

# FEDERAL REGISTER

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## TITLE 3—THE PRESIDENT

### PROCLAMATION 3153

NATIONAL FARM-CITY WEEK, 1956

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS it is fitting that all citizens should recognize the contribution that American farm families have made to our civilization; and

WHEREAS it is also desirable that the public should understand the needs, problems, and opportunities of all the people of the United States whose main concern is agriculture; and

WHEREAS the productivity of the farms and of urban labor and business continues to provide the food, the tools, the services, and the goods that afford our citizens the highest standard of living in the world; and

WHEREAS the Congress, by a joint resolution approved July 30, 1956, has designated the week of November 16 to 22, 1956, as National Farm-City Week, and has requested the President to issue a proclamation calling for suitable observance of that week:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby call upon the people throughout the country to participate fully in the observance of the period from November 16 to November 22, 1956, as National Farm-City Week; and I request the Department of Agriculture, the land-grant colleges, the Agricultural Extension Service, and all other appropriate agencies and officials of the Government, to cooperate with National, State, and local farm organizations and other groups in the several States and counties in preparing and carrying out programs for the appropriate observance of National Farm-City Week, including plans for public meetings, discussions, exhibits, pageants, and press, radio, and television features, with special emphasis on notable achievements by rural groups and individuals, local, State, and National, and on the enrichment of American country living through adequate cultural, spiritual, educational, recreational, and health facilities for both rural youth and rural adults.

I also request urban groups to join in this observance, along with farm groups,

as evidence of our appreciation of all those on the farms and in the cities of this Nation who have worked so well in providing us with the food and the goods that we need and enjoy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirtieth day of August in the year of our Lord nineteen hundred and [SEAL] fifty-six, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
Secretary of State.

[F. R. Doc. 56-7199; Filed, Sept. 5, 1956;  
11:08 a. m.]

## TITLE 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 27—COTTON CLASSIFICATION UNDER COTTON FUTURES LEGISLATION

##### MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 4863 of the Internal Revenue Code of 1954 (68A Stat. 582; 26 U. S. C. 4863), §§ 27.56 and 27.98 of the regulations for cotton classification under cotton futures legislation (7 CFR 27.56 and 27.98) are hereby amended as follows, effective upon publication in the FEDERAL REGISTER.

1. In the second sentence of § 27.56 the word "tendered" is changed to "tenderer."

2. The first sentence in § 27.98 is amended to read: "Each such quotation committee shall provide itself with, or have ready access to, a full valid set of the practical forms of the official cotton standards of the United States for grade of upland cotton."

The amendment of § 27.56 corrects a typographical error. The amendment of § 27.98 deletes the reference to the 18 months validity period of practical forms of upland grade standards. Section

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## CFR SUPPLEMENTS

(As of January 1, 1956)

The following Supplements are now available:

Title 26 (1954) Part 221 to end (Rev., 1955) (\$2.25)

Title 38 (\$2.00)

Titles 44-45 (\$1.00)

Title 50 (\$0.60)

Previously announced: Title 3, 1955 Supp. (\$2.00); Titles 4 and 5 (\$1.00); Title 6 (\$1.75); Title 7: Parts 1-209 (\$1.25), Parts 210-899 (Rev., 1955) with Supplement (\$4.50), Parts 900-959 (Rev., 1955) (\$6.00), Part 960 to end (Rev., 1955) with Supplement (\$5.85); Title 8 (\$0.50); Title 9 (\$0.70); Titles 10-13 (\$0.70); Title 14: Parts 1-399 (\$2.50), Part 400 to end (\$1.00); Title 15 (\$1.00); Title 16 (\$1.25); Title 17 (\$0.60); Title 18 (\$0.50); Title 19 (\$0.50); Title 20 (\$1.00); Title 21 (Rev., 1955) (\$5.50); Titles 22 and 23 (\$1.00); Title 24 (\$0.75); Title 25 (\$0.50); Title 26 (1954) Parts 1-220 (Rev., 1955) (\$2.00); Title 26: Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.30), Parts 183-299 (\$0.35), Part 300 to end, Ch. 1, and Title 27 (\$1.00); Titles 28 and 29 (\$1.25); Titles 30 and 31 (\$1.25); Title 32: Parts 1-399 (\$0.60), Parts 400-699 (\$0.65), Parts 700-799 (\$0.35), Parts 800-1099 (\$0.40), Part 1100 to end (\$0.35); Title 32A (Rev., 1955) (\$1.25); Title 33 (\$1.50); Titles 35-37 (\$1.00); Title 39 (Rev., 1955) (\$4.25); Titles 40-42 (\$0.65); Title 43 (\$0.50); Title 46: Parts 1-145 (\$0.60), Part 146 to end (\$1.25); Titles 47 and 48 (\$2.25); Title 49: Parts 1-70 (\$0.60), Parts 71-90 (\$1.00), Parts 91-164 (\$0.50), Part 165 to end (\$0.65).

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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28.115 (b) of the Regulations under the United States Cotton Standards Act was recently amended (21 F. R. 4904) to change the validity period of such practical forms from 18 to 12 months. These minor changes in the regulations will not require any advance preparation by, or impose any hardship on, affected persons. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to such amendments are unnecessary, impracticable, and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 4863, 68A Stat. 582; 26 U. S. C. 4863)

Done at Washington, D. C., this 31st day of August 1956.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator,  
Agricultural Marketing Service.

[F. R. Doc. 56-7125; Filed, Sept. 5, 1956;  
8:48 a. m.]

### Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

#### PART 722—COTTON

#### PROCLAMATION RELATING TO NATIONAL MARKETING QUOTA AND NATIONAL ACREAGE ALLOTMENT FOR 1957 CROP OF UPLAND COTTON

Sec.	
722.801	Basis and purpose.
722.802	Findings and determinations with respect to a national marketing quota for the 1957 crop of cotton.
722.803	Determination of a national acreage allotment for the 1957 crop of cotton.

AUTHORITY: §§ 722.801 to 722.803 Issued under sec. 375, 52 Stat. 66, as amended; 7

U. S. C. 1875. Interpret or apply secs. 301, 341-348, 52 Stat. 38, as amended; 7 U. S. C. 1301, 1341-1348.

§ 722.801 *Basis and purpose.* (a) This proclamation is issued to announce findings made by the Secretary of Agriculture with respect to the total supply and the normal supply of upland cotton for the marketing year beginning August 1, 1956, and to proclaim whether, upon the basis of such findings, a national marketing quota and a national acreage allotment for the 1957 crop of upland cotton are required under the provisions of the Agricultural Adjustment Act of 1938, as amended (referred to herein as the "act"). The term "upland cotton" (referred to herein as "cotton") and the data appearing in §§ 722.802 and 722.803 do not include extra long staple cotton described in section 347 (a) of the act or similar types of such cotton which are imported. Section 342 of the act provides, in part, that, whenever during any calendar year the Secretary determines that the total supply of cotton for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of cotton produced in the next calendar year. Whenever a national marketing quota is proclaimed, the Secretary is required by section 344 (a) of the act to determine and proclaim a national acreage allotment for the crop of cotton to be produced in the next calendar year. The act further provides that the proclamation with respect to a national marketing quota shall be made not later than October 15 of the calendar year in which the determinations relating thereto are made.

