

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 07-4503; MB Docket No. 07-174; RM-11387]

Radio Broadcasting Services; Walden, CO

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Laramie Mountain Broadcasting, LLC, allots Channel 226C3 at Walden, Colorado, as the community's second local FM service. Channel 226C3 can be allotted to Walden, Colorado, in compliance with the Commission's minimum distance separation requirements with a site restriction of 20.6 km (12.8 miles) west of Walden, at the following reference coordinates: 40-42-01 North Latitude and 106-31-21 West Longitude.

DATES: Effective December 17, 2007.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Deborah Dupont, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 07-174, adopted October 31, 2007, and released November 2, 2007. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (800) 378-3160, or via the company's Web site, <http://www.bcpiweb.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ As stated in the preamble, the Federal Communications Commission amends 47 CFR Part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Colorado, is amended by adding Walden, Channel 226C3.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. E7-23301 Filed 11-29-07; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 07-4469; MB Docket No. 07-176; RM-11389]

Radio Broadcasting Services; Humboldt, NE

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Cumulus Licensing LLC, allots Channel 272C3 at Humboldt, Nebraska, as the community's first local FM service. Channel 272C3 can be allotted to Humboldt, Nebraska, in compliance with the Commission's minimum distance separation requirements without site restriction at city reference coordinates: 40-09-51 North Latitude and 95-56-40 West Longitude.

DATES: Effective December 17, 2007.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Deborah Dupont, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 07-176, adopted October 31, 2007, and released November 2, 2007. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554,

(800) 378-3160, or via the company's Web site, <http://www.bcpiweb.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ As stated in the preamble, the Federal Communications Commission amends 47 CFR Part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by adding Humboldt, Channel 272C3.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. E7-23302 Filed 11-29-07; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 071002553-7554-01]

RIN 0648-AW14

Pacific Halibut Fisheries; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Correcting amendment.

SUMMARY: NMFS issues this correcting amendment to the Code of Federal Regulations (CFR) to correct typographical errors and update cross references in three sections of the Pacific halibut fishery regulations; definitions, catch sharing plan and domestic management measures in waters in and off Alaska, and prohibitions. This correcting amendment improves the accuracy of Pacific halibut fisheries regulations, makes minor, non-substantive changes, and does not change operating practices in halibut fisheries or the rights and obligations of fishermen managed under the halibut regulations.

DATES: November 30, 2007.

FOR FURTHER INFORMATION CONTACT: Peggy Murphy, NMFS, 907-586-7228 or email at peggy.murphy@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

The International Pacific Halibut Commission (Commission) and NMFS manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under the authority of the Northern Pacific Halibut Act of 1982 (Halibut Act). The Commission promulgates regulations governing the Pacific halibut fishery between the United States and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed in Ottawa, Ontario, on March 2, 1953, and by Protocol Amending the Convention signed at Washington, D.C., on March 29, 1979. The Commission's regulations are subject to approval by the Secretary of State with concurrence of the Secretary of Commerce (Secretary). Approved regulations developed by the Commission are published as annual management measures pursuant to 50 CFR 300.62. The North Pacific Fishery Management Council (Council) may also recommend regulations that comply with approved Commission regulations and are implemented by the Secretary through NMFS. Federal regulations for Pacific halibut fisheries in Alaska are codified at 50 CFR part 300. On occasion, new and revised regulations are published in the CFR with minor technical mistakes, such as spelling errors or no space between two words. These unintended errors are fixed through a correcting amendment.

The Council implemented guideline harvest levels (GHL) in Commission regulatory areas 2C and 3A on August 8, 2003, to more comprehensively manage the charter vessel fishery for Pacific halibut stocks in waters in and off Alaska (68 FR 47256). The final rule added a text table at § 300.65(c)(1) with typographical errors in the column headings.

