persons within a limited rural vicinity, sometimes as small as a single township. There are 160 town mutuals presently operating in Wisconsin.

At December 31, 1964, Applicant's net assets amounted to \$812,366 and it had 785 shares of common stock outstanding which were owned by 51 town mutuals. Under Applicant's Articles of Incorporation only town mutuals may be shareholders, and their elected representatives are the only persons qualified to serve as Applicant's officers and directors. Applicant's investments are limited to investments permitted to town mutuals under the laws of Wisconsin, and by the "prudent man" rule which governs investments by Wisconsin insurance companies.

Pursuant to contract Lakeland Securities, Inc. ("Lakeland") acts as Applicant's investment advisor and manager for compensation equal to one-twenty-fourth of 1 percent of the average monthly net asset value (1/2 of 1 percent annually). Lakeland is the sole dis-

tributor of Applicant's shares which are sold at their net asset value plus a sales load ranging from 1/4 percent to 3 percent as described in Applicant's prospectus.

Applicant's shareholders are divided into 9 regional districts. By vote of shareholders present at each annual district meeting there is selected a district representative for Applicant's Board of Directors, subject to the vote of all of Applicant's shareholders. All of Applicant's directors are active officers of a town mutual. Applicant states that prospectuses, and quarterly and annual reports are distributed to all of the town mutuals. In order to avoid the expense of compliance with the Commission's proxy rules there has been no voting by proxy. Applicant seeks exemption pursuant to section 6(c) from the provisions of sections 24(d), 22(d) and 20(a) of the Act and Rule 20a-1 promulgated thereunder.

If Applicant were not a registered investment company, the offer and sale of its common stock would qualify for the exemption granted by section 3(a)(11) of the Securities Act of 1933 from the registration requirements of that Act, as an offer and sale made by a Wisconsin Corporation solely to persons resident within that state. Section 24(d) of the Act provides that this exemption shall not apply to a security issued by a registered investment company.

Section 22(d) of the Act requires that registered investment companies sell their securities at a public offering price described in a current prospectus, intended to meet certain requirements of the Securities Act of 1933. Because the exemption from section 24(d) of the Act would allow it to offer and sell its shares to town mutuals without such a prospectus, the Applicant also requests exemption from section 22(d).

Section 20(a) of the Act and Rule 20a-1 of the rules and regulations promulgated thereunder require registered investment companies soliciting proxies to comply with the proxy rules promulgated under the Act and under the Securities Exchange Act of 1934.

Applicant asserts that under all the circumstances registration of its common stock and compliance with the Commission's proxy rules are not required in the protection of investors, and would involve unduly burdensome expense. Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 19, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed

to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon said proposal shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 65-11852; Filed, Nov. 3, 1965;  
8:47 a.m.]

[File No. 70-4320]

### LOUISIANA POWER & LIGHT CO.

#### Notice of Proposed Issue and Sale of \$15,000,000 Notes to Banks

OCTOBER 29, 1965.

Notice is hereby given that Louisiana Power & Light Co. ("Louisiana"), 142 Delaronde Street, New Orleans, La., 70114, a public utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to said declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Louisiana has entered into an agreement, dated October 13, 1965, with the Chase Manhattan Bank, New York, pursuant to which Louisiana proposes to borrow, as needed, amounts not to exceed an aggregate of \$15,000,000 at any one time outstanding. Such borrowings are to be evidenced by notes which will be payable on or before June 30, 1966, and will bear interest at the bank's prime commercial rate (presently 4 1/2 percent per annum) for unsecured loans prevailing from time to time during the life of the notes. The notes may be prepaid, in whole at any time, or in part from time to time, without penalty or premium.

The proceeds from the sale of the proposed notes will be used by Louisiana in part to pay, at or before maturity, its then outstanding short-term notes currently amounting to \$9,000,000 (heretofore issued and sold by Louisiana to said bank pursuant to the exemptive provi-

sions of the first sentence of section 6(b) of the Act) and the balance will be used to reimburse the company's treasury for funds expended to restore the company's property following the damage caused by the recent Hurricane "Betsy", and for other corporate purposes. The filing indicates that four New Orleans, La., banking institutions (namely, Whitney National Bank of New Orleans, the National American Bank of New Orleans, the National Bank of Commerce, and the Hibernia National Bank) may, if they so desire, become participants in the loans to the total amount of 55 percent of each borrowing made by Louisiana from the Chase Manhattan Bank.

There is no commitment or standby fee, and no special and separate expenses are anticipated in connection with this financing other than minor expenses for travel and miscellaneous matters.

The declaration states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than November 19, 1965, request 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 raised by said 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, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[P.R. Doc. 65-11853; Filed, Nov. 3, 1965;  
8:47 a.m.]

[812-1836]

#### WELLINGTON FUND, INC.

Application for Order Exempting Sale by Open-End Company of Its Shares at Other Than Public Offering Price in Exchange for Assets of Closely Held Company

OCTOBER 29, 1965.

Notice is hereby given that Wellington Fund, Inc. ("Wellington Fund"), 1630 Locust Street, Philadelphia, Pa., a

Delaware corporation which is registered under the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares, without sales charge, for substantially all of the cash and securities of Commodore Corp. ("Commodore"). Said exemptive order is requested since the shares of Wellington Fund are offered to the public at a price which includes a sales charge in addition to the net amount which Wellington Fund receives from the underwriter through whom such public offering is made. All interested persons are referred to the application as filed with the Commission for a statement of the representations made therein which are summarized below.

As of August 31, 1965, the net assets of Wellington Fund amounted to approximately \$1,998,440,000. Commodore, a corporation organized under the laws of Delaware, since its creation in 1930 has been a personal holding company owned by a maximum of 13 stockholders. The assets of Commodore consist entirely of cash and marketable securities and, at August 31, 1965, had a value of approximately \$2,492,000. Pursuant to an Agreement and Plan of Reorganization, Wellington Fund will acquire substantially all of the assets of Commodore in exchange for stock of Wellington Fund which will be distributed to shareholders of Commodore upon liquidation. Neither Commodore nor any of the shareholders thereof has any present intention of redeeming shares of Wellington Fund which they acquire.

The amount of stock of Wellington Fund to be delivered to Commodore will be determined on the basis of the values at 3:30 p.m. on the business day next succeeding the first dividend record date established by Wellington Fund after September 27, 1965, or on such other date as may be mutually agreed upon; the number of shares to be delivered will be obtained by dividing the adjusted market value of the assets of Commodore by the net amount per share which Wellington Fund receives from the underwriter of its shares on sale of its shares to the public. This amount is the net asset value per share plus a charge, recently computed at 4 cents per share, to reflect the per-share amount of annual brokerage commissions paid by Wellington Fund in acquiring portfolio securities. The market value of the assets of Commodore will be adjusted according to a formula set forth in the application which reflects the higher ratio of unrealized appreciation in the assets of Commodore than in the assets of Wellington Fund as well as the federal income taxes which may be payable upon present or future realization of the excess appreciation. As of August 31, 1965, unrealized appreciation represented approximately 56 percent and 11 percent of the net asset value of the shares of Commodore and Wellington, respectively. Of

the securities to be acquired, Wellington Fund intends to retain, subject to changes in investment conditions and considerations, securities having a value as of August 31, 1965, of approximately \$2,134,839, and to sell securities having a value of approximately \$251,369.

Notice is further given that any interested person may, not later than November 19, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[P.R. Doc. 65-11854; Filed, Nov. 3, 1965;  
8:47 a.m.]

## TARIFF COMMISSION

### TRADE AGREEMENTS PROGRAM

#### Notice of Issuance of 16th Report

NOVEMBER 1, 1965.

By June 1964, the United States had trade-agreement obligations in force with 69 countries, according to a Tariff Commission report on the operation of the trade agreements program which the Commission released today. Of these, 62 countries were contracting parties to the General Agreement on Tariffs and Trade (GATT), and 5 were countries with which the United States had bilateral trade agreements; 2 countries were GATT contracting parties and also had bilateral agreements in force with the United States.

The report, 16th in the Commission's series, covers events from July 1963 to June 1964. It describes U.S. preparations for participation in the sixth round of multilateral trade agreement negotiations—widely known as "the Kennedy round"—which formally opened in May, and the status of negotiations at the close of the period. The 21st Session of the Contracting Parties to the General

Agreement was held in the spring of 1964. GATT activities of interest to the less-developed countries were among the major topics explored at the session. The Commission's report describes these and other major developments respecting the trade agreements program.

The 16th report was made pursuant to section 402(b) of the Trade Expansion Act of 1962, which requires the Commission to submit to the Congress, at least once a year, a factual report on the operation of the trade agreements program. Copies of the report may be obtained from the Secretary, U.S. Tariff Commission, Washington, D.C., 20436.

DONN N. BENT,  
Secretary.

[F.R. Doc. 65-11862; Filed, Nov. 3, 1965;  
8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 838]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

OCTOBER 29, 1965.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the

<sup>1</sup> Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 730 (Sub-No. 262), filed October 22, 1965. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Post Office Box 958, Oakland 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from West Jordan, Utah, to Las Vegas, Nev. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 923 (Sub-No. 8), filed October 21, 1965. Applicant: MEADE TRANSFER, INC., 421 East Second Street, Owensboro, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Hawesville and Fordsville, Ky., over Kentucky Highway 69, serving all intermediate points and the off-route points within three (3) miles of the specified route, (2) between Fordsville and Hardinsburg, Ky., over Kentucky Highway 261, serving all intermediate points and the off-route points within 3 miles of specified route, (3) serving points in Daviess, Hancock, Breckinridge, and Meade Counties, Ky., as off-route points in connection with applicant's regular-route operations over U.S. Highway 60, and (4) between Owensboro and Sorgho, Ky., over Kentucky Highway 54, serving all intermediate points and the off-route points within three (3) miles of the specified route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 1124 (Sub-No. 209), filed October 15, 1965. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex., 77007. Applicant's representative: Ralph W. Pulley, Jr., 45th Floor, First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and Baton Rouge, La.; from Memphis over U.S. Highway 61 to Baton Rouge, and return over the same route, serving the intermediate points of Zee, St. Francisville, and Port Hudson, La. NOTE: If a

hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 1124 (Sub-No. 210), filed October 22, 1965. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's representative: Leroy Hallman, 45th Floor, First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, those of unusual value, baled cotton, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Freeport and Texas City, Tex.; from Freeport over Texas Farm-To-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, Tex. thence over Texas Farm-To-Market Road 519 to junction Texas Highway 341, thence over Texas Highway 341 to junction Loop 197, and thence over Loop 197 to Texas City, and return over the same route, serving all intermediate points, and (2) between Freeport and Galveston, Tex.; (a) from Freeport over Texas Farm-To-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, Tex., thence over Texas Highway 6 to junction U.S. Highway 75, and thence over U.S. Highway 75 to Galveston, and return over the same route, serving all intermediate points, and (b) over County Road 257, commonly known as "San Luis Beach Road," serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 1187 (Sub-No. 25), filed October 14, 1965. Applicant: CUSHMAN MOTOR DELIVERY COMPANY, a corporation, 1480 West Kinzie Street, Chicago, Ill. Applicant's representative: Edw. G. Bazelon, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Pennsylvania, Ohio, West Virginia, Indiana, Illinois, Wisconsin, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 2136 (Sub-No. 19), filed October 18, 1965. Applicant: CLEMANS TRUCK LINE, INC., 815 East Pennsylvania Avenue, South Bend, Ind. Applicant's representative: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, livestock, perishables, commodities in bulk, and those requiring special equipment), between Grand Rapids and Lowell, Mich., over Michigan Highway 21, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant

requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 2253 (Sub-No. 27), filed October 18, 1965. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Greensboro, N.C., and Miami, Fla.; from Greensboro over U.S. Highway 29 to Charlotte, N.C., thence over U.S. Highway 21 to Columbia, S.C., thence over U.S. Highway 1 through Jacksonville, Fla., to Miami and return over the same route, serving all intermediate points; (2) between Raleigh, N.C., and Miami, Fla.; from Raleigh over U.S. Highway 1 to Jacksonville, Fla., thence over U.S. Highway 17 to Orlando, Fla., thence over Interstate Highway 4 to Tampa, Fla., thence over U.S. Highway 41 to Miami and return over the same route, serving all intermediate points; (3) between Raleigh, N.C., and Atlanta, Ga.; from Raleigh over U.S. Highway 64 to junction North Carolina Highway 49, thence over North Carolina Highway 49 to Charlotte, N.C., thence over U.S. Highway 29 to Atlanta and return over the same route, serving all intermediate points; (4) between Asheville, N.C., and Jacksonville, Fla.; from Asheville over U.S. Highway 25 to Statesboro, Ga.

Thence over U.S. Highway 80 to Savannah, Ga., thence over U.S. Highway 17 to Jacksonville, and return over the same route, serving all intermediate points; (5) between Winston-Salem, N.C., and Tampa, Fla.; from Winston-Salem over U.S. Highway 158 to Mocksville, N.C., thence over U.S. Highway 601 to Salisbury, N.C., thence over U.S. Highway 29 to Charlotte, N.C., thence over U.S. Highway 21 to Columbia, S.C., thence over U.S. Highway 1 to Swainsboro, Ga., over U.S. Highway 221, thence over U.S. Highway 80 to junction U.S. Highway 221 to Perry, Fla., thence over U.S. Highway 98 to junction Florida Highway 336, thence over Florida Highway 336 to Dunnellon, Fla., thence over U.S. Highway 41 to Tampa and return over the same route, serving all intermediate points; (6) between Atlanta, Ga., and Miami, Fla.; from Atlanta over U.S. Highway 41 to junction U.S. Highway 341, thence over U.S. Highway 341 to junction U.S. Highway 41, thence over U.S. Highway 41 to Lake City, Fla., thence over Interstate Highway 75 to junction Interstate Highway 95, thence over Interstate Highway 95 to Miami, and return over the same route, serving all intermediate points; and (7) between Lake City, Fla., and Jacksonville, Fla., over U.S. Highway 90, serving all intermediate points; and in connection with (1) through (7) above, serving all off-route points in North Carolina, South Carolina, Georgia, and Florida. **NOTE:** If a hearing is deemed necessary, appli-

cant requests it be held at Atlanta, Ga.

No. MC 2253 (Sub-No. 28), filed October 18, 1965. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C., 28021. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Augusta, Ga., and Birmingham, Ala.; from Augusta, over U.S. Highway 278 to Atlanta, Ga., thence over U.S. Highway 78 to Birmingham and return over the same route, serving all intermediate points; (2) between Savannah, Ga., and Mobile, Ala.; from Savannah over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 31 to Mobile and return over the same route, serving all intermediate points; and (3) between Atlanta, Ga., and Florence, Ala.; from Atlanta over U.S. Highway 278 to Gadsden, Ala., thence over U.S. Highway 431 to Huntsville, Ala., thence over U.S. Highway 72 to Florence and return over the same route, serving all intermediate points; in connection with (1) through (3) above, serving all off-route points in Georgia and Alabama. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 2253 (Sub-No. 29), filed October 18, 1965. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Baltimore, Md., and Buffalo, N.Y.; from Baltimore over U.S. Highway 111 to junction U.S. Highway 15, thence over U.S. Highway 15 to Wayland, N.Y., thence over New York Highway 63 to junction U.S. Highway 20A, thence over U.S. Highway 20A to junction New York Highway 16, thence over New York Highway 16 to Buffalo and return over the same route, serving all intermediate points in New York; (2) between Baltimore, Md., and Rochester, N.Y.; from Baltimore to Wayland, N.Y., as specified above, thence over U.S. Highway 15 to Rochester and return over the same route, serving all intermediate points in New York; (3) between Baltimore, Md., and Syracuse, N.Y.; from Baltimore to U.S. Highway 15 as described above, thence over U.S. Highway 15 to junction U.S. Highway 11, thence over U.S. Highway 11 to Syracuse and return over the same route, serving all intermediate points in New York; and (4) between Baltimore, Md., and Utica, N.Y.; from Baltimore over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. Highway 202, thence over U.S. Highway 202 to junction Pennsyl-

vania Turnpike Extension, thence over Pennsylvania Turnpike Extension to junction U.S. Highway 11, thence over U.S. Highway 11 to Binghamton, N.Y., thence over New York Highway 12 to Utica and return over the same route, serving all intermediate points in New York; in connection with (1) through (4) above, serving all off-route points in that part of New York on, north and west of New York Highway 7. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Binghamton, N.Y.

No. MC 3094 (Sub-No. 15), filed October 21, 1965. Applicant: SERVICE MOTOR FREIGHT, INC., Atlantic Avenue, Lawnside, N.J. Applicant's representative: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete products*, from Hickstown, N.J., to points in Connecticut, Delaware, Maryland, Massachusetts, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia. **NOTE:** Applicant states the proposed operations will be performed under a continuing contract, or contracts, with the Camden Architectural Cast Stone Co., Inc. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 8948 (Sub-No. 64), filed October 11, 1965. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Post Office Box 15274, Vernon Station, Los Angeles, Calif., 90058. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied helium*, in specially designed dewars, between points in California, Ohio, Texas, Florida, Mississippi, and Louisiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 10761 (Sub-No. 184), filed October 5, 1965. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich., 48209. Applicant's representative: Howell Ellis, 616-618 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except loose bulk commodities, livestock, explosives, except small arms ammunition, currency, bullion, commodities that are contaminating or injurious to other lading, commodities exceeding ordinary equipment and loading facilities), (1) between Pittsburgh, Pa., and Birmingham, Ala.; from Pittsburgh over U.S. Highway 19 through Washington, Pa., to Morgantown, W. Va. (also from Pittsburgh over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 119 to Morgantown), thence over U.S. Highway 19 to Bluefield, W. Va. (also from Pittsburgh over U.S. Highway 22 to Cadiz, Ohio), thence over U.S. Highway 250 (formerly U.S. Highway 36) to junction U.S. Highway 36, thence over U.S. Highway 36 to Newcomerstown, Ohio, thence over U.S. High-

way 21 (also over Interstate Highway 77) through Ripley, W. Va., to Charleston, W. Va., thence over U.S. Highway 21 (also over the West Virginia Turnpike to Bluefield), thence over U.S. Highway 21 and 52 to Wytheville, Va. (also from Athens, Ohio, over U.S. Highway 33 to junction U.S. Highway 21 (also Interstate Highway 77), near Ripley, W. Va.), thence over Interstate Highway 81 to Fort Chiswell, Va., thence over U.S. Highway 52 through Winston-Salem, N.C., to Lexington, N.C., thence over U.S. Highway 29 (also over Interstate Highway 85) to Greenville, S.C., thence over U.S. Highway 123 (also over Interstate Highway 85) to junction U.S. Highway 23, thence over U.S. Highway 23 (also over Interstate Highway 85) to Atlanta, Ga., thence over U.S. Highway 78 to Birmingham, also from Greenville, S.C., over U.S. Highway 29 to Athens, Ga., thence over U.S. Highway 129 to Macon, Ga.