(b) The terms "total supply", "carry-over", and "normal supply", as they relate to cotton, are defined in section 301 of the act as follows:

(1) "Total supply" of cotton for any marketing year shall be the carry-over at the beginning of such marketing year, plus the estimated production of cotton in the United States during the calendar year in which such marketing year begins and the estimated imports of cotton into the United States during such marketing year.

(2) "Carry-over" of cotton for any marketing year shall be the quantity of cotton on hand in the United States at the beginning of such marketing year, not including any part of the crop which was produced in the United States during the calendar year then current.

(3) "Normal supply" of cotton for any marketing year shall be the estimated domestic consumption of cotton for the marketing year for which such normal supply is being determined, plus the estimated exports of cotton for such marketing year, plus 30 per centum of the sum of such consumption and exports as an allowance for carry-over.

(c) The findings and determinations made by the Secretary are contained in §§ 722.802 and 722.803 and have been made on the basis of the latest available statistics of the Federal Government. Prior to making such findings and de-



terminations, notice was published in the *FEDERAL REGISTER* (21 F. R. 5063) in accordance with the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary was preparing to examine the supply situation with respect to cotton to determine if quotas were required under the act and that any interested person might express his views in writing with respect thereto, postmarked not later than 15 days from the date of publication of the notice, which was July 7, 1956. All written expressions submitted pursuant to such notice have been duly considered in connection with making the findings and determinations.

§ 722.802 *Findings and determinations with respect to a national marketing quota for the 1957 crop of cotton*—(a) *Total supply.* The total supply of cotton for the marketing year beginning August 1, 1956 (in terms of running bales or the equivalent), is 27,550,000 bales, consisting of (1) a carry-over on August 1, 1956, of 14,100,000 bales,<sup>1</sup> (2) estimated production from the 1956 crop of 13,400,000 bales, and (3) estimated imports into the United States during the marketing year beginning August 1, 1956, of 50,000 bales.

(b) *Normal supply.* The normal supply of cotton for the marketing year beginning August 1, 1956 (in terms of running bales or the equivalent), is 17,680,000 bales, consisting of (1) estimated domestic consumption for the marketing year beginning August 1, 1956, of 9,100,000 bales, (2) estimated exports during the marketing year beginning August 1, 1956, of 4,500,000 bales, and (3) 30 percent of the sum of subparagraphs (1) and (2) of this paragraph as an allowance for carry-over, or 4,080,000 bales.

(c) *National marketing quota.* It is hereby determined and proclaimed that the total supply of cotton for the marketing year beginning August 1, 1956, will exceed the normal supply of cotton for such marketing year. Therefore, a national marketing quota shall be in effect for the crop of cotton produced in the calendar year 1957. It is further determined and proclaimed that the amount of the national marketing quota for the 1957 crop of cotton shall be 11,014,493 bales (standard bales of 500 pounds gross weight). The amount of such quota has been determined under section 342 of the act which, in effect, provides that the 1957 quota shall be the largest of the following:

(1) The number of bales of cotton (standard bales of 500 pounds gross weight) adequate, together with (i) the estimated carry-over at the beginning of the 1957-58 marketing year and (ii) the estimated imports during the 1957-58 marketing year, to make available a normal supply of cotton. The number of bales of cotton determined under this provision is 2,450,412 bales.

(2) The number of bales of cotton (standard bales of 500 pounds gross weight) equal to the smaller of (i) 10,000,000 bales, or (ii) 1,000,000 bales less than the estimated domestic consump-

tion plus exports of cotton for the marketing year ending July 31, 1956. The number of bales of cotton determined under subdivision (ii) of this subparagraph would be 10,386,520 bales. Therefore, the smaller of subdivision (i) and (ii) of this subparagraph would be 10,000,000 bales.

(3) The number of bales of cotton (standard bales of 500 pounds gross weight) required to provide a national acreage allotment for the 1957 crop of upland cotton equal to the national acreage allotment for the 1956 crop of upland cotton. The number of bales of cotton determined under this provision is 11,014,493 bales.

§ 722.803 *Determination of national acreage allotment for the 1957 crop of cotton.* It is hereby further determined and proclaimed that a national acreage allotment shall be in effect for the crop of cotton produced in the calendar year 1957. The amount of such national acreage allotment shall be 17,391,304 acres. The amount of such national acreage allotment has been determined under section 342 of the act, which provides that the national acreage allotment for cotton for 1957 shall be not less than the national acreage allotment for 1956. The national acreage allotment for the 1956 crop of upland cotton was 17,391,304 acres. The 1957 national acreage allotment will be apportioned to the States in the regulations pertaining to acreage allotments for the 1957 crop of upland cotton. Section 722.802 and this section will also contain the additional acreage allotment which each State will receive under the 100,000-acre national acreage reserve provision and the 99 percent minimum State allotment provision which were added to the Agricultural Adjustment Act of 1938 by the Agricultural Act of 1956.

Done at Washington, D. C., this 30th day of August, 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

EARL L. BUTZ,  
Assistant Secretary.

[F. R. Doc. 56-7154; Filed, Sept. 5, 1956;  
8:53 a. m.]

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

### Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.30, Supp. 3]

#### PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

##### NEBRASKA PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1956 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1956 Crop, 20 F. R. 7159, as amended; 20 F. R. 8772; 21 F. R. 986 and 3670, the Agricultural Stabilization and Conservation Nebraska State Committee has issued the bases and procedures for di-

viding the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 58,816 acres established for Nebraska by the Determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at Room 407, U. S. Post Office and Court House Building, Lincoln, Nebraska, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Nebraska. These bases and procedures incorporate the following:

§ 850.33 *Nebraska*—(a) *Proportionate share areas.* Nebraska shall be divided into four proportionate share areas as served by beet sugar companies. These areas shall be designated "American Crystal", "Great Western", "Holly", and "Utah-Idaho", respectively. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area, a weighting of 75 percent to the average acreage for the crops of 1950 through 1954 as a measure of "past production", and a weighting of 25 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with pro rata adjustments to a total of 58,816 acres. Acreage allotments computed as aforesaid are established as follows: American Crystal Area—5,701 acres; Great Western Area—49,518 acres; Holly Area—445 acres; and Utah-Idaho area—3,152 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from each area allotment of 1 percent for appeals, and for new producers as follows: Holly Area—10 acres; American Crystal Area—90 acres; Great Western Area—495 acres; Utah-Idaho area—3,152 acres.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on form SU-100, Request for Sugar Beet Proportionate Share. The request shall be signed by the farm operator or owner (or legal representative) and shall be filed on or before the closing date for such filing, as provided in § 850.30.