Also, the estimated charter vessel harvest of halibut in Commission regulatory area 2C in 2006 exceeded the GHL specified for that area. This triggered issuance of a regulation to restrict the size of fish harvested in the 2007 fishing season and reduce the charter vessel harvest of halibut in Area 2C. A final rule implementing this regulation was effective June 1, 2007 (June 4, 72 FR 30714). If the final rule were not effective by this date, the conservation and management objective of the action would have been

jeopardized because the estimated reduction in weight of halibut caught in the Area 2C charter vessel fishery was based on an assumption that the final rule would be effective for the full charter fishing season of June, July and August. Effort was escalated to complete the proposed and final rule making process and good cause was found by the Assistant Administrator for Fisheries, NOAA to waive the 30-day delay in the effective date of the action under 5 U.S.C. 553(d)(3). The final rule did not change the existing daily bag limit of two halibut, but required that one of the two fish retained by persons sport fishing on a charter vessel operating in Area 2C be no more than 32 inches (81.3 cm) in length. The rule added a new paragraph, (d), to § 300.65 incrementing the alphabetic reference to existing paragraphs (d) through (k) to (e) through (l), respectively. However, in our haste, NMFS did not update the cross references to paragraphs that had changed after the new paragraph (d) was added. Only the first level paragraph designations were changed, subparagraph designations erroneously remained unchanged.

Need for Correction

This correcting amendment is necessary to correct the typographical errors in the column headings to the GHL table at § 300.65(c)(1) and update cross references to paragraphs in the CFR at § 300.61, 300.65, and 300.66. Minor errors in spacing between words are also corrected at § 300.65(c)(2) and § 300.65(k) and an indefinite article is corrected at § 300.65(k)(2)(i)(D). These changes are needed to provide consistent reference, and make the regulations more understandable and effective.

The GHL table is structured conditionally, so if specified criteria are met, then a particular action or outcome is defined to occur. In this case, when the annual total constant exploitation yield for halibut in Area 2C (or 3A) is more than one of the poundages (tonnages) listed, then the annual GHL is set to the corresponding poundage (tonnage) specified for that area (2C or 3A). Currently, the column headings read "than" instead of "then," so the intended functional comparison using "If/Then" statements need to be corrected to make sense.

Current paragraph lettering at §§ 300.61, 300.65, and 300.66 is correct but cross references to paragraphs are incorrect and need to be updated.

The text of each change is set forth in sequential order in the add/remove table of this correcting amendment. NMFS

chose to display these changes in a table because simple changes are more efficiently shown in an add/remove table than by reprinting the full regulatory text.

Classification

Pursuant to 5 U.S.C. 553(b)(B) of the Administrative Procedure Act, the Assistant Administrator for Fisheries finds good cause to waive the requirement to provide prior notice and opportunity for public comment on this correcting amendment to the Pacific halibut fisheries regulations. Notice and comment are unnecessary and contrary to the public interest because this action makes only minor, non-substantive changes to correct typographical errors in a table's column headings, and updates paragraph and section cross references. Minimizing the duration of time the errors are published will reduce reader confusion. Timely correction of the rule will improve public understanding of the regulations. The rule does not make any substantive change in the rights and obligations of halibut fishermen. No change in operating practices in the fisheries is required. Because this action makes only the minor, non-substantive change to § 300.61, 300.65, and 300.66 described above, this rule is not subject to the 30-day delay in effective date requirement of 5 U.S.C. 553(d).

List of Subjects in 50 CFR Part 300

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: November 26, 2007.

Samuel D. Rauch III,

Deputy Assistant Administrator For Regulatory Programs, National Marine Fisheries Service.

■ Accordingly, 50 CFR part 300 is corrected by making the following correcting amendment:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart E Pacific Halibut Fisheries

■ 1. The authority citation for 50 CFR part 300, subpart E, continues to read as follows:

Authority: 16 U.S.C. 773–773k.
§§ 300.61, 300.65, and 300.66
[Amended]

■ 2. At each of the locations shown in the "Location" column, remove the phrase indicated in the "Remove" column and replace it with the phrase indicated in the "Add" column for the number of times indicated in the "Frequency" column.