Thence over U.S. Highway 80 to Columbus, Ga., thence over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 31 (also over Interstate Highway 65) to Birmingham, and return over the same route, serving the intermediate points of Winston-Salem, Charlotte and Gastonia, N.C., Greenville, S.C., Atlanta, Macon, Columbus, and Athens, Ga., and Montgomery, Ala., and the off-route points of Augusta and Savannah, Ga., Anniston, Ala., Wilmington, Rocky Mount, and Goldsboro, N.C., and Charleston, S.C.; (2) between Dallas, Tex., and Montgomery, Ala., over U.S. Highway 80, serving the intermediate point of Demopolis, Ala.; (3) between Dallas, Tex., and Birmingham, Ala.; from Dallas over U.S. Highway 80 to junction U.S. Highway 11 near the Mississippi-Alabama State line, thence over U.S. Highway 11 to Birmingham and return over the same route, serving the intermediate point of Tuscaloosa, Ala.; (4) between Cincinnati, Ohio, and Birmingham, Ala.; (a) from Cincinnati over U.S. Highway 52 to junction U.S. Highway 21 at Bluefield, W. Va., thence to Birmingham as described in (1) above and return over the same route, serving the intermediate points of Winston-Salem, Charlotte, and Gastonia, N.C., Greenville, S.C., Atlanta, Macon, Columbus, and Athens, Ga., and Montgomery, Ala., and the off-route points of Augusta and Savannah, Ga., Anniston, Ala., Wilmington, Rocky Mount, and Goldsboro, N.C., and Charleston, S.C.; (b) from Cincinnati over U.S. Highway 25 (also over Interstate Highway 75) to Lexington, Ky., thence over U.S. Highway 27 to Chattanooga, Tenn., thence over U.S. Highway 11 to Birmingham and return over the same route, serving no intermediate points and serving the off-route points of Decatur, Huntsville, and Gadsden, Ala.; (5) between Cincinnati, Ohio, and Winston-Salem, N.C.; from Cincinnati over U.S. Highway 25 (also over Interstate Highway 75) to Lexington, Ky. (also from Louisville, Ky., over U.S. Highway 60 (also over Interstate Highway 64) to Lexington), thence over U.S. Highway 421 to Winston-Salem and return over the same route, serving no

intermediate points; (6) between Cincinnati, Ohio, and Greenville, S.C.; from Cincinnati to Lexington, Ky., as described in (5) above, thence over U.S. Highway 25 to Mount Vernon, Ky. (also from junction U.S. Highways 127 and 60 (also Interstate Highway 64) west of Frankfort, Ky., over U.S. Highway 127 to junction U.S. Highway 150, thence over U.S. Highway 150 through Stanford, Ky., to Mount Vernon).

Thence over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25E to Newport, Tenn., thence over U.S. Highway 25 to Greenville and return over the same route, serving the intermediate point of Asheville, N.C.; (7) between Cincinnati, Ohio, and Macon, Ga.; from Cincinnati to Corbin, Ky., as described above, thence over U.S. Highway 25W to Knoxville, Tenn., thence over U.S. Highway 129 to junction U.S. Highway 411 at Maryville, Tenn., thence over U.S. Highway 411 to junction U.S. Highway 41, thence over U.S. Highway 41 through Atlanta, Ga., to Macon and return over the same route, serving the intermediate points of Marietta and Griffin, Ga., and the off-route point of Rome, Ga.; (8) between Cincinnati, Ohio, and Columbus, Ga.; from Cincinnati to Atlanta, Ga., as described above, thence over Georgia Highway 85 to Columbus and return over the same route, serving the intermediate point of Marietta, Ga., and the off-route point of Rome, Ga.; (9) between Cincinnati, Ohio, and Atlanta, Ga.; from Cincinnati to Chattanooga, Tenn., as described above, thence over U.S. Highway 41 to Atlanta and return over the same route, serving the intermediate point of Marietta, Ga., and the off-route point of Rome, Ga.; (10) between Cincinnati, Ohio, and Wytheville, Va.; from Cincinnati to Lexington, Ky., as described above, thence over U.S. Highway 27 to junction Interstate Highway 40 near Harriman, Tenn., thence over Interstate Highway 40 to Knoxville, Tenn., thence over U.S. Highway 11W to Bristol, Tenn., thence over U.S. Highway 11 (also over Interstate Highway 81) to Wytheville and return over the same route, serving no intermediate points; and (11) serving points within 15 miles of Birmingham, Ala., points within 10 miles of Montgomery, Ala., points within 5 miles of Tuscaloosa, Ala., points within 5 miles of Huntsville, Ala., points within 5 miles of Gadsden, Ala., points within 15 miles of Atlanta, Ga., points within 5 miles of Columbus, Ga., points within 5 miles of Macon, Ga., points in North Carolina on and west of U.S. Highway 301 and points in South Carolina on and west of U.S. Highway 301, as off-route points in connection with all of the above proposed routes.

NOTE: Applicant states that it intends to tack the above proposed authority with that authority previously granted in Certificate No. MC 10761 and subs thereunder, wherein applicant is authorized to serve certain points in the States of Michigan, Illinois, Indiana, Ohio, Pennsylvania, Missouri, Kentucky, Wisconsin, New Jersey, New York, Connecticut, Iowa, Nebraska, Mississippi, Minnesota, Colorado, Massachusetts,

Rhode Island, Kansas, Maryland, District of Columbia, Virginia, West Virginia, Oklahoma, Texas, Arkansas, Maine, New Hampshire, Vermont, Delaware, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Charlotte, N.C., or Pittsburgh, Pa.

No. MC 11220 (Sub-No. 98), filed October 18, 1965. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the plantsite of International Paper Co., approximately 4 miles east of Redwood, Miss., as an off-route point in connection with applicant's presently authorized regular route operations in Docket Nos. MC 11220, Sub 4, and Sub 91. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 17002 (Sub-No. 24), filed October 25, 1965. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Highway 60, East, Huntington, W. Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel and iron and steel articles as described in appendix V to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 (except those commodities which because of size and weight require special equipment), from points in Cabell and Wayne Counties, W. Va., to points in Arkansas, Missouri (except St. Louis), and Oklahoma, and rejected and refused shipments on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29886 (Sub-No. 218) (Amendment), filed October 8, 1965, published in FEDERAL REGISTER, issue of October 28, 1965, and republished as amended this issue. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles M. Pieroni (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Electrical transformers, circuit breakers and/or switchgear, which because of their size or weight require the use of special equipment or special handling, and (2) electrical transformers, circuit breakers and/or switchgear, which because of their size or weight do not require the use of special equipment or special handling, insulators, motors, lightning arresters, oil, switches and parts, for each of the above items when being transported in mixed shipments with those commodities named in (1) above, from Canonsburg, Pa., to points in Michigan, Indiana, Illinois, Wisconsin, Iowa, Massachusetts, Maine, New Hampshire, Vermont, Connecti-

cut, and that part of Ohio on and north of U.S. Highway 6 and on and west of Ohio Highway 19. **NOTE:** Applicant states that no duplicating authority is sought. The purpose of this republication is to enlarge the commodity description. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Chicago, Ill.

No. MC 30319 (Sub-No. 132), filed October 13, 1965. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY, a corporation, Post Office Box 6187, Dallas, Tex., 75222. Applicant's representative: Edwin N. Bell, 1600 Esperson Building, Houston, Tex., 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), (1) between Austin and Kerrville, Tex.; from Austin over U.S. Highway 290 to Fredericksburg, Tex., thence over Texas Highway 16 to Kerrville, and return over the same route, serving the intermediate point of Fredericksburg, Tex., and (2) between Comfort and Fredericksburg, Tex., over U.S. Highway 87, serving no intermediate points. **NOTE:** Applicant states, by virtue of authority granted in Certificate No. MC 30319 (Sub-Nos. 47 and 91), it is authorized to operate over the above routes. However, in its Sub 47, between Austin and Kerrville, Tex., no service was authorized at intermediate points; in its Sub 91, between Comfort and Fredericksburg, Tex., service at Fredericksburg was restricted for purpose of joinder only. The purpose of this application is to remove the closed door restriction at Fredericksburg, Tex. Applicant is wholly owned by Southern Pacific Co. If a hearing is deemed necessary, applicant requests it be held at Fredericksburg, Tex.

No. MC 36473 (Sub-No. 73) (Republication), filed September 15, 1965, published FEDERAL REGISTER issue of October 14, 1965, and republished this issue. Applicant: CENTRAL TRUCK LINES, INC., 600 International Building, 3825 Henderson Boulevard, Post Office Box 18464, Peninsula Station, Tampa, Fla., 33609. Applicant's representative: William R. Fifner, 1602 Union Commerce Building, Cleveland, Ohio. **NOTE:** The purpose of this republication is to show the above representative in lieu of that previously published.

No. MC 41404 (Sub-No. 66), filed October 12, 1965. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn., 38237. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Mankato and Worthing-

ton, Minn., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 51146 (Sub-No. 31), filed October 18, 1965. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and waste paper*, from points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia, to points in Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52751 (Sub-No. 51), filed October 20, 1965. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames or fifth wheels), (2) *agricultural machinery and implements*, (3) *industrial and construction machinery and equipment*, (4) *equipment* designed for use in conjunction with tractors, (5) *trailers*, designed for the transportation of the commodities described above (other than those designed to be drawn by passenger automobiles), (6) *attachments* for the commodities described above, (7) *internal combustion engines*, and (8) *parts* of the commodities described in (1) through (7) above when moving in mixed loads with such commodities, from the plant and warehouse sites and experimental farms of Deere & Co., located in Black Hawk, Dubuque, Polk, and Wapello Counties, Iowa, and Rock Island County, Ill., to Omaha, Nebr., St. Louis, Mo., and points in Illinois, Iowa, Minnesota, North Dakota, and South Dakota, restricted to traffic originating at the described plants and warehouse sites. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52751 (Sub-No. 52), filed October 20, 1965. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural machinery parts, and self-propelled loaders*, from Owatonna, Minn., to Omaha, Nebr., and

points in Illinois, Iowa, Minnesota, North Dakota, and South Dakota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis., or Minneapolis, Minn.

No. MC 59150 (Sub-No. 21), filed October 20, 1965. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Fla. Applicant's representative: Martin Sack, Atlantic National Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos fiber, waste, and shorts*, from Jacksonville, Fla., to Green Cove Springs, Fla., and *wooden pallets*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 59680 (Sub-No. 150), filed October 8, 1965. Applicant: STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Newark, N.J., and Philadelphia, Pa., over U.S. Highway 1, serving no intermediate points. **NOTE:** The purpose of this application is to convert a portion of applicant's present authority from irregular to regular route. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 71061 (Sub-No. 15), filed October 20, 1965. Applicant: BATTLE-TOWN TRANSFER, INC., 330 South Central Avenue, Baltimore, Md., 21202. Applicant's representative: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), from the plant and warehouse facilities of General Motors, Inc., located at or near Dorsey, Md., and from Baltimore, Md., to points in that part of Virginia and West Virginia bounded by a line beginning at the Potomac River and extending along U.S. Highway 15 to Warrenton, Va., thence west along U.S. Highway 211 to New Market, Va., thence along U.S. Highway 11 to the Potomac River, and thence along the Potomac River to point of beginning, to Hagerstown, Md., and points within 25 miles of Hagerstown, and to points in Berkeley County, W. Va. **NOTE:** Applicant states it is presently authorized to provide service from Baltimore, Md., to the destination territory set forth above. The purpose of this application is to allow applicant to serve the facilities of General Motors, which are located approximately one-half mile beyond the present

commercial zone limits of Baltimore to the territory now authorized. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 71516 (Sub-No. 73), filed October 18, 1965. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay or earthenware, floor tile, wall tile, china or earthenware fixtures, tile, facing or flooring, molding, facing, base-board or cove, tile cement, and tile quarries*, from Florence, Ala., to Lexington, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 73165 (Sub-No. 201), filed October 18, 1965. Applicant: EAGLE MOTOR LINES, INC., Post Office Box 1348, 830 North 33d Street, Birmingham, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* (except those requiring special equipment), between Sterling and Rock-Falls, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 73165 (Sub-No. 202), filed October 18, 1965. Applicant: EAGLE MOTOR LINES, INC., Post Office Box 1348, Birmingham, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building panels*, from Dierks and Mount Pine, Ark., and Wright City and Broken Bow, Okla., to points in Alabama, Arkansas, Tennessee, Louisiana, Mississippi, Georgia, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 73165 (Sub-No. 203), filed October 22, 1965. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala., 35201. Applicant's representative: Maurice F. Bishop, 325-29 Frank Nelson Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos products and fittings, materials and accessories* for the installation and transportation thereof (except in bulk), (1) between Ragland, Ala., on the one hand, and, on the other, points in Alabama, Florida, Tennessee, Mississippi, Louisiana, Oklahoma, Virginia, and West Virginia, and (2) from points in Arkansas, Georgia, Kansas, Kentucky, Missouri, North Carolina,

South Carolina, and Texas, to Ragland, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 75406 (Sub-No. 26), filed October 20, 1965. Applicant: SUPERIOR FORWARDING COMPANY, INC., 2600 South Fourth Street, St. Louis, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives and general commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, those requiring specialized equipment, and those injurious or contaminating to other lading), between Little Rock and Sheridan, Ark., over U.S. Highway 167, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76985 (Sub-No. 6), filed October 18, 1965. Applicant: LAVERY TRANSPORTATION, INC., 7430 South Ashland Avenue, Chicago, Ill., 60636. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and equipment and supplies used or useful in the production and distribution thereof*, between the plant-site of the Bethlehem Steel Corp., in Burns Harbor, Porter County, Ind., and points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 82063 (Sub-No. 13), filed October 18, 1965. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough Street, St. Louis 11, Mo. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Wood River, Ill., and points within five (5) miles thereof, to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 82063 (Sub-No. 14), filed October 18, 1965. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough Street, St. Louis 11, Mo. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between St. Louis, Mo., Wood River, Ill., Louisville, Ky., Madison, Ind., and East Liverpool, Ohio, on the one hand, and, on the other, St. Louis, Mo., Wood River, Ill., Louisville, Ky., Madison, Ind., and East Liverpool, Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 82063 (Sub-No. 15), filed October 20, 1965. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough Street, St. Louis, Mo. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, in dump vehicles from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission and points within 10 miles thereof, to points in Illinois, Indiana, Michigan, Missouri, Wisconsin, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Tennessee, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 84511 (Sub-No. 29), filed October 18, 1965. Applicant: COMMERCIAL FREIGHT LINES, INC., 1700 West Ninth Street, Kansas City, Mo. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Des Moines, Iowa, and Kansas City, Mo., from Des Moines over Interstate Highway 35 to junction U.S. Highway 34, thence over U.S. Highway 34 to Osceola, Iowa, and thence over U.S. Highway 69 to Kansas City, and return over the same route, serving no intermediate points. NOTE: Applicant states the proposed service will be restricted for use solely for the purpose of joinder with authorized regular route service between Chicago, Ill., and Des Moines, Iowa, and to traffic originating at or interchanged at or destined to Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 93003 (Sub-No. 44), filed October 20, 1965. Applicant: CARROLL TRUCKING COMPANY, a corporation, 4901 U.S. Route 60, East, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except those commodities which because of size or weight require special equipment), from points in Cabell and Wayne Counties, W. Va., to points in Arkansas, Missouri (except St. Louis), and Oklahoma, and *refused or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103880 (Sub-No. 351), filed October 21, 1965. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill.



Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Carrollton, Ky., to Midland, Mich. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 105413 (Sub-No. 19), filed October 18, 1965. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Council Bluffs, Iowa. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and fertilizer ingredients*, in bulk, in tank vehicles, between points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Iowa. **NOTE:** If a hearing is deemed necessary, applicant does not specify location.

No. MC 105413 (Sub-No. 20), filed October 18, 1965. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Council Bluffs, Iowa. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, fertilizer and fertilizer solutions*, in bulk, in tank vehicles, from Creston, Iowa, and points within ten (10) miles thereof, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. **NOTE:** If a hearing is deemed necessary, applicant does not specify a place of hearing.