(d) *Establishment of individual farm proportionate shares*—(1) *For new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1956-crop year by new producers (as defined in § 850.30) by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(2) *For second-year producers.* For each farm operated in the 1956-crop year by a second-year producer (as defined in § 850.30), an initial proportionate share shall be established equal to the initial 1955-crop share established for such farm.

(3) *For old producers*—(1) *Farm bases.* For each farm operated by an old producer (any producer except a new pro-

<sup>1</sup> Includes 542,000 bales reported by the Bureau of the Census as excess of supply over distribution in 1955-56.



ducer or a second-year producer) a farm base shall be computed as follows:

(a) *American Crystal Area.* For each farm in the American Crystal Area, the farm base shall be computed from the applicable planted sugar beet acreage, as defined hereinafter, by giving a 75 percent weighting to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a 25 percent weighting to the largest acreage of the crops of 1950 through 1954, as a measure of "ability to produce", with a minimum of 94 percent of the average 1953-54 acreage. The applicable planted sugar beet acreage shall be determined as follows: For a farm totally owned by the 1956 operator, the applicable planted sugar beet acreage shall be the planted acreage for the farm within the base period; and for a farm for which the 1956 operator is a tenant in any capacity, the applicable planted sugar beet acreage shall be the acreage planted by the operator in the area within the base period; provided that in case both the owner-operator of land and the person who was a tenant on the same land request proportionate shares, the acreage record of such land shall be divided between such owner and tenant on the basis of the effective crop shares.

(b) *Great Western and Holly Areas.* For each farm in the Great Western Area or the Holly Area, the factors "past production" and "ability to produce" shall be measured by establishing a farm base computed by multiplying the average planted sugar beet acreage for the farm for the crops of 1950 through 1954 (total planted acreage divided by the number of crops for which beets were actually planted) by the percentage shown for the category applicable to the farm, as follows:

	Percent
Planted acreage for all 5 crops.....	100
Planted acreage only for last 4 crops.....	88
Planted acreage only for 4 crops other than last 4 consecutive crops.....	83
Planted acreage only for last 3 crops.....	72
Planted acreage only for 3 crops other than last 3 consecutive crops.....	65
Planted acreage only for last 2 crops.....	58
Planted acreage only for 2 crops other than last 2 consecutive crops.....	50
Planted acreage only for 1954 crop.....	40
Planted acreage only for one crop other than 1954 crop.....	18

(c) *Utah-Idaho Area.* For each farm in the Utah-Idaho Area, the farm base shall be computed from the planted sugar beet acreage record of the farm by giving a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 25 percent to the average acreage for the crops of 1953-54, as a measure of "ability to produce".

(d) *Initial proportionate shares.* Initial proportionate shares shall be established from farm bases in each area on a pro rata basis so that the total of the farm shares equals the area allotment less the prescribed set-asides and the initial shares of second-year producers.

(e) *Adjustments in initial shares.* Within the acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall

be made in initial farm proportionate shares for old producers and second-year producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(5) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.30 applicable to appeals.

(6) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1956-crop season. Insofar as practicable, acreage remaining unused in any area shall be reallocated to the other areas wherein it may be used.

(7) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103, Notice of Farm Proportionate Share—1956 Sugar Beet Crop, even if the acreage established is "none", and in each case of approved adjustment the farm operator shall be notified regarding the adjusted proportionate share on another form SU-103 if the adjustment results from an appeal, otherwise on a form SU-103-A or other similar written notice.

(8) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.30.

#### STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Nebraska State Committee for determining farm proportionate shares in Nebraska in accordance with the determination of proportionate shares for the 1956 crop of sugar beets, as issued by the Secretary of Agriculture.

In general, the bases and procedures specified herein are the same as those which were effective in the State for the 1955 crop. Nebraska is again divided into four areas, which division is considered reasonable and appropriate considering geographical locations, the operation of sugar beet processing plants and the organization of advisory committees including grower and processor representatives. Farm proportionate shares of old producers are established under formulas which measure "past production" and "ability to produce" sugar beets. These standards are reflected in the initial farm shares es-

tablished for second-year producers, which coincide with their initial 1955-crop shares, as provided under § 850.30. The procedure for establishing farm shares for new producers meets the related requirements of such section.

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

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Dated: August 7, 1956.

[SEAL] FRANCIS M. REECE,  
Chairman, Agricultural Stabilization and Conservation Nebraska State Committee.

Approved: August 20, 1956.

HERBERT G. FOLKEN,  
Acting Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 56-7156; Filed, Sept. 5, 1956; 8:53 a. m.]

[Sugar Determination 850.30, Supp. 8]

#### PART 350—DOMESTIC BEET SUGAR PRODUCING AREA

#### KANSAS PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1956 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1956 Crop, 20 F. R. 7159, as amended (20 F. R. 8772); 21 F. R. 986 and 3670, the Agricultural Stabilization and Conservation Kansas State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 7,267 acres established for Kansas by the Determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at the Wareham Building, 417 Humboldt Street, Manhattan, Kansas, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Kansas. These bases and procedures incorporate the following:

§ 850.38 *Kansas.*—(a) *Proportionate share areas.* Kansas shall be divided into two proportionate share areas, Area I comprising Wichita, Scott, Greeley and Wallace Counties, and Area II the balance of the State. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area a weighting of 75 percent to the average acreage for the crops of 1950 through 1955, as a measure of "past production", and a weighting of 25 percent to the largest acreage of any of the crops of 1950 through 1955,



as a measure of "ability to produce". Acreage allotments computed as afore-said are established as follows: Area I—1,802 acres and Area II—5,465 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Area I—18 acres each for new producers and appeals; Area II—300 acres for new producers and 55 acres for appeals.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on form SU-100, Request for Sugar Beet Proportionate Share. The request shall be signed by the farm operator or owner (or legal representative) and shall be filed on or before the closing date for such filing, as provided in § 850.30.

(d) *Establishment of individual farm proportionate shares—(1) For new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1956-crop year by new producers (as defined in § 850.30) by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(2) *For second-year producers.* For each farm operated in the 1956-crop year by a second-year producer (as defined in § 850.30), an initial proportionate share shall be established equal to the initial 1955-crop share established for such farm.

(3) *For old producers—(1) Farm bases.* For each farm whose operator is not a tenant in the 1956-crop season, the farm base shall be established from the planted sugar beet acreage record of the farm, and for each farm whose operator is a tenant in the 1956-crop season, a farm base shall be established from the planted sugar beet acreage record of the farm, or the planted sugar beet acreage record of the producer, whichever gives the higher base. Such farm base shall be computed by giving a weighting of 75 percent to the average acreage of the crops of 1953 through 1955, as a measure of "ability to produce" and 25 percent to the average acreage of the crops of 1950 through 1955, as a measure of "past production."