Location	Remove	Add	Frequency
§ 300.61 definition of "Alaska Native tribe"	§ 300.65(f)(2)	§ 300.65(g)(2)	1
§ 300.61 definition of "Rural"	§ 300.65(f)(1)	§ 300.65(g)(1)	1
§ 300.61 definition of Rural resident	§ 300.65(f)(1)	§ 300.65(g)(1)	2
§ 300.65(c)(1) The table title heading in column 2.	Than the GHIL for Area 2C will be:	Then the GHIL for Area 2C will be:	1
§ 300.65(c)(1) The table title heading in column 4.	Than the GHIL for Area 3A will be:	Then the GHIL for Area 3A will be:	1
§ 300.65(c)(2)	NMFS will publish a notice in the <i>Federal Register</i> on	NMFS will publish a notice in the <i>Federal Register</i> on	1
§ 300.65(e)(1)(i)	paragraph (d)(2)	paragraph (e)(2)	1
§ 300.65(e)(1)(ii)	paragraphs (d)(3) and (d)(4)	paragraphs (e)(3) and (e)(4)	1
§ 300.65(e)(2)	paragraph (d)(1)(i)	paragraph (e)(1)(i)	1
§ 300.65(e)(3)(i)	paragraph (d)(1)(ii)	paragraph (e)(1)(ii)	1
§ 300.65(e)(3)(ii)	paragraph (d)(1)(ii)	paragraph (e)(1)(ii)	1
§ 300.65(e)(4)	paragraph (d)(1)(ii)	paragraph (e)(1)(ii)	1
§ 300.65(e)(4)(i)	paragraph (d)(1)(ii)	paragraph (e)(1)(ii)	1
§ 300.65(e)(4)(ii)	paragraphs (d)(4) and (d)(4)(i)	paragraphs (e)(4) and (e)(4)(i)	1
§ 300.65(e)(4)(ii)	paragraph (d)(1)(ii)	paragraph (e)(1)(ii)	2
§ 300.65(f)	paragraph (e)	paragraph (f)	1
§ 300.65(g)	paragraphs (f)(1) or (f)(2)	paragraphs (g)(1) or (g)(2)	1
§ 300.65(h)	paragraph (f)	paragraph (g)	1
§ 300.65(h)	paragraph (h)	paragraph (i)	1
§ 300.65(h)(1)(i)	paragraph (h)	paragraph (i)	1
§ 300.65(h)(1)(i)(C)	paragraph (j)	paragraph (k)	1
§ 300.65(h)(2)	paragraph (g)	paragraph (h)	1
§ 300.65(h)(2)(ii)	paragraph (i)	paragraph (j)	1
§ 300.65(h)(2)(iii)	paragraph (j)	paragraph (k)	1
§ 300.65(h)(4)	paragraph (g)(3)	paragraph (h)(3)	1
§ 300.65(h)(4)	paragraph (h)	paragraph (i)	1
§ 300.65(h)(4)(i)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(h)(4)(ii)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(i)(1)	paragraph (h)(2)	paragraph (i)(2)	1
§ 300.65(i)(1)	paragraph (f)	paragraph (g)	2
§ 300.65(i)(2)(i)	50 CFR 300.65(f)(1)	50 CFR 300.65(g)(1)	1
§ 300.65(i)(2)(ii)	50 CFR 300.65(f)(2)	50 CFR 300.65(g)(2)	1
§ 300.65(i)(3)	paragraph (f)	paragraph (g)	1
§ 300.65(i)(3)	paragraph (h)(2)	paragraph (i)(2)	1
§ 300.65(i)(3)(i)	paragraph (f)(1)	paragraph (g)(1)	1
§ 300.65(i)(3)(ii)	paragraph (f)(2)	paragraph (g)(2)	1