No. MC 105413 (Sub-No. 21), filed October 18, 1965. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Council Bluffs, Iowa. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, fertilizer and fertilizer ingredients*, in bulk, in tank vehicles, from the site of the Consumers Cooperative Association fertilizer terminal located at or near Council Bluffs, Iowa, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and North Dakota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 105461 (Sub-No. 68), filed October 19, 1965. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa., 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers and advertising materials and cartons* for glass containers moving in the same vehicle and at the same time with glass containers, from Wharton Township, town of Wharton, Morris County, N.J., to points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont, (2) *damaged, rejected and returned shipments* of the above-specified commodities,

*cullet, wooden shells or bottle carrying boxes with or without partitions, and fibreboard and pulpboard packing materials, and containers* used in the manufacture, sale and distribution of glass bottles from the above-described destination territory to Wharton Township, town of Wharton, Morris County, N.J., (3) *glass containers and advertising materials and cartons* for glass containers moving in the same vehicle, and at the same time with glass containers, from Elmira, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, (4) *damaged, rejected and returned shipments* of the above-specified commodities, *cullet, wooden shells or bottle carrying boxes with or without partitions, and fibreboard and pulpboard packing materials, and containers* used in the manufacture, sale and distribution of glass bottles from the above described destination territory, to Elmira, N.Y., and (5) *cullet, wooden shells or bottle carrying boxes with or without partitions*, from points in Delaware, New Jersey, and Pennsylvania to Elmira, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106401 (Sub-No. 21), filed October 18, 1965. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Charlotte, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Alabama and Georgia as intermediate and off-route points in connection with applicant's authorized regular-route operations (1) between South Carolina-Georgia State line and Atlanta, Ga.; (2) between Atlanta, Ga., and Mobile, Ala.; (3) between junction U.S. Highways 31 and 84 and Opp, Ala.; and (4) between junction U.S. Highways 31 and 80 near Montgomery, Ala., and Atmore, Ala. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 106401 (Sub-No. 22), filed October 18, 1965. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Post Office Box 10877, Charlotte, N.C., 28201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment); (1) between Harrisburg, Pa., and Rochester, N.Y., over U.S. Highway 15, serving all intermediate points in New York; (2) between junction U.S. Highways 20 and 15 and Buffalo, N.Y., over U.S. Highway 20, serving all intermediate points; (3) between Allentown, Pa., and Champlain, N.Y.; (a) from Allentown over U.S. Highway 309 to junction U.S. Highway 11, thence over U.S. Highway 11 to Champlain and return over the same route, serving all inter-

mediate points in New York; (b) from Allentown over Pennsylvania Highway 512 to junction Pennsylvania Highway 115, thence over Pennsylvania Highway 115 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction U.S. Highway 9W, thence over U.S. Highway 9W to junction U.S. Highway 9, thence over U.S. Highway 9 to Champlain and return over the same route, serving all intermediate points in New York; (4) between Binghamton, N.Y., and junction U.S. Highway 9 and New York Highway 3 at Plattsburgh, N.Y.; from Binghamton over New York Highway 12 to junction New York Highway 28, thence over New York Highway 28 to junction New York Highway 30, thence over New York Highway 30 to junction New York Highway 3, thence over New York Highway 3 to junction U.S. Highway 9 at Plattsburgh and return over the same route, serving all intermediate points; (5) between New York, N.Y., and junction U.S. Highways 9 and 9W at Albany, N.Y., over U.S. Highway 9, serving all intermediate points; and (6) between Rochester, N.Y., and Albany, N.Y.; from Rochester, over New York Highway 31 to junction New York Highway 31B, thence over New York Highway 31B to junction New York Highway 5, thence over New York Highway 5 to Albany and return over the same route, serving all intermediate points; in connection with (1) through (6) above, serving all off-route points in New York. **NOTE:** Applicant states that the above proposed authority will be restricted to traffic moving between points in New York, on the one hand, and, on the other, Richmond, Va., and points south of Richmond now authorized to be served by applicant. If a hearing is deemed necessary, applicant requests it be held at Albany and Binghamton, N.Y.

No. MC 106674 (Sub-No. 43), filed October 15, 1965. Applicant: OSBORNE TRUCKING CO., INC., 709 South 13th Street, Post Office Box 82, Vincennes, Ind. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building supplies and building materials*, from points in Illinois, Indiana, Ohio, and Michigan, to points in Georgia and Florida, (2) *sewer pipe and related items*, from points in Indiana, and Owensboro, Ky., to points in Florida, and (3) *clay*, from points in Georgia and South Carolina to points in Connecticut, Illinois, Indiana, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont, and *damaged, rejected, and returned shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 106674 (Sub-No. 44), filed October 20, 1965. Applicant: OSBORNE TRUCKING CO., INC., Vincennes, Ind. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Iron and steel and iron and steel articles* (except those requiring special equipment), and *damaged, rejected, and returned shipments*, between Sterling and Rock Falls, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 107403 (Sub-No. 645), filed October 15, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and vegetable oil products*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Connecticut, Massachusetts, and Rhode Island. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107403 (Sub-No. 646), filed October 22, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, vegetable oil and blends*, thereof, in bulk, in tank vehicles, from Pittsburgh, Pa., to points in Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 414), filed October 20, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between St. Louis, Mo., Wood River, Ill., Louisville, Ky., Madison, Ind., and East Liverpool, Ohio, on the one hand, and, on the other, St. Louis, Mo., Wood River, Ill., Louisville, Ky., Madison, Ind., and East Liverpool, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107500 (Sub-No. 96), filed October 15, 1965. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street., Galesburg, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between St. Joseph, Mo., and junction U.S. Highways 36 and 73 (near Hiawatha, Kans.), over U.S. Highway 36, serving the junction U.S. Highways 36 and 73 for the purpose of joinder only, as an alternate route for operating convenience only, serving no intermediate points. **NOTE:** Applicant is a wholly owned subsidiary of The Chicago, Burlington & Quincy Railroad. Applicant

states it intends to use the proposed route in connection with traffic it presently is handling between points in Illinois and Missouri, on the one hand, and, on the other, points in Nebraska, Colorado, Wyoming, and Montana. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 109637 (Sub-No. 290), filed October 14, 1965. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Louisville, Ky., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Missouri, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110193 (Sub-No. 122), filed October 15, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, except meats, from Albert Lea, Fairmont, Mankato, Winnebago, and Worthington, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110193 (Sub-No. 123), filed October 15, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, articles distributed by meat packinghouses and such commodities as are used by meatpackers in the conduct of their business* when destined to and for use by meatpackers, as described in sections A, B, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766 (except hides and commodities in bulk, in tank vehicles), from points in Iowa to points in Illinois and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 110525 (Sub-No. 751), filed October 15, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Varnish*, in bulk, in tank vehicles, from Pennsauken, N.J., to Tampa, Fla. **NOTE:**

If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 752), filed October 15, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products and coal tar and coal tar products*, in bulk, in tank vehicles, from points in Hamilton County, Ohio, to points in Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110563 (Sub-No. 34), filed October 15, 1965. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Box 259, Sidney, Ohio. Applicant's representative: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery and confectionery products, and advertising matter, premiums, and display materials*, when shipped in the same vehicle with the foregoing commodities, from the plantsite of the Topps Chewing Gum Co., located at or near Duryea, Pa., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, and *refused or rejected shipments*, on return. **NOTE:** Applicant states the above proposed operations will be restricted against (1) tacking at origin and (2) the transportation of commodities in bulk in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 110563 (Sub-No. 35), filed October 15, 1965. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Box 259, Sidney, Ohio. Applicant's representative: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite and warehouse of the Pet Milk Co., located at Allentown and Chambersburg, Pa., to points in Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin, and St. Louis, Mo. **NOTE:** If a hearing is deemed necessary, applicant did not specify any particular area.

No. MC 110988 (Sub-No. 152), filed October 15, 1965. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer ingredients*, in bulk, from Minneapolis, St. Paul, Savage, and Winona, Minn., to points in Wisconsin, North Dakota, South Dakota, Iowa, and Minnesota. **NOTE:** If a hearing is

deemed necessary, applicant does not specify place of hearing.

No. MC 110988 (Sub-No. 153), filed October 15, 1965. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper type vehicles, from Chicago, Ill., to points in Wisconsin (except points in that part of Wisconsin north of the corporate limits of Milwaukee, Wis., to and including points on a line drawn from Shawano to Two Rivers, through Green Bay, Wis., and bounded on the east by Lake Michigan and on the west by Wisconsin Highways 41, 45, and 22). NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 111045 (Sub-No. 51), filed October 21, 1965. Applicant: REDWING CARRIERS, INC., Post Office Box 426, Palm River Road, Tampa, Fla., 33601. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Albany and Alma, Ga., and points within 15 miles of each, to points in Florida, Alabama, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant does not specify particular place.

No. MC 111401 (Sub-No. 182), filed October 21, 1965. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, from Guyton, Okla., and points within 10 miles thereof, to points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 111812 (Sub-No. 315), filed September 28, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102, and William J. Walsh (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Iowa, to points in Illinois, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and the Indiana portion of the Chicago, Ill., commercial zone. NOTE: Applicant states that no duplicating authority is sought herein. If a

hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 111812 (Sub-No. 316), filed September 29, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102, and William J. Walsh (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Perry, Iowa, to points in Wisconsin, South Dakota, Ohio, North Dakota, Nebraska, Missouri, Minnesota, Michigan, Illinois, and points in the Indiana portion of the Chicago, Ill., commercial zone. NOTE: Applicant states that no duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 112223 (Sub-No. 75), filed October 21, 1965. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis, Minn. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn., 55415. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, including*, but not limited to *anhydrous ammonia, nitrogen fertilizer solutions and aqua ammonia*, in bulk, (1) from the plantsite of Tuloma Gas Products Co., facility located between East Peoria and North Pekin, Ill., to points in Iowa, Indiana, Michigan, Minnesota, Missouri, Ohio, South Dakota, and Wisconsin, and (2) from the plantsite of Tuloma Gas Products Co., facility located at or near Burlington, Iowa, to points in Illinois, Indiana, Michigan, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112520 (Sub-No. 129), filed October 18, 1965. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, in tank vehicles, from points in Hamilton County, Fla., to points in Georgia and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 112520 (Sub-No. 130), filed October 18, 1965. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Liquid petroleum gas*, in bulk, in tank vehicles, from points in Dougherty and Bacon Counties, Ga., to points in Florida, Alabama, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 112696 (Sub-No. 29), filed October 19, 1965. Applicant: HARTMANS, INCORPORATED, Post Office Box 898, Harrisonburg, Va. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen food, and fresh and frozen meat and dairy products*, from points in New York, N.Y., commercial zone, to Winchester, Va., and Martinsburg, W. Va. NOTE: Applicant states the proposed service to be restricted against tacking with authority presently held. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113047 (Sub-No. 5), filed October 18, 1965. Applicant: BUANNO TRANSPORTATION CO., INC., Rural Delivery No. 1, Fort Johnson, N.Y. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Montgomery County, N.Y. NOTE: Applicant states the above proposed operations will be conducted in connection with its presently authorized operations in the States of New Jersey and New York. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 113362 (Sub-No. 93), filed October 15, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William J. Boyd, 30 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food products*, in vehicles equipped with mechanical refrigeration, from New York, N.Y., and points in the New York, N.Y., commercial zone and Union County, N.J., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 113488 (Sub-No. 1), filed October 20, 1965. Applicant: L. H. SIMS, 809 Driver Avenue, Winter Park, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals*, between Orlando, Fla., on the one hand,

and, on the other, port cities in Florida, restricted to shipments having prior or subsequent movement by water carrier. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 113678 (Sub-No. 183), filed October 18, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared or preserved other than frozen, from Fruitland, Md., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. **NOTE:** If a hearing is deemed necessary applicant does not specify place of hearing.

No. MC 113678 (Sub-No. 184), filed October 20, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from New York, N.Y., to points in New York on and east of U.S. Highway 11, New Jersey, Connecticut (except New Haven); Massachusetts (except Boston), and Rhode Island, restricted (1) to tacking with other authority held by applicant; (2) against traffic originating at New York, N.Y., and its commercial zone; and (3) against the transportation of named commodities in bulk in tank and hopper type vehicles. **NOTE:** Applicant states that it intends to tack said authority with its MC 113678 and MC 113678 (Sub-No. 7) from Denver, and Greeley, Colo., origins to eliminate interline service now being performed at New York, N.Y., for subsequent movement to the above-specified destinations by other carriers. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113843 (Sub-No. 105), filed October 21, 1965. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, including petrolatum, wax, rust preventatives, and lubricating oils and greases, other than in bulk in tank vehicles, from Buffalo, N.Y., Bradford, Emlenton, Farmers Valley, Franklin, Freedom, Karns City, Oil City, Petrolia, Reno, Rouseville, and Warren, Pa., and St. Marys, W. Va., to points in Illinois, Indiana, and Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 113843 (Sub-No. 106), filed October 21, 1965. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *com-*

*mon carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* from Detroit, Mich., to points in Missouri, Tennessee, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114045 (Sub-No. 195), filed October 14, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766 (except commodities in bulk, in tank vehicles); (2) *frozen foods*; (3) *canned and preserved foods*; (4) *chemicals, chemical blends, and ingredients to be used in further manufacturing processes*; transportation of which does not require special equipment or bulk or tank vehicles; (5) *inedible meats, meat products and meat byproducts, lard, tallows, and oils*; (6) *agricultural products* and those commodities embraced in section 203(b) (6) of Part II of the Interstate Commerce Act when moving in the same vehicle with economic regulated commodities; (7) *frozen animal and poultry foods*; (8) *industrial products* in packages, requiring refrigeration; and (9) *coffee, condensed; coffee extracts; coffee, green; tea and tea dust, and sugar*, from Gulfport, Miss., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 114045 (Sub-No. 196), filed October 15, 1965. Applicant: TRANSCOLD EXPRESS, INC., Finley and Belt Road, Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foods*, from Tyler and Lindale, Tex., to points in Arkansas, Kansas, Oklahoma, and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 114045 (Sub-No. 197), filed October 15, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I, to the report in *Descrip-*

*tions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dayton, Ohio, to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 114045 (Sub-No. 198), filed October 21, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gooding, Idaho, and points within five (5) miles thereof, to points in Utah, Nevada, Arizona, California, Oregon, Washington, Texas, Colorado, Iowa, Illinois, Pennsylvania, New Jersey, New York, and Massachusetts. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 114045 (Sub-No. 199), filed October 22, 1965. Applicant: TRANSCOLD EXPRESS, INC., Belt Line and Finley Road, Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except meats, meat products, meat byproducts, frozen foods, dairy products, salad dressings, yeast, and uncooked bakery products), from Moline, Ill., to points in Oklahoma, Texas, New Mexico, Arizona, and California. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114211 (Sub-No. 91), filed October 11, 1965. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Black Hawk County, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and farm machinery and parts*, from South Bend, Ind., to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 114273 (Sub-No. 16), filed October 13, 1965. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., 3930 16th Avenue SW., Post Office Box 1904, Cedar Rapids, Iowa. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between

Tama, Iowa, and points within 5 miles of Tama, Iowa, on the one hand, and, on the other, points in Colorado, Georgia, Illinois, Indiana, Maryland, Massachusetts, Lower Peninsula of Michigan, Minnesota, Nebraska, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Virginia, Wisconsin, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 114364 (Sub-No. 109), filed October 18, 1965. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm Streets, Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Benton County, Wash., to points in Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Montana, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114533 (Sub-No. 108), filed October 20, 1965. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Papers* used in the processing of data by computing machines, *punch cards*, *magnetic encoded documents*, *magnetic tape*, *punch paper tape*, *printed reports*, and *documents*, and *office records*, (1) between Chicago, Ill., on the one hand, and on the other, points in Indiana and north of U.S. Highway 40, points in Brown, Calumet, Dane, Fond du Lac, Kewaunee, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Rock, Sheboygan, Washington, Waukesha, and Winnebago Counties, Wis., and points in Allegan, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Mecosta, Midland, Monroe, Montcalm, Muskegon, Newaygo, Oakland, Oceana, Ottawa, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, and Wayne Counties, Mich.; (2) between Detroit, Mich., and Indianapolis, Ind.; (3) between Toledo, Ohio, and Alma, Mich. and (4) between Kansas City, Mo., on the one hand, and, on the other, points in that part of Kansas east of a line beginning at the Oklahoma-Kansas State line and extending along the western boundary of Harper County, Kans., to the southern boundary of Kingman County, Kans., thence along the southern boundary of Kingman County to the western boundary of Kingman County, and thence along the western boundaries of Kingman, Reno, Rice, Ellsworth, Lincoln, Mitchell, and Jewell Counties, Kans., to the Kansas-Nebraska State line, and points in Nuckolls and Richardson Counties, Nebr. **Restriction:** The service proposed herein will be subject to

the following conditions: (1) The service shall be limited to the transportation of packages each weighing 100 pounds or less, and (2) that carrier shall not transport more than one package from one consignor at one location to one consignee at one location on any one day. **NOTE:** Applicant states it is presently authorized under MC-114533, Sub 24, to transport the commodities involved herein within the territory sought to be served herein, limited to shipments of packages each weighing 25 pounds or less. The purpose of this application is to increase the weight of packages sought to be transported to *100 pounds or less*. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114939 (Sub-No. 36), filed October 15, 1965. Applicant: BULK CARRIERS LIMITED, Box 10, Cooksville, Ontario, Canada. Applicant's representative: Walter N. Bieneman, Suite 1700, Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, in bulk, in tank and hopper type vehicles, from Decatur, Ill., to ports of entry on the international boundary line between the United States and Canada located at or near Detroit and Port Huron, Mich. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 115093 (Sub-No. 4), filed October 18, 1965. Applicant: MERCURY MOTOR EXPRESS, INC., Post Office Box 3391, Tampa, Fla. Applicant's representative: F. T. Stroud, 11 East Forsyth Street, Room 804, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Greensboro, N.C., and Miami, Fla.; from Greensboro over U.S. Highway 29 to Charlotte, N.C., thence over U.S. Highway 21 to Columbia, S.C., thence over U.S. Highway 1 through Jacksonville, Fla., to Miami and return over the same route, serving all intermediate points; (2) between Durham, N.C., and Miami, Fla.; from Durham over U.S. Highway 15 to Sanford, N.C., thence over U.S. Highway 1 to Jacksonville, Fla., thence over U.S. Highway 17 to Orlando, Fla., thence over Interstate Highway 4 to Tampa, Fla., thence over U.S. Highway 41 to Miami and return over the same route, serving all intermediate points; (3) between Raleigh, N.C., and Atlanta, Ga.; from Raleigh over U.S. Highway 64 to junction North Carolina Highway 49, thence over North Carolina Highway 49 to Charlotte, N.C., thence over U.S. Highway 29 to Atlanta and return over the same route, serving all intermediate points; (4) between Asheville, N.C., and Jacksonville, Fla.; from Asheville over U.S. Highway 25 to Statesboro, Ga., thence over U.S. Highway 80 to Savannah, Ga., thence over U.S. Highway 17 to Jacksonville, and return