(ii) *Initial proportionate shares.* Initial proportionate shares shall be established from farm bases in each area on a pro rata basis so that the total of the farm shares equals the area allotment less the prescribed set-asides and the initial shares of second-year producers.

(4) *Adjustments in initial shares.* Within the acreage available from initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers and second-year producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by tak-

ing into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(5) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.30 applicable to appeals.

(6) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1956-crop season. Insofar as practicable, acreage remaining unused in any area shall be reallocated to the other area wherein it may be used.

(7) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103, Notice of Farm Proportionate Share—1956 Sugar Beet Crop, even if the acreage established is "none", and in each case of approved adjustment the farm operator shall be notified regarding the adjusted proportionate share on another form SU-103 if the adjustment results from an appeal, otherwise on a form SU-103-A or other similar written notice.

(8) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.30.

#### STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Kansas State Committee for determining farm proportionate shares in Kansas in accordance with the determination of proportionate shares for the 1956 crop of sugar beets, as issued by the Secretary of Agriculture.

Kansas is divided into two areas, which division is considered reasonable and appropriate considering geographical locations, the operation of sugar beet processing plants and the organization of advisory committees including grower and processor representatives. Farm proportionate shares of old producers are established under formulas which measure "past production" and "ability to produce" sugar beets. These standards are reflected in the initial farm shares established for second-year producers, which coincide with their initial 1955-crop shares, as provided under § 850.30. The procedure for establishing farm shares for new producers meets the related requirements of such section.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and

appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Dated: August 8, 1956.

[SEAL] BEN C. KIEFER,  
Chairman, Agricultural Stabilization and Conservation  
Kansas State Committee.

Approved: August 20, 1956.

HERBERT G. FOLKEN,  
Acting Director, Sugar Division,  
Commodity Stabilization Service.  
[F. R. Doc. 56-7155; Filed, Sept. 5, 1956;  
8:53 a.m.]

[Sugar Determination 850.30, Supp. 15]

#### PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

#### TEXAS FARM PROPORTIONATE SHARES FOR 1956 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1956 Crop, 20 F. R. 7159, as amended 20 F. R. 8772, 21 F. R. 986 and 3670, the Agricultural Stabilization and Conservation Texas State Committee has issued the bases and procedures for establishing individual farm proportionate shares from the allocation of 1,631 acres established for Texas by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at the U. S. D. A. Building, College Station, Texas, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Texas. These bases and procedures incorporate the following:

§ 850.45 Texas—(a) *Set-asides of acreage.* From the State allocation there is set aside 49 acres for use in establishing farm proportionate shares for new producers, 16 acres for adjusting individual farm proportionate shares under appeals, and 75.4 acres for adjusting initial farm proportionate shares.

(b) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on form SU-100, Request for Sugar Beet Proportionate Share. The request shall be signed by the farm operator or owner (or legal representative) and shall be filed on or before the closing date for such filing, as provided in § 850.30.

(c) *Establishment of individual farm proportionate shares—(1) For new producers.* Within the acreage set aside for new producers proportionate shares shall be established in an equitable manner for farms to be operated during the 1956-crop year by new producers (as defined in § 850.30) by taking into consideration the availability and suitability of land, area of available fields, availability



of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(2) *For second-year producers.* For each farm operated in the 1956-crop year by a second-year producer (as defined in § 850.30), an initial proportionate share shall be established equal to the initial 1955-crop share established for such farm.

(3) *For old producers—(i) Farm bases.* The farm base for each farm shall be established from the planted sugar beet acreage record of the farm by giving a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production" and a weighting of 25 percent to the average acreage of the crops of 1953-54, as a measure of "ability to produce."

(ii) *Initial proportionate shares.* Initial proportionate shares shall be established from farm bases on a pro rata basis so that the total of the farm shares equals the State allotment less the prescribed set-asides and the initial shares of second-year producers.

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

(5) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.30 applicable to appeals.

(6) *Adjustments because of unused acreage.* To the extent of acreage available within the State allocation from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1956-crop season.

(7) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103, Notice of Farm Proportionate Share—1956 Sugar Beet Crop, even if the acreage established is "none", and in each case of approved adjustment the farm operator shall be notified regarding the adjusted proportionate share on another form SU-103 if the adjustment results from an appeal, otherwise on a form SU-103-A or other similar written notice.

(8) *Determination provisions prevail.* The bases and procedures set forth in

this section are issued in accordance with and subject to the provisions of § 850.30.

#### STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Texas State Committee for determining farm proportionate shares in Texas in accordance with the determination of proportionate shares for the 1956 crop of sugar beets, as issued by the Secretary of Agriculture.

In general, the bases and procedures specified herein are the same as those which were effective in the State for the 1955 crop. The establishment of individual farm proportionate shares directly from the State allocation, without subdividing the State into proportionate share areas, is reasonable, considering that the sugar beet producing region of the State is relatively small and only one beet sugar company contracts for acreage in Texas.

Farm proportionate shares of old producers are established under formulas which measure "past production" and "ability to produce" sugar beets. These standards are reflected in the initial farm shares established for second-year producers, which coincide with their initial 1955-crop shares, as provided under § 850.30. The procedure for establishing farm shares for new producers meets the related requirements of such section.

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

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interpretations or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Dated: August 13, 1956.

[SEAL] R. G. SHRAUNER,  
Chairman, Agricultural Stabilization and Conservation Texas Committee.

Approved: August 20, 1956.

HERBERT G. FOLKEN,  
Acting Director, Sugar Division,  
Commodity Stabilization Service.

[P. R. Doc. 56-7157; Filed, Sept. 5, 1956; 8:53 a. m.]

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

#### PART 969—AVOCADOS GROWN IN SOUTH FLORIDA REPORTS

Notice is hereby given of the approval of the amendment, as hereinafter set

forth, of the rules and regulations (7 CFR 969.110 et seq.; Subpart—Rules and Regulations; 21 F. R. 2409) of the Avocado Administrative Committee, currently in effect pursuant to the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969), regulating the handling of avocados grown in South Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047).