Location	Remove	Add	Frequency
§ 300.65(j)	paragraphs (f)(1) and (f)(2)	paragraphs (g)(1) and (g)(2)	1
§ 300.65(j)(1)(i)	paragraph (i)(2)	paragraph (j)(2)	1
§ 300.65(j)(1)(i)	paragraph (f)	paragraph (g)	1
§ 300.65(j)(1)(ii)(A)	paragraph (f)(1)	paragraph (g)(1)	1
§ 300.65(j)(1)(ii)(B)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(j)(1)(iii)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(j)(2)(ii)	paragraph (f)(1)	paragraph (g)(1)	1
§ 300.65(j)(2)(ii)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(j)(3)(i)(A)	paragraph (d)	paragraph (e)	1
§ 300.65(j)(3)(i)(B)	paragraph (g)	paragraph (h)	1
§ 300.65(j)(3)(ii)	paragraph (h)	paragraph (i)	1
§ 300.65(j)(3)(iv)	paragraph (g)	paragraph (h)	1
§ 300.65(j)(4)	paragraph (f)	paragraph (g)	2
§ 300.65(j)(4)	paragraph (i)(2)	paragraph (j)(2)	1
§ 300.65(j)(6)	paragraph (i)(2)	paragraph (j)(2)	1
§ 300.65(k)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(k)	§679.4(a)of	§679.4(a) of	1
§ 300.65(k)(1)(i)	paragraph (j)(2)	paragraph (k)(2)	1
§ 300.65(k)(1)(i)	paragraph (f)(2)	paragraph (g)(2)	1
§ 300.65(k)(2)(i)(D)	for a Educational	for an Educational	1
§ 300.65(k)(3)(i)	paragraph (g)	paragraph (h)	1
§ 300.65(k)(3)(ii)	paragraph (g)	paragraph (h)	1
§ 300.65(k)(3)(v)	paragraph (h)	paragraph (i)	1
§ 300.65(k)(3)(vi)	paragraph (g)	paragraph (h)	1
§ 300.65(k)(4)	paragraph (f)(2)	paragraph (g)(2)	2
§ 300.65(k)(6)	paragraph (j)(2)	paragraph (k)(2)	1
§ 300.66(c)	300.65 (d)	300.65 (e)	1
§ 300.66(d)	300.65 (e)	300.65 (f)	1
§ 300.66(e)	§ 300.65 (f)	§ 300.65(g)	1
§ 300.66(e)	§ 300.65 (h)	§ 300.65(i)	1
§ 300.66(e)	§ 300.65 (j)	§ 300.65(k)	1
§ 300.66(f)	50 CFR 300.65(g)(1)	50 CFR 300.65(h)(1)	1
§ 300.66(f)	50 CFR 300.65(g)(2)	50 CFR 300.65(h)(2)	1
§ 300.66(g)	50 CFR 300.65(g)(3)	50 CFR 300.65(h)(3)	1
§ 300.66(h)	§ 300.61(b)	§ 300.61	1
§ 300.66(h)	§ 300.65(f)	§ 300.65(g)	1
§ 300.66(j)	50 CFR 300.65(f)	50 CFR 300.65(g)	1
§ 300.66(j)	50 CFR 300.65(h)	50 CFR 300.65(i)	1

[FR Doc. E7-23268 Filed 11-29-07; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 040112010-4114-02]

RIN 0648-XE06

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; trip limit change.

SUMMARY: NMFS announces that the Administrator, Northeast (NE) Region, NMFS (Regional Administrator), is increasing the Georges Bank (GB) yellowtail flounder trip limit to 7,500 lb (3,402 kg) for NE multispecies days-at-sea (DAS) vessels fishing in the U.S./Canada Management Area. This action is authorized by the regulations implementing Amendment 13 to the NE Multispecies Fishery Management Plan and is intended to prevent under-harvesting of the Total Allowable Catch (TAC) for GB yellowtail flounder while ensuring that the TAC will not be exceeded during the 2007 fishing year. This action is being taken to provide additional opportunities for vessels to fully harvest the GB yellowtail flounder TAC under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Effective November 27, 2007, through April 30, 2008.

FOR FURTHER INFORMATION CONTACT: Mark Grant, Fishery Management Specialist, (978) 281-9145, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

Regulations governing the GB yellowtail flounder landing limit within the U.S./Canada Management Area are found at § 648.85(a)(3)(iv)(C) and (D). The regulations authorize vessels issued a valid Federal limited access NE multispecies permit and fishing under a NE multispecies DAS to fish in the U.S./Canada Management Area, as defined at § 648.85(a)(1), under specific

conditions. The TAC for GB yellowtail flounder for the 2007 fishing year (May 1, 2007 - April 30, 2008) is 900 mt. The regulations at § 648.85(a)(3)(iv)(D) authorize the Regional Administrator to increase or decrease the trip limits in the U.S./Canada Management Area to prevent over-harvesting or under-harvesting the TAC allocation.