over the same route, serving all intermediate points; and (5) between Winston-Salem, N.C., and Tampa, Fla.; from Winston-Salem over U.S. Highway 158 to Mocksville, N.C., thence over U.S. Highway 601 to Salisbury, N.C., thence over U.S. Highway 29 to Charlotte, N.C., thence over U.S. Highway 21 to Columbia, S.C., thence over U.S. Highway 1 to Swainsboro, Ga., thence over Georgia Highway 56 to junction U.S. Highway 221, thence over U.S. Highway 221 to Perry, Fla., thence over U.S. Highway 98 to junction Florida Highway 336, thence over Florida Highway 336 to Dunnellon, Fla., thence over U.S. Highway 41 to Tampa and return over the same route, serving all intermediate points; serving, in connection with routes (1) through (5) above, all off-route points in North Carolina, South Carolina, Georgia, and Florida. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115093 (Sub-No. 5), filed October 18, 1965. Applicant: MERCURY MOTOR EXPRESS, INC., Post Office Box 3391, Tampa, Fla. Applicant's representative: F. T. Stroud, 11 East Forsyth Street, Room 804, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Pittsburgh, Pa., and Columbus, Ohio; from Pittsburgh over U.S. Highway 22 to Cambridge, Ohio, thence over U.S. Highway 40 to Columbus and return over the same route, serving all intermediate points; (2) between Pittsburgh, Pa., and Cleveland, Ohio; (a) from Pittsburgh over Pennsylvania Highway 65 to junction Pennsylvania Highway 68, thence over Pennsylvania Highway 68 to junction Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to Cleveland and return over the same route, serving all intermediate points; (b) from Pittsburgh to Ohio Highway 14 as described above, thence over Ohio Highway 14 to junction Ohio Highway 7, thence over Ohio Highway 7 to Youngstown, Ohio, thence over U.S. Highway 422 to Cleveland and return over the same route, serving all intermediate points; and (c) from Pittsburgh to Ohio Highway 14 as described above, thence over Ohio Highway 14 to junction Ohio Highway 14A, thence over Ohio Highway 14A to Salem, Ohio, thence over U.S. Highway 62 to Canton, Ohio, thence over Ohio Highway 8 to Akron, Ohio, thence over Ohio Highway 18 to junction U.S. Highway 21, thence over U.S. Highway 21 to Cleveland and return over the same route, serving all intermediate points; and in connection with (1) through (2) above, serving all off-route points in that part of Ohio on, north and east of a line beginning at the West Virginia-Ohio State line and extending along U.S. Highway 40 to junction U.S. Highway 42,

thence along U.S. Highway 42 to Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115093 (Sub-No. 6), filed October 18, 1965. Applicant: MERCURY MOTOR EXPRESS, INC., Post Office Box 3391, Tampa, Fla. Applicant's representative: F. T. Stroud, 11 East Forsyth Street, Room 804, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Augusta, Ga., and Birmingham, Ala., from Augusta over U.S. Highway 278 to Atlanta, thence over U.S. Highway 78 to Birmingham, Ala., and return over the same route, serving all intermediate points, (2) between Savannah, Ga., and Mobile, Ala., from Savannah over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 31 to Mobile and return over the same route, serving all intermediate points, and (3) between Atlanta, Ga., and Florence, Ala., from Atlanta over U.S. Highway 278 to Gadsden, Ala., thence over U.S. Highway 431 to Huntsville, thence over U.S. Highway 72 to Florence and return over the same route, serving all intermediate points. Service is proposed to and from all off-route points in Georgia and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115093 (Sub-No. 7), filed October 18, 1965. Applicant: MERCURY MOTOR EXPRESS, INC., Post Office Box 3391, Tampa, Fla. Applicant's representative: F. T. Stroud, 11 East Forsyth Street, Room 804, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Scranton, Pa., and Buffalo, N.Y., from Scranton over U.S. Highway 6 to junction U.S. Highway 220, thence over U.S. Highway 220 to Waverly, N.Y., thence over New York Highway 17 to Painted Post, thence over U.S. Highway 15 to Wayland, thence over New York Highway 63 to junction Alternate U.S. Highway 20, thence over Alternate U.S. Highway 20 to junction U.S. Highway 62, thence over U.S. Highway 62 to Buffalo, and return over the same route, serving all intermediate points; (2) between Scranton, Pa., and Rochester, N.Y., from Scranton as described above to Wayland, N.Y., thence over New York Highway 17 to junction U.S. Highway 15, thence over U.S. Highway 15 to Rochester and return over the same route, serving all intermediate points; (3) between Scranton, Pa., and Syracuse, N.Y., over U.S. Highway 11, serving all intermediate points; and (4) between

Scranton, Pa., and Utica, N.Y., from Scranton over U.S. Highway 11 to Binghamton, N.Y., thence over New York Highway 12 to Utica and return over the same route, serving all intermediate points. Service proposed to and from all off-route points in New York north of New York Highway 7. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo or Binghamton, N.Y.

No. MC 115215 (Sub-No. 7), filed October 19, 1965. Applicant: NEW TRUCK LINES, INC., 500 West Hampton Springs Avenue, Perry, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottle carrying crates*, from Perry, Fla., to points in Alabama, Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, points in Virginia north of U.S. Highway 60, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 115323 (Sub-No. 45), filed October 18, 1965. Applicant: BLYTHE MOTOR LINES, INC., Post Office Box 1698, 2939 Orlando Drive, Sanford, Fla. Applicant's representative: James A. Harkins, Post Office Box 426, Tampa, Fla., 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice*, in bulk, in tank vehicles, from points in the southern peninsula of Michigan; those in New York on and west of New York Highway 26; those in Ohio on and north of U.S. Highway 224; and those in Pennsylvania on, north and west of U.S. Highway 62 to points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 115331 (Sub-No. 160), filed October 21, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from the plantsite of Central Farmers Terminal Co., located at or near Albany, Ill., to points in Iowa, Minnesota, Wisconsin, Indiana, Missouri, Nebraska, South Dakota, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115331 (Sub-No. 161), filed October 21, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry litharge*, in bulk, from Chicago, Ill., to points in Minnesota, Wisconsin, Iowa, Missouri, Indiana, Michigan, Ohio, Kentucky, Nebraska, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 115331 (Sub-No. 162), filed October 21, 1965. Applicant: TRUCK

TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, compounds, and ingredients, feed and feed ingredients*, from Cairo, Ill., to points in Arkansas, Kentucky, Missouri, Tennessee, Indiana, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115491 (Sub-No. 80), filed October 13, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue., Auburndale, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee (except Memphis, Tenn., and points in the commercial zone thereof). NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans., or Kansas City, Mo.

No. MC 115504 (Sub-No. 26), filed October 15, 1965. Applicant: KENISON TRUCKING, INC., Post Office Box 334, 1975 South, 1045 West, Salt Lake City, Utah. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Items dealt with and handled by wholesale and retail grocery firms, except animal and poultry foods and feeds and ingredients used in the manufacturing of both commodities, from points in Alameda, Contra Costa, Fresno, Los Angeles, Merced, Orange, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Stanislaus, and Ventura Counties, Calif., to Ely and Elko, Nev., and Cedar City, Richfield, Provo, Price, Ogden, and Salt Lake City, Utah, and contaminated and rejected shipments, on return, and (2) items in (1) above and contaminated and rejected shipments, between Ely, Elko, and Reno, Nev., and Salt Lake City, Clearfield, and Ogden, Utah. NOTE: Applicant holds common carrier authority in MC 119848 and Subs thereto, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.*

No. MC 115615 (Sub-No. 5), filed October 15, 1965. Applicant: JOSHUA J. MITCHELL, Post Office Box 18, Quantico, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crossed and/or untreated lumber, poles, and piling*, from the plantsite of J. I. Wells Co., Inc., near Quantico, Md., to points in Pennsylvania, New Jersey, those in Bronx, Delaware, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Suffolk, Sullivan, Ulster, and Westchester Counties, N.Y., those in Virginia (except those located on the Delmarva Peninsula), and

the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115826 (Sub-No. 109), filed October 15, 1965. Applicant: W. J. DIGBY, INC., 1950 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Great Falls, Mont., to points in California on and south of a line beginning at Fort Bragg, Calif., and extending along California Highway 20 to junction U.S. Highway 40, thence along U.S. Highway 40 to the California-Nevada State line. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 115841 (Sub-No. 250), filed September 3, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh or frozen poultry and poultry products and byproducts*, between points in Jefferson County, Ala. **NOTE:** Applicant states "this authority can be tacked or joined with subs already held from Birmingham, Ala., to points in Connecticut, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, District of Columbia, Arkansas, Missouri, Delaware, Iowa, Oklahoma, Kansas, and Nebraska on and east of U.S. Highway 81. This service can be performed under original lead certificate and its subs, by tacking or joining, 29, 71, 79, 134, 135, 146, and 159." If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115841 (Sub-No. 253), filed October 19, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods*, from Elizabeth, N.J., to Union City and Jersey City, N.J. **NOTE:** Applicant states that it intends to tack the above proposed authority with that authority previously granted in Certificate MC 115841 sub 4, wherein applicant is authorized to serve points in the States of Mississippi, Louisiana, Alabama, Tennessee, Pennsylvania, New Jersey, and New York. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 116077 (Sub-No. 186), filed October 15, 1965. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex., 77011. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar emulsion* (other than chemical or petroleum, in bulk), from Toledo, Ohio, to points in Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 116273 (Sub-No. 50) (Amendment), filed August 30, 1965, published FEDERAL REGISTER issue of September 15, 1965, amended October 14, 1965, and republished, as amended this issue. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, nitrogen fertilizer solutions, aqua ammonia*, in bulk, in tank vehicles, and *fertilizer and fertilizer ingredients*, in bulk, (1) from the plantsites of the Midsouth Chemical Co. and Tuloma Gas Products Co., located between Peoria and North Pekin, Ill., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin, and (2) from the plantsite of Tuloma Gas Products Co. located at or near Burlington, Iowa, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. **NOTE:** The purpose of this republication is to clearly set forth the proposed operations. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116544 (Sub-No. 63), filed October 18, 1965. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr., or Kansas City, Mo.

No. MC 116544 (Sub-No. 64), filed October 22, 1965. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 516, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Grand Forks, N. Dak., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 116763 (Sub-No. 66), filed October 19, 1965. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Beaver Dam, Fox Lake, Ripon, and Rosendale, Wis., to points in Indiana, Kentucky, Lower Peninsula of Michigan, and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116763 (Sub-No. 67), filed October 20, 1965. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products*, from Robbinsville, N.J., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117119 (Sub-No. 279), filed October 19, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to St. Paul, Minn., and St. Joseph, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 280), filed October 22, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Watertown, Mass., to points in New York and New Jersey. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117327 (Sub-No. 6), filed October 18, 1965. Applicant: AIR CARGO TERMINALS, INC., Municipal Airport, Kansas City 16, Mo. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Lambert Field, St. Louis, Mo., on the one hand, and, on the other, points in Bond, Calhoun, Christian, Clinton, Fayette, Greene, Jersey, Macoupin, Madison, Marion, Monroe, Montgomery, Morgan, Perry, Pike, Randolph, Saint Clair, Scott, and Washington Counties, Ill.; and Audrain, Callaway, Crawford, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Montgomery, Osage, Perry, Pike, Saint Charles, St. Louis, St. Francois, Ste. Genevieve, Warren, and Washington Counties, Mo., restricted to traffic having an immediately prior or subsequent movement by aircraft. **NOTE:** If a hearing is deemed necessary, ap-

plicant requests it be held at St. Louis, Mo.

No. MC 117427 (Sub-No. 48), filed October 18, 1965. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 746, North Wilkesboro, N.C., 28659. Applicant's representative: Earl P. Rieger, 1366 National Press Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard sheets and boards*, from Catawba, S.C., and points within 5 miles thereof, to points in Kansas and Missouri. NOTE: Applicant is also authorized to conduct operations as contract carrier by Permit No. MC 116145 and sub thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117427 (Sub-No. 49), filed October 18, 1965. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 746, North Wilkesboro, N.C., 28659. Applicant's representative: Francis J. Ortman, 1366 National Press Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards or sheets* made with wood particle core based with wood flakes-edge banded with wood or not edge banded, from South Boston, Va., and points within 5 miles thereof to points in Delaware, Georgia, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, West Virginia, and the District of Columbia. NOTE: Applicant is also authorized to operate as a contract carrier in Permit No. MC 116145 and sub thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117686 (Sub-No. 64), filed October 18, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C, of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles) from points in Adams County, Nebr., to points in Kansas and Missouri, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 117867 (Sub-No. 5), filed October 11, 1965. Applicant: SMITH BANANA TRANSPORT, INC., 4003 Valley Drive, Pueblo, Colo., 81002. Applicant's representative: Michael T. Corcoran, 1360 Locust Street, Denver, Colo., 80220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Mobile, Ala., New Orleans, La., and Gulfport, Miss., to points in New Mexico

and Wayne Counties, W. Va., to points in Arkansas, Iowa, Missouri, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117883 (Sub-No. 66), filed October 21, 1965. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of the Green Giant Co. located at Belvidere, Ill., to points in Indiana, Michigan, Kentucky, Ohio, West Virginia, and points in the States of New York and Pennsylvania and west of Interstate Highway 81. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 119555 (Sub-No. 4), filed October 18, 1965. Applicant: OIL AND INDUSTRY SUPPLIERS LTD., 400 Archibald Street, Winnipeg 6, Manitoba, Canada. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, in foreign commerce only, from ports of entry on the international boundary line between the United States and Canada located in North Dakota and Minnesota, to points in North Dakota and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119741 (Sub-No. 22), filed October 15, 1965. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1453, Winter Haven, Fla. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Colorado, Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 119767 (Sub-No. 134), filed October 18, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen food*, from the plantsite of the Green Giant Co., located at or near Belvidere, Ill., to points in West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119777 (Sub-No. 48), filed October 7, 1965. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Cabell

and Wayne Counties, W. Va., to points in Arkansas, Iowa, Missouri, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119778 (Sub-No. 96), filed October 18, 1965. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala., 35211. Applicant's representative: James A. Harkin, Post Office Box 428, Tampa, Fla., 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro-alloys*, in bulk, from Rockwood, Tenn., to Fairchild, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala., or Nashville, Tenn.

No. MC 119778 (Sub-No. 97), filed October 21, 1965. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Wilson Road, Birmingham, Ala., 35211. Applicant's representative: James E. Wilson, 1735 K Street, NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, ground or powdered, in bulk, and compounds thereof, from points in Tuscaloosa County, Ala., to points in Tennessee, Georgia, Florida, and Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala., or Atlanta, Ga.

No. MC 119864 (Sub-No. 16), filed October 20, 1965. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glassware, glass bottles and jars, caps or covers for glass containers, and paper cartons*, between Terre Haute, Ind., on the one hand, and, on the other, Chicago, Ill., and points in Kentucky, Michigan, and Ohio, and (2) *damaged or rejected shipments and returned pallets with their protective packaging equipment*, from Chicago, Ill., and points in Kentucky, Michigan, and Ohio, to Terre Haute, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120634 (Sub-No. 9), filed October 21, 1965. Applicant: JOE HODGES TRANSPORTATION CORPORATION, Post Office Box 82397, Oklahoma City, Okla. Applicant's representative: Ralph W. Pulley, Jr., 4555 First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and livestock), (1) between Hollis, Okla., and Wellington, Tex.; from Hollis over U.S. Highway 62 to junction Texas Highway 1642, thence over Texas Highway 1642 to Dodson, Tex., thence over Texas Highway 338 to Wellington and return over the same route, serving all intermediate



points: (2) between Wellington, Tex., and Wheeler, Tex., over U.S. Highway 83, serving all intermediate points and the off-route point of United Carbon Co. plant located approximately 6 miles east of Shamrock, Tex., on U.S. Highway 66 at Norrick, Tex.; (3) between Wheeler, Tex., and junction Interstate Highway 40 and Oklahoma Highway 34; from Wheeler over Texas Highway 152 to the Texas-Oklahoma State line, thence over Oklahoma Highway 152 to Sayre, Okla., thence over Interstate Highway 40 to junction Oklahoma Highway 34 (approximately four (4) miles west of Elk City), and return over the same route, serving no intermediate points and serving junction Interstate Highway 40 and Oklahoma Highway 34 as a point of joinder only, as an alternate route for operating convenience only; (4) between Shamrock, Tex., and junction Interstate Highway 40 and Oklahoma Highway 34 (approximately four (4) miles west of Elk City, Okla.), over Interstate Highway 40, serving no intermediate points and serving junction Interstate Highway 40 and Oklahoma Highway 34 as a point of joinder only, as an alternate route for operating convenience only; and (5) between Wellington, Tex., and Mangum, Okla.; from Wellington over Texas Highway 203 to the Texas-Oklahoma State line, thence over Oklahoma Highway 9 to Mangum and return over the same route, serving all intermediate points and serving the junction of Texas Highway 203 and Oklahoma Highway 9 at the Texas-Oklahoma State line, as a point of joinder only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 121142 (Sub-No. 5), filed October 13, 1965. Applicant: J & G EXPRESS, INC., Post Office Box 2069, Jackson, Miss. Applicant's representative: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk), (1) between Grenada and Houston, Miss., over Mississippi Highway 8, serving all intermediate points, (2) between junction Mississippi Highway 7 and the Mississippi-Tennessee State line and Belzoni, Miss., over Mississippi Highway 7, serving all intermediate points, and (3) between Grenada and Jackson, Miss., over U.S. Highway 51, with closed doors (except for shipments originating at or destined to points on the route described in (2) above). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 123067 (Sub-No. 33), filed October 8, 1965. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C.

209 (except petroleum wax, and those commodities listed in appendix XV to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209), from Bayonne and Bayway, N.J., to points in South Carolina, and *rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 123393 (Sub-No. 100), filed October 13, 1965. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and except vegetable oils and animal fats in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Alabama, Georgia, Florida, North Carolina, and South Carolina. **NOTE:** If a hearing is deemed necessary, applicant does not specify location.

No. MC 123393 (Sub-No. 101), filed October 18, 1965. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Mississippi and Louisiana and *exempt commodities*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Washington, D.C.

No. MC 123405 (Sub-No. 13), filed October 19, 1965. Applicant: FOOD TRANSPORT, INC., Post Office Box 1041, York, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods, table syrups, and maple syrup*, from Lewes, Del., to Brundidge, Ala. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123405 (Sub-No. 14), filed October 19, 1965. Applicant: FOOD TRANSPORT, INC., Post Office Box 1041, York, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned mushrooms*, (1) from Wilmington, Del., to New Orleans, La., and Dallas, El Paso, Houston, and San Antonio, Tex., and Memphis, Tenn., and (2) from Coatesville and Concordville, Pa., to Memphis, Tenn. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123639 (Sub-No. 39), filed October 22, 1965. Applicant: J. B.

MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Denver, Colo.