It is hereby found and determined that the said amendment of the rules and regulations is in accordance with the provisions of the said amended marketing agreement and order and will tend to effectuate the declared purposes of the Agricultural Marketing Agreement Act of 1937, as amended, and the said rules and regulations are amended as follows:

Delete the provisions of § 969.150 *Reports* and insert in lieu thereof the following:

§ 969.150 *Reports.* Each handler shall file with the Avocado Administrative Committee, on a weekly basis, a report of all avocados received by him. Such report shall be on forms prescribed by the committee and shall include (a) the name and address of the handler; (b) weekly period covered by the report; (c) district in which the avocados were received; and (d) the quantity of each variety of avocados received. Each such report shall be filed with the committee not later than one week after the close of business of the last day of the period covered by the report.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) shipment of the current crop of avocados is now in progress, and varieties of avocados are currently subject to maturity regulation under Avocado Order 12, as amended (21 F. R. 3307; 5469; 6329); (2) such maturity regulation is established by varieties and is subject to review and revision as the crop develops, and the data concerning varieties required by this amendment to be filed with the committee is necessary to provide a basis for recommendations by the committee; (3) handlers have been notified of the proposed adoption and recommendation to the Secretary of the said amendment; and (4) the procedures established by such amendment of the rules and regulations will not require any preparation which cannot be completed by the effective time hereof.

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

Issued at Washington, D. C., this 31st day of August 1956, to be effective upon publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator.

[P. R. Doc. 56-7151; Filed, Sept. 5, 1956; 8:53 a. m.]



## TITLE 14—CIVIL AVIATION

## Chapter I—Civil Aeronautics Board

## Subchapter A—Civil Air Regulations

## PART 34—FLIGHT NAVIGATOR CERTIFICATES

## REVISION OF PART

This revision of Part 34 is issued for the purpose of bringing the format and language of the part into conformity with more recently revised airman parts and incorporating into one document the recent amendments made to Part 34.

Attention is called to the fact that this revision adds definitions of the terms "Administrator," "Approved," and "Authorized representative of the Administrator." These definitions are identical with those contained in the other airman parts. Two provisions contained in the other airman parts are also added to clarify the procedure for taking examinations and tests and substantiating experience qualifications.

The identification card requirement contained in present Part 34 was intended to facilitate the identification of the holder in the event that future security restrictions might so require. However, after 5 years experience with the issuance of identification cards, it is now evident that they have served no useful purpose in the past, and it appears unlikely that the carriage of such a card by airmen would have any future beneficial effect upon the exercise of security controls. In view of this experience and in view of the fact that the requirement has created a burden for the applicant as well as the Government, for which no safety or security justification exists, it has been deleted from this revision.

Since the changes made herein are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary and the revised part may be made effective on less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby revises Part 34 of the Civil Air Regulations (14 CFR Part 34, as amended) as set forth below, effective on September 1, 1956.

By the Civil Aeronautics Board.

[SEAL] JOHN B. RUSSELL,  
Acting Secretary.

## APPLICABILITY AND DEFINITIONS

- Sec.  
34.1 Applicability of this part.  
34.2 Definitions.

## CERTIFICATION RULES

- 34.5 Application for certificate.  
34.6 Issuance.  
34.7 Duration.  
34.8 Change of address.

## GENERAL CERTIFICATE REQUIREMENTS

- 34.21 Citizenship.  
34.22 Age.  
34.23 Education.  
34.24 Examinations and tests.  
34.25 Re-examination after failure.  
34.26 Substantiation of experience.  
34.27 Physical standards.

## QUALIFICATIONS FOR A CERTIFICATE

- 34.31 Experience.  
34.32 Knowledge.  
34.33 Skill.

## OPERATING RULES

- Sec.  
34.41 Certificate required.  
34.42 Display.  
34.43 Medical certificate.  
34.44 Operation during physical deficiency.

AUTHORITY: §§ 34.1 to 34.44 issued under sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552.

## APPLICABILITY AND DEFINITIONS

§ 34.1 *Applicability of this part.* This part establishes certification and general operating rules for flight navigators.

§ 34.2 *Definitions.* As used in this part, terms are defined as follows:

*Administrator.* The Administrator is the Administrator of Civil Aeronautics.

*Approved.* Approved, when used alone or as modifying terms such as means, method, action, equipment, etc., means approved by the Administrator.

*Authorized representative of the Administrator.* An authorized representative of the Administrator is any employee of the Civil Aeronautics Administrator or any private person, authorized by the Administrator to perform particular duties of the Administrator under the provisions of this part.

## CERTIFICATION RULES

§ 34.5 *Application for certificate.* An application for a certificate shall be made on a form and in a manner prescribed by the Administrator.

§ 34.6 *Issuance.* (a) A flight navigator certificate shall be issued by the Administrator to an applicant who meets the requirements of this part.

(b) Pending a review of the applicant's application and supplementary documents and the issuance of a certificate by the Administrator, an authorized representative of the Administrator may, subject to such conditions and limitations as the Administrator may prescribe, issue a temporary flight navigator certificate to an applicant who meets the requirements of this part.

§ 34.7 *Duration.* (a) A flight navigator certificate issued to a United States citizen shall remain in effect until surrendered, suspended, revoked, or otherwise terminated by order of the Board. A certificate issued to an applicant other than a United States citizen shall remain in effect for a period no longer than 12 months after the date of issuance, but it may be reissued without further demonstration of technical competence.

(b) A temporary flight navigator certificate shall remain in effect for a period no longer than 3 months after the date of issuance.

(c) After revocation, and upon request after suspension, the certificate shall be returned to the Administrator.

(d) Nothing in this section shall be construed to deny or defeat the jurisdiction of the Federal courts, the Administrator, or the Board to impose any authorized sanction, including revocation of the certificate, for a violation of the act or of the Civil Air Regulations occurring during the effective period of the certificate.

§ 34.8 *Change of address.* Within 30 days after any change in the permanent

mailing address of a certificated flight navigator, he shall notify the Administrator in writing of his new address. The notice shall be mailed to the Administrator of Civil Aeronautics, Attention Airman Records Branch, Washington 25, D. C.

## GENERAL CERTIFICATE REQUIREMENTS

§ 34.21 *Citizenship.* An applicant for a flight navigator certificate may be a citizen of any country or a person without nationality.

§ 34.22 *Age.* An applicant shall be at least 21 years of age.

§ 34.23 *Education.* An applicant shall be able to read, write, speak, and understand the English language.

§ 34.24 *Examinations and tests.* Examinations and tests shall be conducted by an authorized representative of the Administrator at such times and places as the Administrator may designate. The passing grade for such examinations and tests shall be at least 70 percent.

§ 34.25 *Re-examination after failure.* An applicant who has failed any prescribed written or practical examination or test may not apply for re-examination within a 30-day period unless he presents a statement signed by a certificated flight navigator, a certificated ground instructor, or an equally qualified individual acceptable to the Administrator, which attests that the applicant has received an additional 5 hours of instruction in each of the subjects failed and that the applicant is considered competent for re-examination.

§ 34.26 *Substantiation of experience.* An applicant shall present documentary evidence, satisfactory to the Administrator, to substantiate the experience qualifications for a flight navigator certificate.