On April 24, 2007 (72 FR 20287), based upon the reduced 2007 TAC for GB yellowtail flounder (a 43 reduction from 2006) and projections of harvest rates in the fishery, the trip limit for GB yellowtail flounder was set at 3,000 lb (1,361 kg) for the 2007 fishing year, to prevent the over-harvest of the 2007 GB yellowtail flounder TAC, to prevent a premature closure of the Eastern U.S./Canada Management Area and, therefore, reduced opportunities to fish for Eastern GB cod and haddock in the Eastern U.S./Canada Area.

According to the most recent Vessel Monitoring System (VMS) reports and other available information, only 45 percent of the TAC had been harvested as of November 21, 2007. Of this total, discards account for over 36 percent of the GB yellowtail harvest to date. Based on this information, the Regional Administrator has determined that the current rate of harvest will result in the under-harvest of the GB yellowtail flounder TAC during the 2007 fishing year. Increasing the GB yellowtail flounder trip limit from 3,000 lb (1,361 kg) to 7,500 lb (3,402 kg) is expected to increase landings of GB yellowtail flounder, reduce discards, and result in the achievement of the TAC during the fishing year without exceeding it. Based on this information, the Regional Administrator is increasing the current 3,000-lb (1,361-kg) trip limit in the U.S./Canada Area to 7,500 lb (3,402 kg), effective November 27, 2007, through April 30, 2008. GB yellowtail flounder landings will continue to be closely monitored. Should 100 percent of the TAC allocation for GB yellowtail flounder be projected to be harvested, the Eastern U.S./Canada Management Area will close to all groundfish DAS vessels, and all vessels will be prohibited from harvesting, possessing, or landing yellowtail flounder from the U.S./Canada Management Area for the remainder of the fishing year.

Classification

This action is authorized by 50 CFR part 648 and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(3)(B) and (d)(3), there is good cause to waive prior notice and opportunity for public comment, as well as the delayed effectiveness for this action, because

prior notice and comment and a delayed effectiveness would be impracticable and contrary to the public interest. This action would relieve a restriction by increasing the trip limit for GB yellowtail flounder for all NE multispecies DAS vessels through April 30, 2008, to facilitate the harvest of the TAC for GB yellowtail flounder while ensuring that the TAC will not be exceeded during the 2007 fishing year. This will result in decreased regulatory discards of GB yellowtail flounder, increased revenue for the NE multispecies fishery, and an increased chance of achieving optimum yield in the groundfish fishery.

This action is authorized by the regulations at § 648.85(a)(3)(iv)(D) to facilitate achieving the U.S./Canada Management Area TACs. It is important to take this action immediately because the current restrictive GB yellowtail flounder trip limit (3,000 lb, 1,361 kg) has resulted in a high discard rate of GB yellowtail flounder (36 percent) and has prevented the NE multispecies fishery from harvesting the TAC at a rate that will result in complete harvest by the end of the 2007 fishing year. Delay in the implementation of this action could result in further wasteful discards of GB yellowtail flounder and decrease the opportunity available for vessels to fully harvest the 2007 GB yellowtail flounder TAC.

The time necessary to provide for prior notice, opportunity for public comment, and delayed effectiveness for this action would prevent NE multispecies DAS vessels from efficiently targeting GB yellowtail flounder in the U.S./Canada Management Area. The Regional Administrator's authority to increase trip limits for GB yellowtail flounder in the U.S./Canada Management Area to help ensure that the shared U.S./Canada stocks of fish are harvested, but not exceeded, was considered and open to public comment during the development of Amendment 13 and Framework Adjustment 42. Further, the potential of increasing the GB yellowtail flounder trip limit was announced to the public when the 3,000-lb (1,361-kg) trip limit was announced prior to the start of the 2007 fishing year. Therefore, any negative effect the waiving of public comment and delayed effectiveness may have on the public is mitigated by these factors.

Authority: 16 U.S.C. 1801 *et seq.*