No. MC 124078 (Sub-No. 161), filed October 11, 1965. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Hanover, Wis., and points within 5 miles thereof, to points in Iowa and Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 162), filed October 20, 1965. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from Valmeyer, Ill., and points within ten (10) miles thereof, to points in Illinois, Indiana, Kentucky, Tennessee, Mississippi, Arkansas, Missouri, Iowa, Michigan, Ohio, Kansas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 124083 (Sub-No. 24), filed October 15, 1965. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 South Keystone, Indianapolis, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt, coke, pig iron, scrap metal, ferro alloys, coal, roadbuilding construction materials, dry bulk commodities*, in bulk, sand, gravel, dirt, cement, brick, and construction materials and supplies, between points in Indiana, with shipments having prior movement by rail, water or motor vehicle in interstate commerce. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124211 (Sub-No. 69), filed October 18, 1965. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, Nebr. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as de-

scribed in sections A and C, appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766 (except commodities in bulk in tank vehicles), between points in Iowa, on the one hand, and, on the other, points in Illinois, Kansas, Missouri, Minnesota, Nebraska, Wisconsin, and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 124324 (Sub-No. 6), filed October 15, 1965. Applicant: MURPHY TRUCKING CO., INC., Denver, Ind. Applicant's representative: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry urea* from Lima, Ohio, to points in Indiana, and (2) *dyna-floss dical* from Sylvania, Ohio, to points in Indiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 125433 (Sub-No. 3), filed October 25, 1965. Applicant: F-B TRUCK LINE COMPANY, a corporation, Post Office Box 1625, 365 West 1370 South Street, Salt Lake City, Utah, 84110. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (a) between points in California and Utah, and (b) (1) from points in Colorado to points in Utah, Nevada, California, Idaho, and Montana, (2) from points in Utah to points in Montana, New Mexico, Nevada, Idaho, and Wyoming, and (3) from points in California to points in Nevada. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 125708 (Sub-No. 33), filed October 18, 1965. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, in dump vehicles, from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission and points within 10 miles thereof, to points in Illinois, Indiana, Michigan, Wisconsin, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Tennessee, and Kentucky. **NOTE:** Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 116434 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 125708 (Sub-No. 34), filed October 25, 1965. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and articles of iron and steel manufacture*, from points in Whiteside County, Ill., to points in Arkansas, Kentucky, and Tennessee. **NOTE:** Applicant

has contract carrier authority under MC 116434 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126224 (Sub-No. 3), filed October 13, 1965. Applicant: JAMES F. BAILEY, doing business as BAILEY TRUCKING, Rural Route No. 1, Garrett, Ind. Applicant's representative: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt*, from Rittman, Ohio, and St. Louis, Mich., to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange, and Steuben Counties, Ind., (2) *alfalfa meal*, from Blissfield, Mich., and Toledo, Ohio, to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange and Steuben Counties, Ind., (3) *nitrogen fertilizer*, dry from Lima, Ohio, to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange and Steuben Counties, Ind., (4) *picket cribbing, fence posts and poles, and roofing*, from Chicago, Ill., to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange and Steuben Counties, Ind., (5) *soybean meal*, from Danville and Decatur, Ill., to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange and Steuben Counties, Ind., and (6) *meat scraps and tankage*, from Toledo, Ohio, to points in De Kalb, Noble, Kosciusko, Whitley, Allen, Lagrange and Steuben Counties, Ind. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 126245 (Sub-No. 1), filed October 18, 1965. Applicant: EARL BROOKS, doing business as BROOKS TRUCK LINE, 118 North Salt Pond, Marshall, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between St. Louis and Windsor, Mo.; from St. Louis over Interstate Highway 70 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction Missouri Highway 52, and thence over Missouri Highway 52 to Windsor, and return over the same route, serving the intermediate points of Sedalia and Marshall Junction, Mo., (2) between St. Louis and Marshall, Mo.; from St. Louis over Interstate Highway 70 to junction U.S. Highway 65, and thence over U.S. Highway 65 to Marshall, and return over the same route, serving the intermediate point of Marshall Junction, Mo., and the off-route points of Slater, Gilliam, Glasgow, Payette, Nelson, Napton, Miami, Malta Bend, Blue Lick, Alma, Grand Pass, Carrollton, Waverly, Shackelford, Mount Leonard, Blackburn, Dover, and Corder, Mo., and (3) between St. Louis and Lexington, Mo.; from St. Louis over Interstate Highway 70 to junction Missouri Highway 13, and

thence over Missouri Highway 13 to Lexington, and return over the same route, serving the intermediate points of Marshall Junction, Sweet Springs, Emma, Concordia, and Higginsville, Mo., and the off-route points of Buckner, Corder, Dover, Waverly, and Carrollton, Mo. **NOTE:** Applicant states the authority listed in (1), (2), and (3) above may not be tacked with any other authority held by applicant so that applicant could provide service between St. Louis and Kansas City, Mo. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 126631 (Sub-No. 1), filed October 14, 1965. Applicant: G. L. PLANK, Bluff City, Tenn. Applicant's representative: Clarence Evans, Third National Bank Building, Nashville 3, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials or compounds*, in bulk and bags, and *liquid nitrogen fertilizer*, in bulk, from Johnson City, Tenn., to points in Ashe, Avery, Buncombe, Haywood, Henderson, Madison, Mitchell, Transylvania, Watauga, and Yancey Counties, N.C., and points in Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise Counties, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 126745 (Sub-No. 13), filed October 22, 1965. Applicant: SOUTHERN COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: Ewell H. Muse, Jr., Suite 415, Perry Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Audit and accounting media*, between Birmingham, Ala., on the one hand, and, on the other, New Orleans, La., Pensacola, Fla., and Pascagoula and Jackson, Miss. **NOTE:** Applicant is also authorized to conduct operations as contract carrier in Permit No. MC 123304 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 127033 (Sub-No. 2), filed October 25, 1965. Applicant: C. & B. TRUCKING CO., INC., Post Office Box 192, Chester, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* in bulk and in bags, from Augusta, Ga., to points in South Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 127042 (Sub-No. 7), filed October 18, 1965. Applicant: HAGEN, INC., 4120 Floyd Street, Sioux City, Iowa. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts, and articles distributed by meat packinghouses*, as

described in sections A and C, of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, North Dakota, South Dakota, Wisconsin, and Wyoming, and damaged and rejected shipments of the commodities specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127267 (Sub-No. 1), filed October 15, 1965. Applicant: CLYDE G. WALKER, doing business as WALKER'S VAN SERVICE, 195 Stockton Street, San Jose, Calif. Applicant's representative: C. R. Nickerson, 9 First Street, San Francisco, Calif., 94105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and new office and store fixtures, uncrated, from Berkeley, Oakland, San Leandro, San Francisco, and South San Francisco, Calif., to points in Oregon and Washington.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 127291 (Sub-No. 2) (Amendment), filed July 16, 1965, published FEDERAL REGISTER issue of August 26, 1965, amended October 21, 1965, and republished as amended this issue. Applicant: HENRY SCHULER, doing business as SCHULER TRUCK LINE, Rural Route, Dalton, Nebr. Applicant's representative: Frank J. Mattoon, Box 218, Sidney, Nebr., 69162. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Compressed strawboard and wood, combined, and parts used for the installation thereof, from the Midwest Stramit Corp. processing plant located at Dalton, Cheyenne County, Nebr., to points in Colorado, Wyoming, Iowa, Washington, South Dakota, and Kansas,* and (2) *wood pulp, paper and rosin from points in Colorado, Wyoming, Iowa, Washington, South Dakota, and Kansas to the Midwest Stramit Corp. processing plant located at Dalton, Cheyenne County, Nebr., for the account of Midwest Stramit Corp. of Dalton, Nebr.* **NOTE:** The purpose of this republication is to clearly set forth the authority sought. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 127330 (Sub-No. 1), filed October 4, 1965. Applicant: CITY TRANSFER & WAREHOUSE, INC., 400 Southwest First Avenue, Miami, Fla. Applicant's representative: John Gale, 525 Pan American Bank Building, Miami, Fla., 33131. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, between Miami, Port of Laudania, Fort Lauderdale, Palm Beach, and West Palm Beach, Fla., on the one hand, and, on the other hand, points in Dade, Broward, and Palm Beach Counties, Fla.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 127341 (Sub-No. 2), filed October 18, 1965. Applicant: JOHN R. DAILY, INC., 115 West Front Street, Missoula, Mont. Applicant's representative: Jeremy G. Thane, Savings Center Building, Missoula, Mont. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in sections A, B, and C, appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Missoula, Mont., to points in Missoula, Ravalli, Deer Lodge, Granite, Silver Bow, Mineral, Lewis and Clark, Powell, Lake, Sanders, Flathead, Lincoln, Glacier, and Beaverhead Counties, Mont.* **NOTE:** Applicant states the proposed service will be performed for the account of John Morrell & Co., of Sioux Falls, S. Dak. If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 127431 (Sub-No. 3), filed October 22, 1965. Applicant: CAROLINA-VIRGINIA COURIERS INC., 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Ewell H. Muse, Jr., Suite 415, Perry Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Payroll checks, business papers and records, sales and advertising pamphlets, and audit and accounting media (excluding plant removals), between Richmond, Va., on the one hand, and, on the other, Asheville, Charlotte, Raleigh, Rocky Mount, and Winston-Salem, N.C.* **NOTE:** Applicant is also authorized to conduct operations as a *contract carrier* in Permit No. MC 123486 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 127487 (Sub-No. 1), filed September 15, 1965. Applicant: CALHOUN TRUCKING COMPANY, INC., 4325 Bath Street, Philadelphia 37, Pa. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden poles and piling, treated and untreated, in flatbed trailers, from Philadelphia, Pa., to points in Connecticut, and damaged, rejected, and returned shipments, on return.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127578 (Sub-No. 1), filed September 17, 1965. Applicant: KAMIAH DAIRY PRODUCTS, INC., Box 785, Kamiah, Idaho. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Dairy products, in shipper owned refrigerator trailers, between Spokane, Wash., and Lewiston, Idaho; from Spokane over U.S. Highway 195 to junction U.S. Highway 95, thence over U.S. Highway 95 to Lewiston and return over the same route, serving no intermediate points.* **NOTE:** Applicant states that the above proposed operation will be con-

ducted under continuing contract with the Carnation Co., Spokane, Wash. If a hearing is deemed necessary, applicant requests it be held at Kamiah, Idaho.

No. MC 127640 (Sub-No. 1), filed October 21, 1965. Applicant: WALTER LOTTMAN, 116 Franklin Avenue, Union, Mo. Applicant's representative: Harold B. Bamberg, 407 North Eighth Street, St. Louis 1, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk, cream, butter, ice cream mix, buttermilk powder, and other dairy products, between St. Louis, Mo., on the one hand, and, on the other, Litchfield, Chester, Carbondale, and Harrisburg, Ill.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127644, filed October 12, 1965. Applicant: MALLARD TRANSPORTATION, INC., 2420 Stagnor Avenue, Warrington, Pa. Applicant's representative: G. Donald Bullock, Box 146, Wyncote, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except those requiring special equipment, commodities in bulk and commodities injurious to other lading), (1) between Doylestown, Pa., on the one hand, and, on the other, points in Chester, Berks, Bucks, Delaware, Lehigh, Northampton, and Philadelphia Counties, Pa., and (2) between airports located in Chester, Berks, Bucks, Delaware, Lehigh, Northampton, and Philadelphia Counties, Pa., restricted to shipments having a prior or subsequent movement by air.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 127660, filed October 18, 1965. Applicant: KENNETH L. EBY, 10208 Southeast French Road, Vancouver, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in seasonal operations extending from May 1 through November 1 of each year, transporting: *Boats, not exceeding 36 feet in length, in truckaway service, between Portland, Ore., and Olympia, Wash.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 127661, filed October 19, 1965. Applicant: ALFRED PRIEST AND DAVID PRIEST, a partnership, doing business as PRIEST TRANSPORT, 202 42d Avenue SE., Calgary, Alberta, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel (prefabricated trusses), from Spokane, Wash., to the port of entry on the international boundary line between the United States and Canada located at or near Eastport, Idaho.* **NOTE:** If a hearing is deemed necessary, applicant does not specify location.

No. MC 127662, filed October 18, 1965. Applicant: WILLIAM YONKOVICH, doing business as CHISHOLM TRANSPORTATION COMPANY, 8 1st Street SW., Chisholm, Minn. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *General commodities (except*

those of unusual value, classes A and B explosives, household goods, as defined by the Commission and those requiring special equipment), between points within a 20-mile radius of Chisholm, Minn., restricted to service which is auxiliary or supplemental to rail service. **NOTE:** Applicant is also authorized to conduct operations as a common carrier of passengers in Certificate MC 28588. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 127668, filed October 21, 1965. Applicant: WILLIAM WELCH AND JOHN WELCH, a partnership, doing business as WELCH TRUCKING COMPANY, Portales, N. Mex. Applicant's representative: Edwin E. Piper, Jr., Suite 715-18, Simms Building, Albuquerque, N. Mex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Colorado, New Mexico, and Arizona, on the one hand, and, on the other, points in Oklahoma. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 127672, filed October 21, 1965. Applicant: NYE TRUCKING CO., INC., 888 Clinton Avenue, Irvington, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and pitch coatings and cement*, in containers, *sheathing paper, roofing and building paper, and wood lath*, from the plantsite of the Seaboard Supply Co., in Irvington, N.J., to New York, N.Y., and points in Westchester, Ulster, Nassau, Suffolk, Albany, Rensselaer, Schenectady, Warren, Sullivan, Rockland, and Orange Counties, N.Y., Philadelphia, Allentown, and Harrisburg, Pa., Wilmington, Del., and points in Connecticut. **NOTE:** Applicant states the proposed service to be under a continuing contract or contracts with Seaboard Supply Co. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

#### MOTOR CARRIERS OF PASSENGERS

No. MC (Sub-No. 8), filed October 19, 1965. Applicant: PINE HILL-KINGSTON BUS CORPORATION, 495 Broadway, Kingston, N.Y. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, serving Kingston, N.Y., as an intermediate point in connection with applicant's authorized regular-route operations between Oneonta, N.Y., and New York, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Albany, N.Y.

No. MC 127564 (Sub-No. 2), filed October 8, 1965. Applicant: TANNER MOTOR TOURS OF NEVADA, LTD., 1406 South Commerce Street, Las Vegas, Nev., 89102. Applicant's representative: S. Harrison Kahn, 733 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transport-

ing: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, (1) between Las Vegas, Nev., and Lake Mead, Nev., from Las Vegas over U.S. Highways 93 and 466 to Hoover Dam, Nevada-Arizona, thence over unnumbered highway to Lake Mead, and return over the same route, serving the intermediate point of Hoover Dam, Nevada-Arizona, (2) between Las Vegas, Nev., and Los Angeles, Calif.; from Las Vegas over Interstate Highway 15 to junction Interstate Highway 10 (formerly U.S. Highways 91, 466 and 66), thence over Interstate Highway 10 (formerly U.S. Highway 60) to Los Angeles and return over the same route, serving no intermediate points; (3) between Las Vegas, Nev., and the Grand Canyon, Ariz.; from Las Vegas over U.S. Highway 93 to Kingman, Ariz., thence over U.S. Highway 66 to Williams, Ariz., thence over Arizona Highway 64 to the Grand Canyon and return over the same route, serving no intermediate points; and (4) in a circular tour, from Los Angeles, Calif., over U.S. Highway 60 to Phoenix, Ariz., thence over Arizona Highway 69 to junction Arizona Highway 79, thence over Arizona Highway 79 to Flagstaff, Ariz., thence over U.S. Highway 66 to Williams, Ariz., thence over Arizona Highway 64 to the Grand Canyon, Ariz., thence return over Arizona Highway 64 to Williams, Ariz., thence over U.S. Highway 66 to Kingman, Ariz., thence over U.S. Highway 93 to junction unnumbered highway to Lake Mead, Nev., thence return over unnumbered highway to junction U.S. Highway 93, thence over U.S. Highway 93 to Las Vegas, Nev., thence over Interstate Highway 15 to junction Interstate Highway 10, thence over Interstate Highway 10 to Los Angeles, the point of beginning, serving the intermediate points of Phoenix, Ariz., Lake Mead and Las Vegas, Nev. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev.

No. MC 127564 (Sub-No. 3), filed October 21, 1965. Applicant: TANNER MOTOR TOURS OF NEVADA, LTD., 1406 South Commerce Street, Las Vegas, Nev. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at Las Vegas, Nev., and points within its commercial zone, and extending to points in California, Nevada, Arizona, Oregon, Washington, and Utah. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev.

No. MC 127564 (Sub-No. 4), filed October 21, 1965. Applicant: TANNER MOTOR TOURS OF NEVADA, LTD., 1406 South Commerce Street, Las Vegas, Nev., 89102. Applicant's representative: S. Harrison Kahn, 733 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at Los Angeles, Calif., and points in Santa Barbara, Ventura, Los Angeles, Orange, Riverside, Kern, and San Diego Counties, Calif., and that part of San Bernardino County, Calif., on and south of U.S. Highway 466, and extending to points in California, Nevada, Arizona, Oregon, Washington, and Utah. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 127663, filed October 18, 1965. Applicant: LEON H. LUDOLPH, doing business as LUDOLPH BUS SERVICE, 304 Eighth Avenue NW., Pipestone, Minn., 56164. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations beginning and ending at points in Pipestone, Rock, Murray, and Lincoln Counties, Minn., and extending to points in Wisconsin, Illinois, Iowa, Nebraska, South Dakota, North Dakota, Montana, and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak., or Minneapolis, Minn.

No. MC 127669, filed October 20, 1965. Applicant: CHERRY HILL TRANSIT, a corporation, 612 Church Road, Cherry Hill, N.J., 08034. Applicant's representative: Walter S. Anderson, Wilson Building, Broadway at Cooper Street, Camden, N.J., 08102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Cherry Hill Mall, Cherry Hill, N.J., and intersection of Bridge Street and Frankford Avenue at Philadelphia, Pa.; from Cherry Hill Mall over Haddonfield Road (also known as Haddonfield-Sorrel Horse Road) through Cherry Hill and Pennsauken, N.J., to junction New Jersey Highway 73, thence over New Jersey Highway 73 to Tacony-Palmyra Bridge Plaza, Palmyra, N.J., thence over the Tacony-Palmyra Bridge to State Road at Philadelphia, Pa., thence over State Road, Tacony Street and Bridge Street to intersection Frankford Avenue and return over the same route, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Camden, N.J.

#### APPLICATIONS FOR BROKERAGE LICENSES

##### MOTOR CARRIERS OF PASSENGERS

No. MC 12969, filed October 21, 1965. Applicant: MARY DELEMA PASKEY OUTTEN, doing business as KENT SUSSEX TRAVEL AGENCY, R.F.D. 2, Box 115, Greenwood, Del. For a license (BMC 5) to engage in operations as a *broker* at Greenwood, Del., in arranging for transportation by motor vehicle in interstate or foreign commerce of *passengers and their baggage*, in special and charter operations, beginning and end-

ing at points in Kent and Sussex Counties, Del., and those in New Castle, Del., below the C and D canal and Caroline and Queen Annes Canals, Md., and extending to points in the United States, including the ports of entry on the international boundary lines between the United States and Canada and between the United States and Mexico.