§ 34.27 *Physical standards.* An applicant shall present evidence that he has, within the 12 months immediately preceding the date of application, met the physical standards of the second class prescribed in Part 29 of this chapter: *Provided,* That an applicant who is unable to distinguish aviation signal red, aviation signal green, and white shall be issued an airman certificate appropriately endorsed to prohibit the holder thereof from exercising the privileges of such certificate except under such conditions, or with the use of such equipment, as would not require the ability to distinguish such aviation signal colors.

## QUALIFICATIONS FOR A CERTIFICATE

§ 34.31 *Experience.* (a) An applicant shall:

(1) Have at least 200 hours of satisfactory flight navigation including celestial and radio navigation and dead reckoning: *Provided,* That a pilot who has logged 500 hours of cross-country flight, of which 100 hours shall have been at night, may be credited with not more than 100 hours toward this experience; and

(2) Have satisfactorily determined his position in flight not less than 25 times by night by celestial observations and not less than 25 times by day by celestial



observations in conjunction with other aids; or

(b) An applicant shall be a graduate of a flight navigator course approved by the Administrator.

§ 34.32 *Knowledge.* An applicant shall pass a written examination on the following subjects:

(a) Those provisions of the regulations in this subchapter pertinent to the duties of a navigator in the navigation of aircraft;

(b) The fundamentals of flight navigation, including flight planning and cruise control;

(c) Practical meteorology, including the analysis of weather maps, weather reports, and weather forecasts; weather sequence abbreviations, symbols, and nomenclature;

(d) Types of air navigation facilities and procedures in general use;

(e) The calibration and use of instruments used in air navigation;

(f) Navigation by dead reckoning;

(g) Navigation by celestial means;

(h) Navigation by means of radio aids;

(i) Pilotage and map reading; and

(j) Interpretation of navigational aid identification signals.

§ 34.33 *Skill.* (a) An applicant shall pass a practical examination in the operation of flight navigational equipment.

(b) An applicant shall accomplish practical tests in aircraft navigation by:

- (1) Dead reckoning;
- (2) Celestial means; and
- (3) Radio aids to navigation.

#### OPERATING RULES

§ 34.41 *Certificate required.* No individual shall serve as a flight navigator in air commerce on an aircraft of United States registry without, or in violation of the terms of, a certificate issued in accordance with the provisions of this part. He shall have his certificate in his personal possession when performing his duties.

§ 34.42 *Display.* A flight navigator shall, upon request, present his airman and medical certificates for examination by any authorized representative of the Civil Aeronautics Board or the Administrator, or by any State or local law enforcement officer.

§ 34.43 *Medical certificate.* No individual shall exercise the privileges accorded by a flight navigator certificate unless he has in his personal possession while so serving a medical certificate or other evidence satisfactory to the Administrator showing that he has met the physical requirements appropriate thereto within the preceding 12 months.

§ 34.44 *Operation during physical deficiency.* No individual shall exercise the privileges accorded by a flight navigator certificate during any period of known physical deficiency or increase in physical deficiency which would render him unable to meet the physical requirements prescribed for the issuance of his currently effective medical certificate.

[F. R. Doc. 56-7158; Filed, Sept. 5, 1956; 8:54 a.m.]

## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign Commerce, Department of Commerce

#### Subchapter B—Export Regulations

[Eighth Gen. Rev. of Export Regs., Amdt. 7<sup>1</sup>]

#### PART 368—MUTUAL ASSISTANCE ON U. S. IMPORTS AND EXPORTS

##### PART 371—GENERAL LICENSES

#### PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

##### PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

#### PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

#### MISCELLANEOUS AMENDMENTS

1. Section 368.1 *Import certificate and delivery verification on selected imports into the United States*, paragraph (b) *United States Import Certificate* is amended in the following particulars:

Subdivision (ii) of subparagraph (2) *Where to file* is amended to read as follows:

(ii) (a) The Import Certificate may be presented for validation either in person or by mail. The duly validated form will be returned to the United States importer and shall be dispatched by him to the foreign exporter or otherwise disposed of in accordance with the regulations of the exporting country.

(b) In accordance with international practice, the issuing office upon request will stamp the Import Certificate with a triangular symbol to indicate to the government of the exporting country that the importer is uncertain whether the commodities will be imported into the United States, or knows that the commodities will not be imported into the United States, but they will not be delivered to any destination except in accordance with the United States Export Regulations. The placing of a triangular symbol on a United States Import Certificate is not, in and of itself, an approval by the Bureau of Foreign Commerce to transfer or sell commodities to a foreign consignee. (See § 368.1 (b) (7) for method of obtaining such approval.)

Subparagraph (7) *Approval of shipments to destinations other than the United States* is amended to read as follows:

(7) *Approval of shipment, transfer, or sale of commodities to a foreign consignee.* (i) The written approval of the Bureau of Foreign Commerce is required before commodities covered by a United States Import Certificate whether or not bearing a triangle, may be shipped to a destination other than the United States or Canada or sold to a foreign purchaser, and before title to or possession of such

commodities may be transferred to a foreign transferee.\*

(ii) In such cases, a letter requesting approval of the release of the shipment shall be submitted to the Bureau of Foreign Commerce. The letter shall show the United States Import Certificate number, the date issued, the location of the issuing office, and the names, addresses, and identity of all parties to the complete transaction, as well as the quantity, the dollar value, and the description of the commodity. The letter shall be accompanied by an Import Certificate, an ultimate consignee statement, or other documentation as required by the Export Regulations for the country of ultimate destination, as provided for license applications in §§ 373.2, 373.65, 373.66, 373.67, 373.69, and 373.70. Where none of these numbered sections of the Export Regulations apply to the transaction, the letter shall include the intended end-use of the commodities.

(iii) Where the Bureau of Foreign Commerce approves a request supported by a foreign import certificate (other than a Swiss Blue Import Certificate), further approval is not required in order for the purchaser or transferee to resell or again transfer the commodities. However, where the Bureau of Foreign Commerce approves a request which was not supported by a foreign import certificate, the person to whom approval is granted is required to inform the purchaser or transferee in writing that the commodities are to be shipped to the approved destination only and that no other disposition of the commodities is permitted

\* The provisions of this subparagraph do not apply after the commodities have been delivered in accordance with the undertaking set forth in the United States Import Certificate.

The attention of United States purchasers is directed to the Transaction Control Regulations of the U. S. Treasury Department (Title 31 of the Code of Federal Regulations, §§ 505.01 to 505.60). These regulations prohibit persons within the United States from purchasing or selling, or arranging the purchase or sale, without a Treasury Department license, of any merchandise in any foreign country when the transaction involves a shipment from any foreign country to any Iron Curtain destination, of merchandise included in the Positive List (Part 399) followed by the letter "A", or of a type prohibited by any of the several regulations referred to in § 370.4.