#### FREIGHT FORWARDER APPLICATIONS

##### FREIGHT FORWARDER OF PROPERTY

No. FF-328 DAVIDSON FORWARDING COMPANY, freight forwarder application, filed October 21, 1965. Applicant: DAVIDSON FORWARDING COMPANY, 3180 V Street NE., Washington, D.C. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, in the forwarding of *used household goods, used automobiles and unaccompanied baggage*, between points in the United States, including Alaska and Hawaii.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 200), filed October 21, 1965. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14287, Houston, Tex., 77021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from Yonkers, N.Y., to Minneapolis, Minn. **NOTE:** Common control may be involved.

No. MC 27970 (Sub-No. 41), filed March 1, 1965. Applicant: CHICAGO EXPRESS, INCORPORATED, 617 Wauhtown Street, Post Office Box 213, Winston-Salem, N.C. Applicant's representative: David G. Macdonald, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: Part I, routes in the east subject to interterritorial restriction; *General commodities* (except those of unusual value, classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Baltimore, Md., and Wheeling, W. Va., (X-1) from Baltimore over U.S. Highway 40 (also over Interstate Highway 70N to junction Interstate Highway 70, thence over Interstate Highway 70) to Wheeling, and return over the same route, serving no intermediate points, serving Wheeling and all junctions of U.S. Highway 40 and Interstate Highway 70 for joinder only; (X-2) from Baltimore over U.S. Highway 1 (also over U.S. Highway 29) to Washington, D.C., thence over U.S. Highway 240 to junction U.S. Highway 40 (also over Interstate Highway 70S to junction Interstate Highway 70), thence over U.S. Highway 40 (also over Interstate 70) to Wheeling, and return over the same route, serving the intermediate point of Washington,

D.C., and serving the junction U.S. Highways 40 and 240 and Interstate Highways 70N and 70S, near Frederick, Md., for joinder only; between Baltimore, Md., and Pittsburgh, Pa., (X-3) from Baltimore over U.S. Highway 140 to junction U.S. Highway 30, thence over U.S. Highway 30 to Pittsburgh, and return over the same route, serving no intermediate points, serving junctions with the Pennsylvania Turnpike (Interstate Highway 76) for joinder only; (X-4) from Baltimore over U.S. Highway 40 by way of Frederick, Md., (also from Baltimore over U.S. Highway 1 and also over U.S. Highway 29) to Washington, D.C., thence over U.S. Highway 240 to junction U.S. Highway 40, thence over U.S. Highway 40 to Uniontown, Pa.

Thence over Pennsylvania Highway 51 to Pittsburgh, and return over the same route, serving the intermediate point of Washington, D.C.; (X-5) from Baltimore over Interstate Highway 70N and U.S. Highway 40 to Hancock, Md., thence over Interstate Highway 70 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction U.S. Highway 30 at Toll Gate No. 7, thence over U.S. Highway 30 to Pittsburgh, and return over the same route, serving no intermediate points, serving junction U.S. Highway 40 and 240 and Interstate Highways 70N and 70S, near Frederick, Md., and junction Interstate Highway 70 and U.S. Highway 30 near Breezewood, Pa., for joinder only; between Baltimore, Md. and Philadelphia, Pa., (X-6) from Baltimore over U.S. Highway 40 (also from Baltimore over Interstate Highway 95) to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, and return over the same route, serving the intermediate point of Marcus Hook, Pa.; (X-7) from Baltimore over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to Camden, N.J., thence over U.S. Highway 30 to Philadelphia, and return over the same route, serving no intermediate points; between Scranton and Harrisburg, Pa., (X-8) over U.S. Highway 11, serving no intermediate points; (X-9) from Harrisburg over U.S. Highway 22 to junction Northwest Extension of the Pennsylvania Turnpike, thence over Northwest Extension of the Pennsylvania Turnpike to Scranton, and return over the same route, serving no intermediate points, serving the junction Interstate Highway 78 and Northwest Extension of the Pennsylvania Turnpike for joinder only; between Scranton, Pa., and Newark, N.J., (X-10) from Scranton over U.S. Highway 611 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction New Jersey Highway 10.

Thence over New Jersey Highway 10 to Newark, and return over the same route, serving no intermediate points; between Scranton, Pa., and Buffalo, N.Y., (X-11) from Scranton over U.S. Highway 6 to junction U.S. Highway 220, thence over U.S. Highway 220 to Waverly, N.Y., thence over New York Highway 17 (also from Scranton over Interstate Highway 81 to Binghamton, thence over New York Highway 17) to

Painted Post, thence over U.S. Highway 15 to Wayland, thence over New York Highway 63 to junction U.S. Highway 20, thence over U.S. Highway 20 to Buffalo, and return over the same route, serving the intermediate point of Elmira, N.Y.; between Hartford, Conn., and Albany, N.Y., (X-12) from Hartford over U.S. Highway 5 (also over Alternate U.S. Highway 5) to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, and return over the same route, serving no intermediate points; (X-13) from Hartford over U.S. Highway 44 to junction U.S. Highway 7, thence over U.S. Highway 7 to junction Massachusetts Highway 71, thence over Massachusetts Highway 71 to Massachusetts-New York State line, thence over New York Highway 71 to junction New York Highway 22, thence over New York Highway 22 to junction New York Highway 203 to junction U.S. Highway 9, thence over U.S. Highway 9 to Albany, and return over the same route, serving no intermediate points; (X-14) from Hartford over Interstate Highway 91 to junction Interstate Highway 90, thence over Interstate Highway 90 to Albany, and return over the same route, serving no intermediate points; between Hartford and Bridgeport, Conn.; (X-15) from Hartford over U.S. Highway 5 (also over Connecticut Highway 4 to junction Connecticut Highway 10, thence over Connecticut Highway 10) to junction U.S. Highway 1.

Thence over U.S. Highway 1 to Bridgeport, and return over the same route, serving no intermediate points; between Hartford, Conn., and Providence, R.I., (X-16) over U.S. Highway 6, serving no intermediate points; between Hartford, Conn., and Boston, Mass., (X-17) from Hartford over U.S. Highway 6 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to Connecticut-Massachusetts State line, thence over Massachusetts Highway 15 to junction U.S. Highway 20, thence over U.S. Highway 20 to Boston, and return over the same route, serving no intermediate points, but serving the off-route point of Somerville, Mass.; between Washington, D.C., and Charleston, W. Va., (X-18) from Washington over U.S. Highway 211 to New Market, Va., thence over U.S. Highway 11 to junction U.S. Highway 60, thence over U.S. Highway 60 to Charleston, W. Va., and return over the same route, serving no intermediate points and serving Charleston for joinder only; (X-19) from Washington over Interstate Highway 86 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 64, thence over Interstate Highway 64 to Charleston, and return over the same route, serving no intermediate points and serving Charleston for joinder only; between Washington, D.C., and Cincinnati, Ohio, (X-20) over U.S. Highway 50, serving no intermediate points; between Hartford, Conn., and Cleveland, Ohio, (X-21) over U.S. Highway 6, serving the intermediate point of Scranton, Pa., and the off-route point of Elmira, N.Y.; (X-22) from Hartford

over Interstate Highway 84 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 422, thence over U.S. Highway 422 to Cleveland, and return over the same route, serving the off-route points of Scranton, Pa., and Elmira, N.Y.; (X-23) serving points in New Jersey on and north of New Jersey Highway 33 and those in New Jersey within 25 miles of Philadelphia, as intermediate and off-route points in connection with carrier's regular routes to and from Philadelphia and Marcus Hook, Pa., Newark, N.J., and New York, N.Y. Restriction: Service to and from points east of the Ohio-Pennsylvania State line is restricted to shipments moving to and from points west of the Ohio-Pennsylvania State line.

Part II, routes in the East not subject to interterritorial restriction: *General commodities* (except those of unusual value, classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between New York, N.Y., and Asbury Park, N.J.; (X-32) from New York over U.S. Highway 1 by Newark, N.J., to junction New Jersey Highway 35, thence over New Jersey Highway 35 to junction New Jersey Highway 66, thence over New Jersey Highway 66 to Asbury Park, and return over the same route, serving all intermediate points; (X-33) from New York over U.S. Highway 1 to New Brunswick, N.J., thence over New Jersey Highway 18 to junction New Jersey Highway 516, thence over New Jersey Highway 516 to junction New Jersey Highway 34, thence over New Jersey Highway 34 to junction New Jersey Highway 33, thence over New Jersey Highway 33 to junction New Jersey Highway 71, thence over New Jersey Highway 71 to Asbury Park, and return over the same route, serving all intermediate points; (X-34) from New York over U.S. Highway 22 to Somerville, N.J., thence over U.S. Highway 206 to Trenton, thence over New Jersey Highway 33 to junction New Jersey Highway 71, thence over New Jersey Highway 71 to Asbury Park, and return over the same route, serving all intermediate points; between Newark and Phillipsburg, N.J.; (X-35) over U.S. Highway 22, serving all intermediate points; (X-36) from Newark over New Jersey Highway 10 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction New Jersey Highway 24.

Thence over New Jersey Highway 24 to Phillipsburg, and return over the same route, serving all intermediate points; between Newark and Hamburg, N.J., (X-37) over New Jersey Highway 23, serving all intermediate points; between Newark, N.J. and the New Jersey-New York State line; (X-38) over New Jersey Highway 17, serving all intermediate points; service over routes X-32 through X-38 above, is proposed to and from the off-route points in New Jersey on and north of New Jersey Highway 33; between Philadelphia, Pa. and junction U.S. Highways 130 and 40 near Deepwater, N.J., (X-39) from Philadelphia over U.S.

Highway 30 to Camden, thence over New Jersey Highway 44 to Bridgeport, thence over U.S. Highway 130 to junction U.S. Highway 40, and return over the same route, serving all intermediate points; between Camden and Burlington, N.J., (X-40) from Camden over New Jersey Highway 38 to junction New Jersey Highway 541, thence over New Jersey Highway 541 to Burlington, and return over the same route, serving all intermediate points; between Philadelphia, Pa., and Trenton, N.J. (X-41) over U.S. Highway 1, serving all intermediate points in New Jersey; (X-42) from Philadelphia over U.S. Highway 30 to Camden, thence over U.S. Highway 130 (also over New Jersey Highway 543 to Burlington, N.J., thence over U.S. Highway 130) to junction U.S. Highway 206, thence over U.S. Highway 206 to Trenton, and return over the same route, serving all intermediate points in New Jersey; service over routes X-39 through X-42 above, is proposed to and from the off-route points in New Jersey within 25 miles of Philadelphia, Pa.

Part III, central territory: *General commodities* (except those of unusual value, class A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Pittsburgh, Pa., and Chicago, Ill.; (X-49) from Pittsburgh over U.S. Highway 19 (also over Interstate Highway 79) to junction Interstate Highway 80S, thence over Interstate Highway 80S to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, and return over the same route, serving the off-route points of Cleveland, Akron, Toledo, Ohio, and Elkhart, and South Bend, Ind., and serving Pittsburgh for joinder only; (X-50) from Pittsburgh over Pennsylvania Highway 65 to junction Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to junction Ohio Highway 14A thence over Ohio Highway 14A via Salem to Deerfield, thence over U.S. Highway 224 to junction U.S. Highway 250, thence over U.S. Highway 250 to Norwalk, thence over U.S. Highway 20 to junction U.S. Highway 6 near Fremont (also from Deerfield over Ohio Highway 14 to Cleveland, thence over U.S. Highway 6 to junction U.S. Highway 20 near Fremont), thence over U.S. Highway 6 to junction U.S. Highway 41 (also from Norwalk over U.S. Highway 20 to junction U.S. Highway 41), thence over U.S. Highway 41 to Chicago, and return over the same route, serving the intermediate points of Cleveland and Akron, Ohio, and the off-route points of Toledo, Ohio, and Elkhart, and South Bend, Ind., and serving Pittsburgh for joinder only; (X-51) from Pittsburgh over U.S. Highway 30 to junction U.S. Highway 30N, thence over U.S. Highway 30 N to junction U.S. Highway 30, thence over U.S. Highway 30 to Valparaiso, Ind.

Thence over Indiana Highway 130 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. High-

way 41, thence over U.S. Highway 41 to Chicago, and return over the same route, serving the intermediate points of Canton, Massillon, and Mansfield, Ohio, and Fort Wayne, Ind., and serving Pittsburgh for joinder only; (X-52) from Pittsburgh over U.S. Highway 19 (also over Interstate Highway 79) to Washington, Pa., thence over U.S. Highway 40 (also over Interstate Highway 70) to Wheeling, W. Va., thence over U.S. Highway 250 to Wooster, Ohio, thence to Chicago as in Route (X-51) above (also from Wooster over U.S. Highway 250 to Norwalk, thence to Chicago as in Route (X-50) above), and return over the same route, serving the intermediate points of Toledo, Ohio, and Fort Wayne, Elkhart, and South Bend, Ind., and the off-route points of Mansfield and Massillon, Ohio, and serving Wheeling, W. Va., for joinder only; between Wheeling, W. Va., and Chicago, Ill.; (X-53) from Wheeling over U.S. Highway 40 by Springfield, Ohio (also from Springfield over Ohio Highway 4 to Dayton, thence over U.S. Highway 35 to Richmond, Ind.), to Indianapolis, Ind. (also from Wheeling over Interstate Highway 70 to Indianapolis), thence over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 (also from Indianapolis over Interstate Highway 65), to Chicago, and return over the same route, serving the intermediate points of Columbus and Dayton, Ohio, Richmond, Indianapolis, and Lafayette, Ind., and serving Wheeling for joinder only; (X-54) from Wheeling over U.S. Highway 40 to Zanesville, Ohio, thence over U.S. Highway 22 to Cincinnati, thence over U.S. Highway 52 to junction Interstate Highway 74.

Thence over Interstate Highway 74 (also over U.S. Highway 52) to Indianapolis, thence over U.S. Highway 136 to Crawfordsville, thence over U.S. Highway 231 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, and return over the same route, serving the intermediate points of Cincinnati, Ohio, Indianapolis, Crawfordsville, and Lafayette, Ind., and serving Wheeling for joinder only; (X-55) from Wheeling over U.S. Highway 40 (also over Interstate Highway 70) to Columbus, Ohio, thence over U.S. Highway 33 to Huntsville, thence over Ohio Highway 117 to Lima, thence over U.S. Highway 30S to junction U.S. Highway 30N near Delphos, thence over U.S. Highway 30 to Valparaiso, Ind., thence over Indiana Highway 130 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, and return over the same route, serving the intermediate points of Columbus, Ohio, and Fort Wayne, Ind.; and serving Wheeling for joinder only; between Charleston, W. Va., and South Bend, Ind., (X-56) from Charleston over U.S. Highway 60 (also over Interstate Highway 64) to Huntington, W. Va., thence over U.S. Highway 52 to Friendship, Ohio, thence over Ohio Highway 125 (also over U.S. Highway 52) to Cincinnati, thence over U.S. Highway 27 to Fort Wayne, Ind., thence over U.S. Highway 33 to Elkhart,

Ind., thence over U.S. Highway 20 to South Bend, and return over the same route, serving the intermediate points of Cincinnati, Ohio, Richmond, Fort Wayne, and Elkhart, Ind., and serving Charleston for joinder only; (X-57) from Charleston to Cincinnati, as above, thence over U.S. Highway 52 (also over Interstate Highway 74) to Indianapolis.

Thence over U.S. Highway 31 to South Bend, and return over the same route, serving the intermediate points of Cincinnati, Ohio and Indianapolis, Ind., and serving Charleston for joinder only; (X-58) from Charleston over U.S. Highway 35 by Chillicothe, Ohio to Dayton, thence over Ohio Highway 49 to Greenville, thence over U.S. Highway 127 to Mercer, thence over U.S. Highway 33 to Fort Wayne, Ind. (also from Chillicothe over U.S. Highway 23 to Columbus, thence over U.S. Highway 33 to Fort Wayne), thence over U.S. Highway 30 to junction U.S. Highway 31, thence over U.S. Highway 31 to South Bend, and return over the same route, serving the intermediate points of Dayton and Columbus, Ohio and Fort Wayne, Ind., and serving Charleston for joinder only; between Cincinnati and Cleveland, Ohio; (X-59) over U.S. Highway 42 (also over Interstate Highway 71), serving the intermediate points of Columbus and Mansfield; (X-60) from Cincinnati over U.S. Highway 42 to London, thence over Ohio Highway 142 to West Jefferson, thence over U.S. Highway 40 to Columbus (also from Cincinnati over Interstate Highway 71 to Columbus), thence over Interstate Highway 71 to Cleveland, and return over the same route, serving the intermediate point of Columbus, and serving the junction of Interstate Highway 71 and U.S. Highway 224 and the junction Interstate Highway 71 and U.S. Highway 30 for joinder only; (X-61) from Cincinnati over Interstate Highway 75 to Findlay, thence over Ohio Highway 12 to junction U.S. Highway 6, thence over U.S. Highway 6 to Cleveland, and return over the same route, serving the intermediate point of Dayton and the off-route point of Sandusky; (X-62) from Cincinnati over U.S. Highway 42 to Xenia, thence over U.S. Highway 68 to Springfield.

Thence over Ohio Highway 4 to Sandusky, thence over Ohio Highway 2 to Cleveland, and return over the same route, serving the intermediate point of Sandusky; between Cincinnati and Toledo, Ohio; (X-63) over Interstate Highway 75 and U.S. Highway 25, serving the intermediate point of Dayton, and serving Findlay for joinder only; (X-64) from Cincinnati over U.S. Highway 27 to Fort Wayne, Ind., thence over U.S. Highway 24 to Toledo, and return over the same route, serving the intermediate points of Richmond and Fort Wayne, Ind.; (X-65) from Cincinnati over Interstate Highway 71 to Columbus (also over U.S. Highway 22 to Washington Court House, thence over U.S. Highway 62 to Columbus), thence over U.S. Highway 23 to Toledo, and return over the same route, serving the intermediate point of Columbus; between Cincinnati, Ohio, and South Bend, Ind.; (X-66) from Cin-

cinnati over U.S. Highway 27 to Richmond, Ind., thence over U.S. Highway 35 to Jonesboro, thence over Indiana Highway 15 to Goshen, thence over U.S. Highway 33 to South Bend, and return over the same route, serving the intermediate points of Richmond and Elkhart, Ind.; (X-67) this number intentionally omitted; between Indianapolis, Ind., and Cleveland, Ohio; (X-68) from Indianapolis over U.S. Highway 40 to Springfield, Ohio, thence over Ohio Highway 4 to Marysville, thence over U.S. Highway 36 to junction U.S. Highway 42, thence over U.S. Highway 42 to Cleveland, and return over the same route, serving the intermediate point of Mansfield, Ohio; (X-69) from Indianapolis over Indiana Highway 37 to Huntington, thence over U.S. Highway 24 to junction U.S. Highway 6.

Thence over U.S. Highway 6 (also over U.S. Highway 24 to junction Ohio Highway 2, thence over Ohio Highway 2) to Cleveland, and return over the same route, serving the intermediate points of Fort Wayne, Ind., Toledo and Sandusky, Ohio; (X-70) from Indianapolis over Indiana Highway 67 to junction Indiana Highway 9, thence over Indiana Highway 9 to Anderson, thence over Indiana Highway 32 via Muncie to junction U.S. Highway 27, thence over U.S. Highway 27 to junction U.S. Highway 224, thence over U.S. Highway 224 to Akron, thence over Ohio Highway 8 (also over U.S. Highway 224 to junction Ohio Highway 1, thence over Ohio Highway 1) to Cleveland, and return over the same route, serving the intermediate point of Akron, and serving Findlay for joinder only; between Massillon and Cleveland, Ohio; (X-71) over U.S. Highway 21, serving no intermediate points; (X-72) from Massillon over U.S. Highway 30 to Canton, thence over Ohio Highway 8 by Akron (also from Massillon over Ohio Highway 236 to junction Ohio Highway 93, thence over Ohio Highway 93 to Akron, thence over Ohio Highway 8 to junction Ohio Highway 14, thence over Ohio Highway 14) to Cleveland, and return over the same route, serving the intermediate points of Canton and Akron; between Lafayette and Fort Wayne, Ind.; (X-73) from Lafayette over Indiana Highway 25 to Logansport, thence over U.S. Highway 24 to Fort Wayne, and return over the same route, serving no intermediate points; between Lafayette and South Bend, Ind.; (X-74) from Lafayette over Indiana Highway 25 to Rochester, thence over U.S. Highway 31 to South Bend, and return over the same route, serving no intermediate points; between St. Louis, Mo., and Indianapolis, Ind.; (X-75) over U.S. Highway 40 (also over Interstate Highway 70); between St. Louis, Mo. and Cincinnati, Ohio; (X-76) over U.S. Highway 50; between St. Louis, Mo., and Evansville, Ind.; (X-77) over U.S. Highway 460; between St. Louis, Mo. and Charleston, W. Va.; (X-78) from St. Louis over U.S. Highway 50 to Shoals, Ind.

Thence over U.S. Highway 150 to Louisville, Ky. (also from St. Louis over U.S.

Highway 460 to Louisville), thence over U.S. Highway 60 (also over Interstate Highway 64) to Charleston, and return over the same route, serving Charleston for joinder only; service over routes X-75 through X-78 above, is proposed at the intermediate points of O'Fallon, Ill., restricted to delivery of westbound and origination of eastbound shipments, and at points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission; between St. Louis, Mo. and Chicago, Ill., and South Bend, Ind., (X-79) from St. Louis over U.S. Highway 66 to junction Illinois Highway 4-A, thence over Illinois Highway 4-A (also over Interstate Highway 55) to Chicago, and return over the same route, serving points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as intermediate and off-route points, serving Bloomington, Ill., as an intermediate point restricted to delivery of westbound and origination of eastbound shipments, and serving Chicago for joinder only; (X-80) from St. Louis over U.S. Highway 66 to junction Alternate U.S. Highway 66, thence over Alternate U.S. Highway 66 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Indiana Highway 2, thence over Indiana Highway 2 to South Bend, and return over the same route, serving points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as intermediate and off-route points, serving Bloomington, Ill., as an intermediate point restricted to delivery of westbound and origination of eastbound shipments, and serving Chicago for joinder only; between Peoria and Chicago, Ill., and South Bend, Ind. (X-81) from Peoria over Illinois Highway 116 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Illinois Highway 4-A, thence over Illinois Highway 4-A to Chicago, and return over the same route, serving no intermediate points and serving Chicago for joinder only; (X-82) from Peoria over U.S. Highway 24 to junction U.S. Highway 66.

Thence over U.S. Highway 66 to junction Alternate U.S. Highway 66, thence over Alternate U.S. Highway 66 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Indiana Highway 2, thence over Indiana Highway 2 to South Bend, and return over the same route, serving no intermediate points and serving Chicago for joinder only; between Peoria, Ill., and Indianapolis, Ind., (X-83) from Peoria over U.S. Highway 150 to junction U.S. Highway 136, thence over U.S. Highway 136 to Indianapolis, and return over the same route, serving the intermediate point of Bloomington, Ill., for delivery of westbound and origination of eastbound shipments only and the intermediate point of Crawfordsville, Ind.; between De Kalb and Chicago, Ill., (X-84) over Alternate U.S. Highway 30, serving no intermediate points and serving Chicago for joinder only; between Waukegan and Chicago, Ill., (X-85) from Waukegan over Illinois Highway 42 (also from Waukegan over Illinois Highway 120 to junction U.S. Highway 41, thence over U.S. Highway 41) to Chicago, and return over the same route, serving no intermediate points and serving Chicago

for joinder only; between Evansville, Ind., and Waukegan, Ill., (X-86) from Evansville over U.S. Highway 41 to Chicago, Ill., thence over U.S. Highway 45 to junction Illinois Highway 120, thence over Illinois Highway 120 to Waukegan, and return over the same route, serving no intermediate points and serving Terre Haute, Ind., and Chicago, Ill., for joinder only; (X-87) from Evansville over U.S. Highway 41 to Kentland, Ind., thence over U.S. Highway 52 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction Illinois Highway 120.

Thence over Illinois Highway 120 to Waukegan, and return over the same route, serving no intermediate points and serving Chicago, for joinder only; between Evansville, Ind., and Peoria, Ill., (X-88) from Evansville over U.S. Highway 41 to Covington, Ind., thence over U.S. Highway 136 to Danville, Ill., thence over U.S. Highway 150 to Peoria, and return over the same route, serving the intermediate point of Bloomington, Ill., restricted to delivery of westbound and origination of eastbound shipments; (X-89) from Evansville over U.S. Highway 41 to Princeton, Ind., thence over Indiana Highway 64 to the Indiana-Illinois State line, thence over Illinois Highway 15 to Albion, Ill., thence over Illinois Highway 130 to Newton, thence over Illinois Highway 33 to junction Illinois Highway 32, thence over Illinois Highway 32 to junction Illinois Highway 121, thence over Illinois Highway 121 to Peoria, and return over the same route, serving the intermediate point of Bloomington, Ill., restricted to delivery of westbound and origination of eastbound shipments. Part IV, routes in Midwest: *General Commodities* (except those of unusual value, classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Kansas City and St. Louis, Mo., (X-100) over U.S. Highway 40 (also over Interstate Highway 70) serving no intermediate points and serving St. Louis for joinder only; between Kansas City and St. Joseph, Mo., (X-101) over U.S. Highway 71 (also over Interstate Highway 29 to junction U.S. Highway 169, thence over U.S. Highway 169) to St. Joseph and return over the same route, serving no intermediate points and serving Kansas City for joinder only; between Kansas City, Mo., and Topeka, Kans., (X-102) over U.S. Highway 40 (also over Interstate Highway 70), serving Kansas City, Kans., as an intermediate point, and serving Kansas City, Mo., for joinder only; between Kansas City, Mo., and Wichita, Kans., (X-103) from Kansas City to Topeka, as above, thence over Interstate Highway 35 (also from Kansas City over U.S. Highway 169 to Iola, Kans., thence over U.S. Highway 54) to Wichita, and return over the same route, serving the intermediate point of Kansas City, Kans., and serving Kansas City for joinder only; between Minneapolis, Minn., and Chicago, Ill., (X-104) from Minneapolis over U.S. Highway 12 (also over Interstate Highway 94) to Madison, Wis.

Thence over U.S. Highway 14 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction U.S. Highway 20, thence over U.S. Highway 20 (also from Madison over Interstate Highway 90) to Chicago and return over the same route, serving the intermediate point of St. Paul, Minn., and serving Chicago for joinder only. Restriction: Service over routes X-100 through X-104 above, is restricted to shipments transported to, from or through Chicago, Ill., South Bend or Elkhart, Ind., Toledo, Sandusky, Cleveland, Akron, or Canton, Ohio, Pittsburgh, Pa., or Wheeling, Parkersburg, or Charleston, W. Va.; service at Chicago is restricted to joinder only. NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 124047 (Sub-No. 38), filed October 13, 1965. Applicant: SCHWERMAN TRUCKING CO. OF OHIO, a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural limestone* from Peebles, Ohio, to Ashland, Ky.

No. MC 124211 (Sub-No. 68), filed October 14, 1965. Applicant: HILT TRUCK LINE, INC., 3751 Summer, Post Office Box 824, Lincoln, Nebr. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit and tubing* (except oil field commodities as described by the Commission in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459, and except commodities which, because of size or weight, require the use of special equipment), from Fairbury, Ill., to points in California and Idaho, and *damaged and rejected shipments* of the same commodities, on return.

No. MC 124333 (Sub-No. 8), filed May 17, 1965. Applicant: BAKER PETROLEUM TRANSPORTATION CO., INC., Pyles Lane, New Castle, Del. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt binder*, in bulk, in tank vehicles, from the plantsite of Del Val Asphalt Corp., Edgemoor, Del., to points in that part of New Jersey, Pennsylvania, Maryland, Virginia, and the District of Columbia, bounded by a line beginning at Perth Amboy, N.J., and extending along the Raritan River to junction U.S. Highway 22, thence west along U.S. Highway 22 to junction U.S. Highway 15 at or near Harrisburg, Pa., thence along U.S. Highway 15 to junction U.S. Highway 211, thence along U.S. Highway 211 to junction Interstate Highway 495, thence along Interstate Highway 495 to junc-

tion U.S. Highway 50, thence along U.S. Highway 50 to the Atlantic Ocean at or near Ocean City, Md., thence north along the shore of the Atlantic Ocean to the Maryland-Delaware State line, thence along the Maryland-Delaware State line to the Pennsylvania-Delaware State line, thence along the Pennsylvania-Delaware State line to the Delaware River and the Pennsylvania-New Jersey State line, thence along the shores of the Delaware River, Delaware Bay and Atlantic Ocean to Perth Amboy, N.J., the point of beginning, including points on the above named highways.

No. MC 127417 (Sub-No. 1), filed October 11, 1965. Applicant: CALVIN T. SWIM, Route 4, Box 230 N, Princeton, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock dust or limestone and traction sand*, from Ripplemead, Va., to points in McDowell, Mercer, Fayette, Wyoming, Raleigh, Logan, and Kanawha Counties, W. Va.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-11795; Filed, Nov. 3, 1965;  
8:45 a.m.]

[Notice No. 79]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 1, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the Field Office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 29660 (Sub-No. 14 TA), filed October 28, 1965. Applicant: HERMAN LOZOWICK TRUCKING CO., 1551 Park Avenue, South Linden, N.J., 07036. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting:



*Aluminum products, and in connection therewith, materials and supplies used in the manufacture of such products (except commodities in bulk, in tank vehicles), between Bayway and the site of the plant of the Phelps Dodge Copper Products Corp., at or near South Brunswick Township, Middlesex County, N.J., on the one hand, and, on the other, New York, N.Y. commercial zone, from Bayway and the site of the plant of the Phelps Dodge Copper Products Corp., at or near South Brunswick Township, Middlesex County, N.J., to points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland, and Orange Counties, N.Y., Philadelphia, Pa., and points in Pennsylvania within 15 miles thereof, and Bridgeport, New Haven, and Waterbury, Conn.; and salvaged, damaged, and returned shipments of the above-described commodities, from points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland, and Orange Counties, N.Y., Philadelphia, Pa., and points in Pennsylvania within 15 miles thereof, and Bridgeport, New Haven, and Waterbury, Conn., to the site of the plant of the Phelps Dodge Copper Products Corp., at or near South Brunswick Township, Middlesex County, N.J. and Bayway, N.J. Restriction: Under continuing contract with the Phelps Dodge Copper Products Corp. Applicant now holds permit authorizing service to and from the same points for the same shipper for bronze, brass, copper, and nickel products and is here seeking aluminum products authority to provide a complete service to the shipper for products made from aluminum, for 180 days. Supporting shipper: Phelps Dodge Copper Products Corp., 300 Park Avenue, New York, N.Y., 10022. Send protests to: Walter J. Grossmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1050 Broad Street, Newark, N.J., 07102.*

No. MC 45736 (Sub-No. 18 TA), filed October 28, 1965. Applicant: GUIGNARD FREIGHT LINES, INC., 646 Atando Avenue, Charlotte, N.C., 28206. Applicant's representative: W. D. Turner, Sr., Box 3661, Charlotte, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil and greases, from Farmers Valley and Emlenton, Pa., to points in North Carolina and South Carolina, for 180 days. Supporting shipper: Quaker State Oil Refining Corp., Oil City, Pa. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206-327 North Tryon Street, Charlotte, N.C., 28202.*

No. MC 103993 (Sub-No. 235 TA), filed October 28, 1965. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John F. Kidd (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, designed to be drawn by passenger automobiles in initial movements, from points in Rapides Parish, La., to points in Alabama, Arkansas,*

*Colorado, Florida, Georgia, Illinois, Kansas, Kentucky, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, for 180 days. Supporting shipper: Schevelle Mobile Homes, Inc., Post Office Box 868, Pineville, La. Send protests to: John G. Edmunds, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.*

No. MC 111103 (Sub-No. 14 TA), filed October 28, 1965. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725-29 South Broad Street, Philadelphia, Pa., 19147. Applicant's representative: Edward D. Marsh (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Purchase reports, sales records, notice of accounts receivable, accounts payable, memos, price sheets, receiving reports, cash collection records, checks for deposit, payroll checks, and other accounting reporting documents used in the wholesale plumbing and electrical supply and distribution business with a data processing center, between Lancaster, Lancaster County, Pa., on the one hand, and, on the other, points in Howard County, Md., and Frederick County, Va., for the account of Raub Supply Co., Lancaster, Pa., for 180 days. Supporting shipper: Raub Supply Co., Lancaster, Pa. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Custom House, 2d and Chestnut Streets, Philadelphia, Pa., 19106.*

No. MC 120981 (Sub-No. 4 TA), filed October 28, 1965. Applicant: NORTH TENNESSEE FREIGHT LINE, INC., 606 Fifth Avenue, South, Nashville, Tenn., 37203. Applicant's representative: Walter Harwood, Nashville Bank and Trust Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except household goods as defined by the Commission, Class A and B explosives, commodities in bulk, and articles requiring special equipment), (1) between Elizabethtown and Lexington, Ky., from Elizabethtown over U.S. Highway 62 to its junction with U.S. Highway 60, thence over U.S. Highway 60 to Lexington, and return, serving no intermediate points, (2) between Elizabethtown and Lexington, Ky., from Elizabethtown over Central Kentucky Parkway to its junction with U.S. Highway 60 and thence over U.S. Highway 60 to Lexington, and return, serving no intermediate points, for 180 days. Supporting shippers: The Gates Rubber Co., 999 South Broadway, Denver, Colo., 80217, Vernon D. Gabe, traffic operations coordinator; Genesco, 111 Seventh Avenue North, Nashville, Tenn., 37202, Eugene E. Wagner, director of traffic; Lawnlite, Post Office Box 196, Portland, Tenn., 37148, Bernard Richman, traffic manager; O'Bryan Bros., Inc., Post Office Box 449, Nashville, Tenn., 37202, Wm. W. Cunningham, traffic manager; Washington Manufac-*

*turing Co., 218-28 Second Avenue North, Nashville, Tenn., 37203, J. H. Rice, traffic manager; Braid Electric Co., Nashville, Tenn., 37203; D. W. Swindle & Sons Co., Cherokee Avenue, Nashville, Tenn., Charles T. Swindle, sales manager; and, Lasko Metal Products, Inc., Franklin, Tenn., Byrum Finchum. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Court House, Nashville, Tenn., 37203.*

No. MC 125381 (Sub-No. 3 TA), filed October 27, 1965. Applicant: ARTHUR W. SALISBURY, doing business as WINONA DELIVERY AND TRANSFER CO., 404 West 4th Street, Winona, Minn. Applicant's representatives: Hull and Hull, First National Bank Building, Post Office Box 374, Winona, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise and commodities as are commonly dealt in by mail order and retail department stores, from Winona, Minn., to points in Buffalo, Trempealeau, Jackson, and La Crosse Counties, Wis., and return of damaged, rejected or returned shipments to Montgomery Ward & Co., Inc., Winona, Minn., for 180 days. Supporting shipper: Montgomery Ward, 619 West Chicago Avenue, Chicago, Ill. Send protests to: C. H. Bergquist, district supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., 55401.*

No. MC 125664 (Sub-No. 2 TA), filed October 28, 1965. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Playground equipment, basketball goals and backboards, toys, movie screens, velocipedes, snow shoes, rope, lawn furniture, porch swings, tables and chairs, boards, chalk or bulletin, and parts thereof, in straight or mixed shipments, from West Point, Miss., Jamestown, Linesville, and Greenville, Pa., and St. Louis, Mo., to points in the United States (except Alaska and Hawaii); and returned, rejected or damaged shipments of above commodities, on return, for 150 days. Supporting shippers: Shepco, Division of Blazon, Inc., Rempel Manufacturing, Inc., a subsidiary of Blazon, Inc., Blazon, Inc., Akron, Ohio (executive offices). Reply to: 4301 South Spring Street, St. Louis, Mo., 63116. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo., 63103.*

No. MC 125924 (Sub-No. 3 TA), filed October 27, 1965. Applicant: MARIS TRANSPORT LIMITED, 1090 South Service Road, Oakville, Ontario, Canada. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks and*

buses, as defined in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial and secondary movements, in driveway and truckaway service, and parts and accessories thereof moving at the same time and with the vehicles of which they are a part and on which they are to be installed, between the port of entry on the U.S. international boundary line, between the United States and Canada at Detroit, Mich., on the one hand, and, on the other, Dearborn and Wayne, Mich., for 180 days. Supporting shipper: Ford Motor Co., the American Road, Dearborn, Mich. Send protests to: George M. Parker, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 Federal Office Building, Buffalo, N.Y., 14203.