The attention of purchasers is also directed to the Foreign Assets Control Regulations of the U. S. Treasury Department (Title 31 of the Code of Federal Regulations, §§ 500.101 to 500.808). These regulations prohibit persons subject to the jurisdiction of the United States from engaging in any unlicensed transactions with Communist China, North Korea, or nationals thereof, or in any unlicensed transactions involving property in which Communist China, North Korea, or nationals thereof have, or have had, any interest, direct or indirect, since December 17, 1950. The Foreign Assets Control Regulations also prohibit persons subject to the jurisdiction of the United States from engaging in any unlicensed transaction with respect to merchandise outside the United States if such merchandise is of Communist Chinese or North Korean origin, or is Chinese type merchandise specified in the regulations.

<sup>1</sup> This amendment was published in Current Export Bulletin No. 768, dated August 30, 1956.



without the approval of the Bureau of Foreign Commerce.

(iv) If approval of the transaction is granted by the Bureau of Foreign Commerce, a validated letter of approval will be sent to the United States purchaser for retention in his records. Where a Delivery Verification or other official governmental confirmation of delivery is required, the validated letter from the Bureau of Foreign Commerce will so indicate.

(v) If the commodities covered by a United States Import Certificate have been imported into Canada or into any other ultimate destination other than the United States, and the foreign exporter of the commodities requests a Delivery Verification from the person who obtained the United States Import Certificate, the Import Certificate holder shall obtain a Delivery Verification from the person to whom the goods were delivered in the importing country (or if a Delivery Verification is unobtainable, other official governmental confirmation of delivery), and submit it to the Bureau of Foreign Commerce, together with an explanatory letter showing the United States Import Certificate Number, the date issued and the location of the issuing office. The Bureau of Foreign Commerce will then notify the governmental authorities of the exporting country that the requirements of the government of the United States have been satisfied with respect to the delivery of the commodities.

Subparagraph (8) is added to read as follows:

(8) *Delivery, sale, or transfer of commodities covered by a United States Import Certificate to another United States purchaser.*

(i) Commodities covered by a United States Import Certificate may not be sold, and title to or possession of such commodities may not be transferred to another United States purchaser or transferee, before the commodities are delivered to the United States (or to an approved foreign destination, as provided by § 368.1 (b) (7)) except in accordance with the following provisions.<sup>2</sup>

Resale or transfer to another United States purchaser or transferee requires the prior approval of the Bureau of Foreign Commerce only in cases where the buyer or transferee is listed in § 382.51 Supplement 1; Table of compliance orders currently in effect denying export privileges, as amended. However, the person who obtained the Import Certificate is required under the terms of the Certificate to notify the Bureau of Foreign Commerce of any changes in facts or intentions relating to the transaction, and in all cases he is held responsible for the delivery of the commodities in accordance with the Export Regulations.

<sup>2</sup> The provisions of this subparagraph (8) do not apply after the commodities have been delivered in accordance with the undertaking set forth in the United States Import Certificate.

In order to carry out this responsibility, the seller or transferor in all cases is required to secure, prior to sale or transfer, and to retain in his files for three years written acceptance by the purchaser or transferee of: (a) all obligations undertaken by and imposed under the Export Regulations of the United States upon the holder of the United States Import Certificate; and (b) an undertaking that all subsequent sales or transfers will be made subject to the same conditions.

(ii) The responsibility of the United States person or firm executing an Import Certificate for providing the foreign exporter with confirmation of the delivery of the commodities covered includes instances where the commodities resold are transferred to another United States person or firm prior to actual delivery to the United States or to an approved foreign destination. Where such resale or transfer occurs, the person who executed the Import Certificate shall secure in writing from the United States purchaser or transferee, and retain in his files for three years: (a) acceptance of the obligation to provide him with either the delivery verification (or other official governmental confirmation of delivery if a Delivery Verification is unobtainable) or assurance that this documentation was submitted to the Bureau of Foreign Commerce, and (b) an undertaking that each succeeding United States transferee or purchaser will assume the obligations set forth (a) of this subdivision. In each case the seller or transferor shall transmit to the purchaser or transferee the identification number of the United States Import Certificate covering the exportation from the foreign country, and request that they pass it on to any other United States purchasers or transferees.

This part of the amendment shall become effective as of October 1, 1956.

2. Section 368.1 *Import certificate and delivery verification on selected imports into the United States*, paragraph (d) *Delivery verification on imports into the United States*, subparagraph (1) *General*, subdivision (iii) is amended to read as follows:

(iii) Where a United States person or firm is required to provide a delivery verification and does not wish to disclose to his seller or transferor the name of his customer he may obtain the Delivery Verification and send it to the Bureau of Foreign Commerce, Operations Division, Washington 25, D. C. The Bureau of Foreign Commerce will then undertake to notify the governmental authorities in the country of the seller or transferor of the satisfactory delivery of the commodities. In notifying the country requesting the Delivery Verification the Bureau of Foreign Commerce will forward an appropriately modified Form FC-956 "Delivery Compliance Notice" signifying the receipt of satisfactory assurances that the commodities were imported into the United States.

This part of the amendment shall become effective as of October 1, 1956.

3. Section 371.13 *General Licenses SHIP STORES, PLANE STORES, CREW, and REGISTERED CARRIER STORES*, paragraph (b) *General License PLANE STORES*, subparagraphs (1) *Scope* and (2) *Restrictions on the exportation of petroleum and petroleum products for use on aircraft* are amended to read as follows:

(1) *Scope*. A general license designated PLANE STORES is hereby established authorizing exportation to any destination except North Korea, subject to the conditions set forth in subparagraph (2) of this paragraph, on aircraft of foreign registry departing from the United States, of usual and reasonable kinds and quantities of (i) fuel; (ii) deck, engine, and steward department stores, provisions, and supplies; (iii) medicinal and surgical supplies; (iv) food stores; and (v) saloon stores or supplies, for use or consumption during the outgoing trip of such aircraft and any immediate return trip scheduled, and not intended for unloading in a foreign country and not exported under a Bill of Lading as cargo; and of usual and reasonable kinds and quantities of equipment and spare parts when necessary for the proper operation of such aircraft, and not intended for unloading in a foreign country and not exported under a Bill of Lading as cargo.

(2) *Restrictions on the exportation of petroleum and petroleum products for use on aircraft*. No exportation of petroleum or petroleum products (including those used as fuel) listed in paragraph (a) (3) of this section may be made under this general license on a foreign aircraft of 12,000 pounds or more gross load departing from the United States, for use on board such aircraft if the aircraft (i) has called at Macao or any point under Far Eastern Communist control during the 30 days immediately preceding the date on which such commodities are to be laden aboard the aircraft; (ii) will call at Macao or any point under Far Eastern Communist control within 30 days after the date such commodities are laden aboard the aircraft; (iii) will carry within this 30-day period commodities, of any origin, known by the owner, aircraft commander, or agent to be destined directly or indirectly to Macao or any point under Far Eastern Communist control, unless the commodities so carried are covered by an export license issued by the Bureau of Foreign Commerce or any other agency of the United States Government; or (iv) is registered or documented in any Subgroup A country or is controlled by, or under charter to, any Subgroup A country or a national of any Subgroup A country.