No. MC 127682 TA, filed October 28, 1965. Applicant: WILLIAM M. BARON, doing business as CUSTOM SERVICE, Box 241, Stewartville, N.J. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Lumber, building, plumbing and electrical materials, supplies, equipment and fixtures, from Phillipsburg, N.J., to points in Bucks, Carbon, Lehigh, Monroe, and Northampton Counties, Pa., for 150 days.

Supporting shipper: Wickes Lumber & Building Supply Center branch of Wickes Corp., Highway 24 and Hens Foot Road, Box 167, Phillipsburg, N.J. Send protests to: Joel Morrows, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 127684 TA, filed October 28, 1965. Applicant: SAMARDICK OF OMAHA, INC., 410 South 18th Street, Omaha, Nebr., 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Money and other valuables, from Omaha, Nebr., to Sioux City, Iowa and return, for the Federal Reserve Banks of Chicago, Ill., and Omaha, Nebr., and their member banks, for 150 days. Supporting shipper: G. C. RANKIN, vice president, Federal Reserve Bank of Kansas City, Omaha Branch, 102 South 17th Street, Omaha, Nebr., 68102. Send protests to: K. P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Building, Omaha, Nebr., 68102.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-11858; Filed, Nov. 3, 1965; 8:47 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 1, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 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

PSA No. 40095—Fertilizer materials from Abbeville, La. Filed by Southwestern Freight Bureau, agent (No. B-8772), for interested rail carriers. Rates on dry fish scrap, not ground or pulverized, or acid fish scrap, in packages, or in bulk, in carloads, from Abbeville, La., to points in Illinois, Iowa, Missouri, and Wisconsin.

Grounds for relief—Market competition.

Tariff—Supplement 146 to Southwestern Freight Bureau, agent, tariff ICC 4422.

By the Commission.

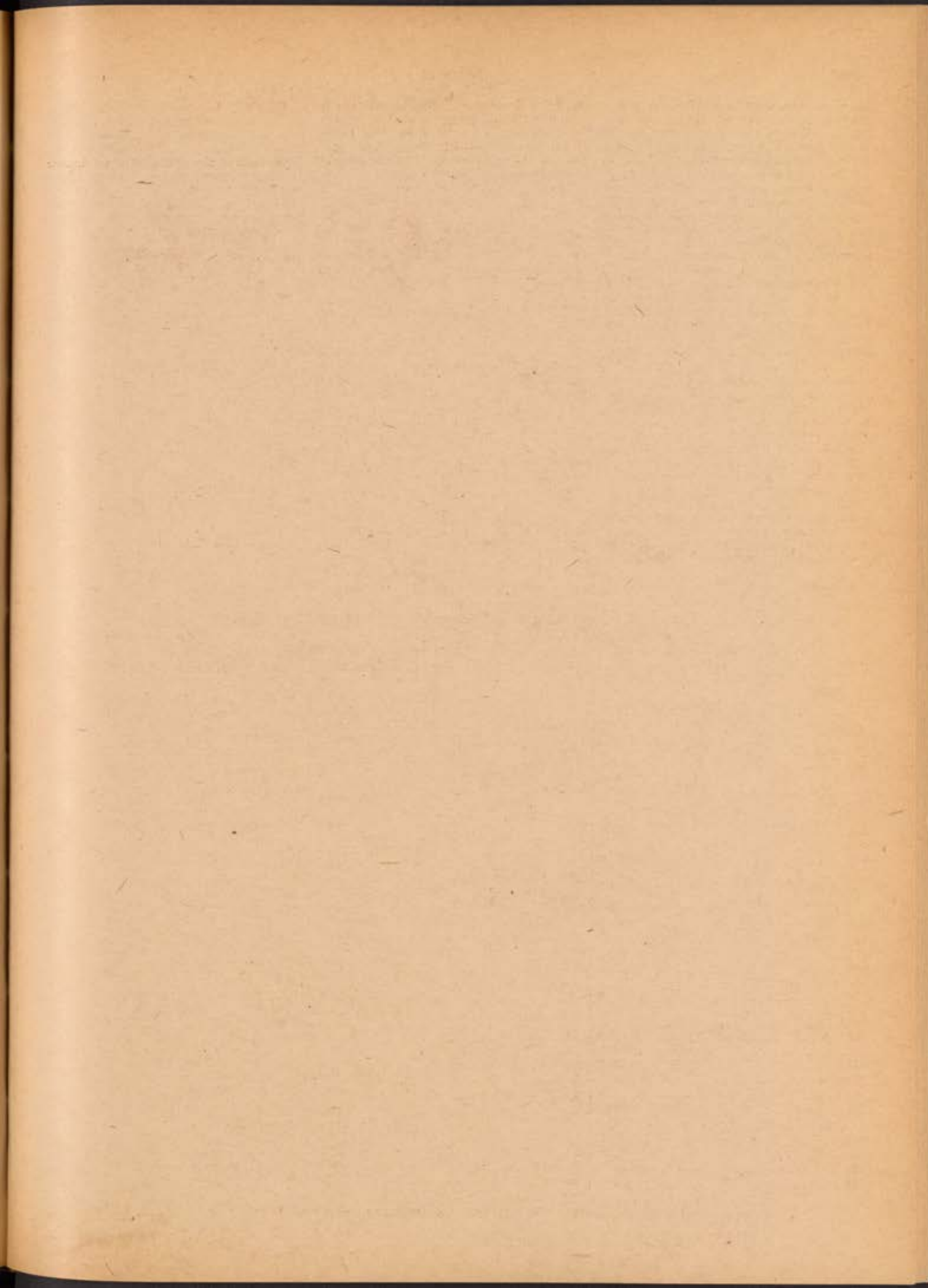
[SEAL] H. NEIL GARSON,  
Secretary.

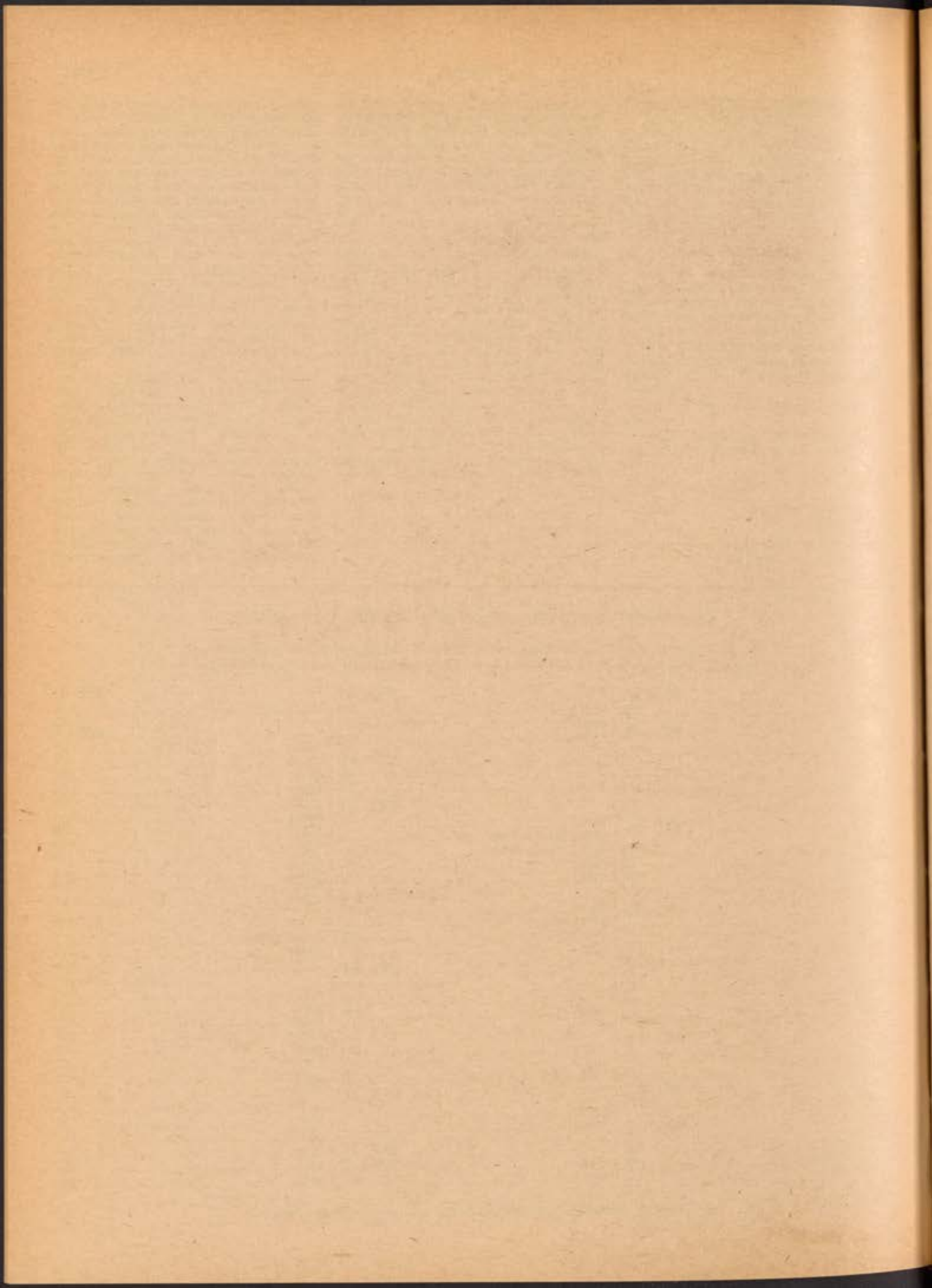
[F.R. Doc. 65-11859; Filed, Nov. 3, 1965; 8:47 a.m.]

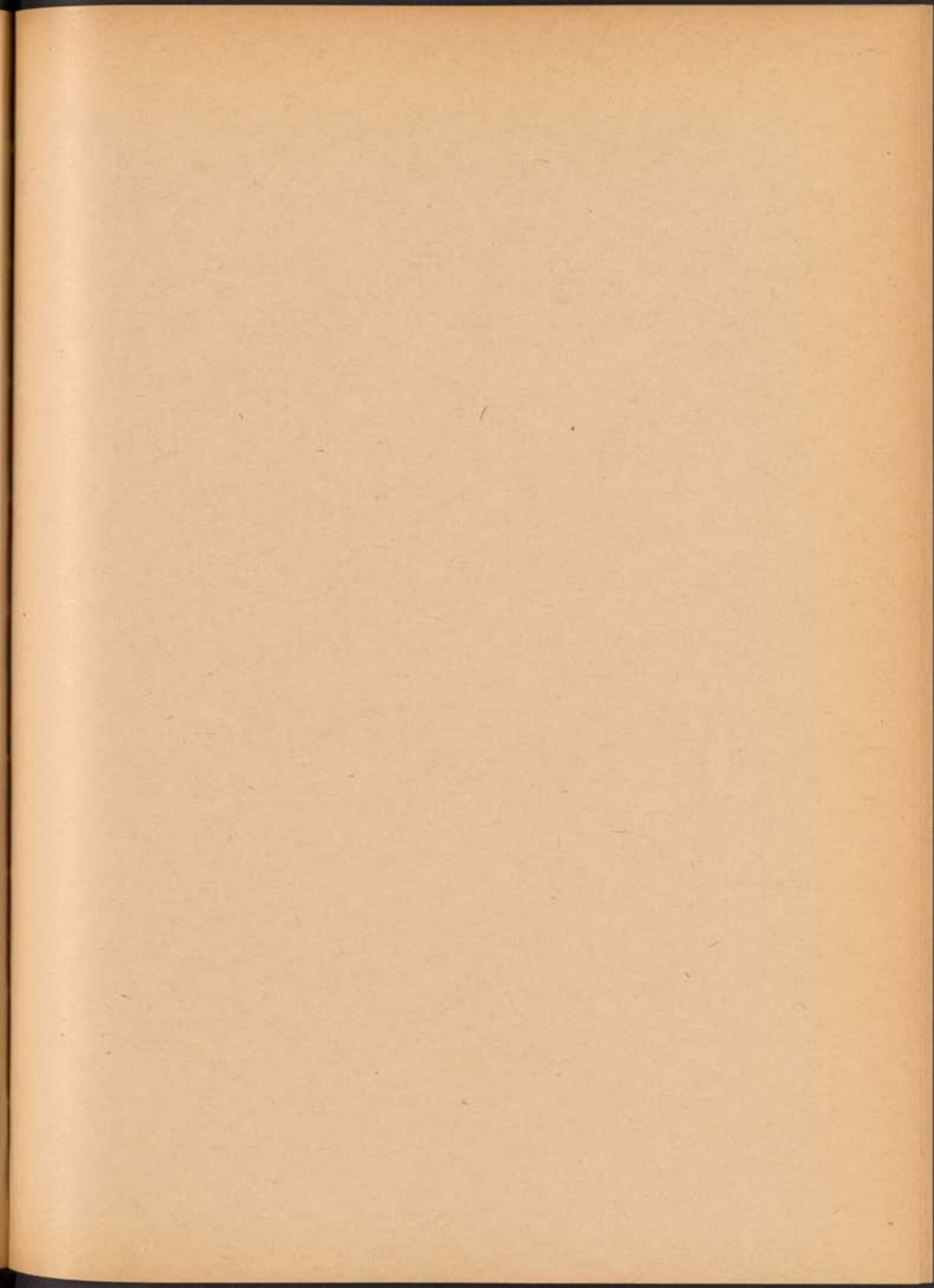
### CUMULATIVE LIST OF CFR PARTS AFFECTED—NOVEMBER

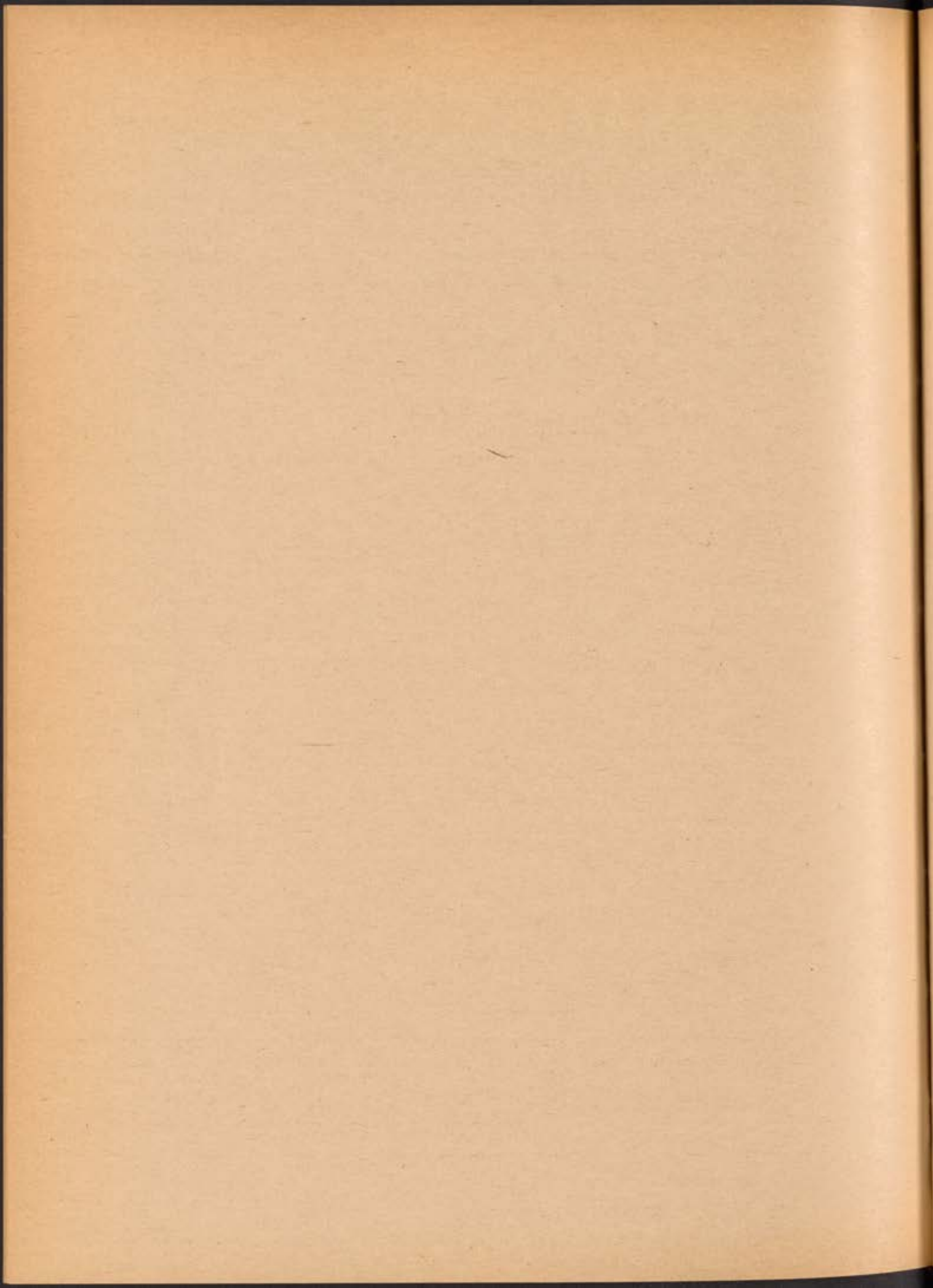
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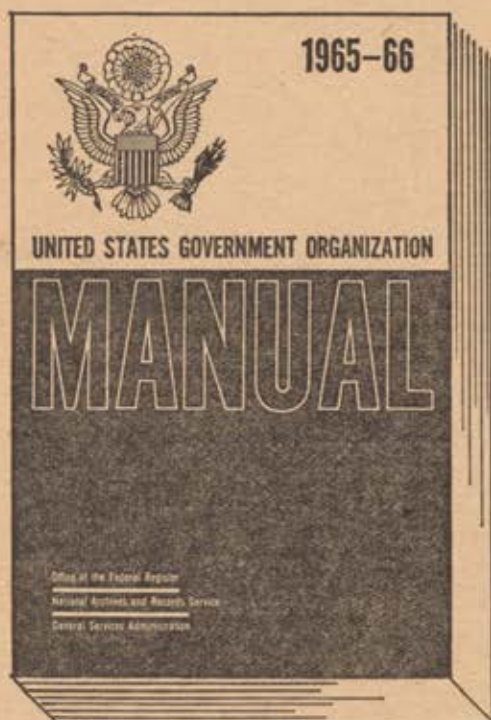


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