This part of the amendment shall become effective as of October 1, 1956.

4. Section 371.23 *General License GHK; shipments of certain commodities to Hong Kong*, paragraph (a) *Scope* is amended in the following particulars:

The following commodities are added to the list of commodities:



Dept. of Commerce Schedule B No.	Commodity
204100	Druggists' rubber sundries, the following only: Crib sheets, ice bars, medicine droppers, rubber ascs for medicine droppers, sponge bags, surgeon's aprons, water bottles, water cushions, and water pillows.
204300	Clothing of rubber or rubberized cloth, the following only: Waterproof aprons, waterproof sleeves.
209900	Foam rubber pillows; foam rubber stripping; hair, rubberized; mattresses; scraper tips.
	Filament yarn (except thrown yarn) or man-made (synthetic) fibers, on cones, bobbins or other winding cones.
384020	Viscose and cuprammonium rayon, textile type.
384024	Acetate.
384026	Nylon.
384029	Man-made (synthetic), n. e. c., except: polytetrafluoroethylene (teflon) fiber and polytetrafluoroethylene (teflon) yarn.
384030-384032	Thrown yarns (crepe, voile and combination twists and plied yarns, n. e. c.) except tire cord (384032).
384040	Thread and handwork yarns of rayon and other manmade (synthetic) fibers (including sewing, embroidery, hand-knitting and crocheting).
384050-384052	Monofilaments, monostrands and extruded bands and strips (not woven) for the manufacture of textiles.
384050-384062	Spun yarns made from short fibers, i. e. staple or waste (including singles and plied).
384070-384079	Staple and tow.
384081-384083	Producers' and low twist mill thread waste.
384087-384089	Noils, garnetts, and shoddy.
384090-384095	Topa, sliver and roving of staple and of waste.
429000	Wood manufacturers, n. e. c., except boat parts, small, machined to shape: docks, portable; gun stock blanks; patterns; portable floats; propellers; propeller blades; trestles; towers, windmill.
489900	Paper, paperboard and products, n. e. c., not specially fabricated for particular machines or equipment; the following only: Christmas wrapping; crepe paper; decorations; gift wrapping papers; labels, printed or unprinted; leather, artificial; leatherette-coated paper; leatherette paper base, except cover; ribbon paper; seals; tapes; tinsel cord and ribbon.
613710	Metal furniture (whether or not upholstered), n. e. c., and specially fabricated parts, n. e. c., except laboratory furniture.
614300-614390	Domestic heating stoves and space heaters.
614310-614390	Domestic water heaters.
709900	Electric lighting fixtures, n. e. c., and specially fabricated parts, n. e. c., including parts for incandescent and fluorescent lighting fixtures and portable lamps, except explosive-proof fixtures; starters; and vapor-proof fixtures.
721510	Asphalt heating kettles and heaters only.
721535	Concrete batching, mixing, placing, paving, finishing and curing units, and auxiliary units, the following only: buggies, cement floor machines; grout mixers; plaster and mortar mixers; rotary finishers; concrete vibrators.
721540	Parts and accessories, n. e. c., specially fabricated for the equipment covered in entries under Schedule B numbers 721510 and 721535 above.
722045	Asphalt cutters, dirt tampers, and tar heating kettles only.
760500	Flour-mill and grist mill machines, n. e. c., and specially fabricated parts, n. e. c.
760900	Rice mill machines, and specially fabricated parts, n. e. c.
761950	Food and beverage processing machines, n. e. c., and specially fabricated parts, n. e. c.
763100-763900	Woodworking machines and parts.
772000	Paint spraying machines, n. e. c., and specially fabricated parts and accessories.
773040	Wrapping, packaging and filling machines, n. e. c., and specially fabricated parts, n. e. c.
773060	Leather-tanning and leather working machines, n. e. c., and specially fabricated parts, n. e. c.
773060	Lubrication equipment, n. e. c., and specially fabricated parts, and accessories, n. e. c.
773998	Industrial manufacturing and service-industries machines, n. e. c., and specially fabricated parts, n. e. c., the following only: Abattoir equipment, abrasive circulators; abrasive coating machines; acetylene gas generating apparatus; assembling fixtures, production; BRI (Basic Refractories Inspection guns); battery making and assembling machines; boiler room specialty tools; briquetting presses; broom-making machines, except broom-sewing; broom winding, scraping and shipping machines; brush-making machines; button covering machines; button making machines; casket-lowering devices; centrifugal type R W Line Purifiers; chippers; clay guns; cleaning machines, steam; cleaning units, sack; continuous screw fish press; crosscutting equipment, for wood products; cutting machines for brick, tile, ceramics, and similar non-metallic materials; dehalers (abattoir); dish-washers, commercial; DriAir units, exhaust fume control units; fish presses; fish reduction machines, for the manufacture of fish meal for animal feed; flame arrestors; floor finishers, industrial type; floor sanders, industrial type; floor scrubbing machines; floor surface, industrial type; fluorescent lamp disposal units; fumigation chambers; fur-blowing machines; fur-treating machines; garbage burners, industrial and commercial; garbage grinders, industrial and commercial; granulators, shredding type; hat-blocking machines; handle making machines; ice-making machines; ice-crusher slingers; ice saw and drill machines, combination type, engine driven; incinerators, industrial and commercial; jacks, power, general purpose; knife hogs; Koch "Cash X" pistol (slaughterhouse); line-travelling coating and wrapping machines for pipes and tubes; linoleum making machines; measuring machines for measuring cloth; nutter; paint markers for marking pavement; paper match assembly (bookmaking machines); permanent magnet ferro filters; pin ticketing machines (tag-to-product applying); pipe line cleaning machines; power sprayer-type cleaning outfits; power sprayers, for cleaning interior of buildings; presses, n. e. c.; rock, hose and cable, power operated; refrigerant charging apparatus, automatic; shoe lace tipping machines; shredders, slaughterhouse machines; smoke generators, except military; stone products manufacturing machines; tankage presses; tank-cleaning machines; tube cleaners; tube expanders, maintenance type; vacuum cleaners, industrial type; vibrating paper loggers; vibrators, hydraulic; wallboard plastic core machines; wash water superheaters; watch-cleaning machines; wax injection presses; waxing machines, industrial; welding rod brushing machines; welding rod feeders; zipper manufacturing machines.
855100	Prepared fertilizer mixtures.
981260	Vinyl floor tiles and vinyl asbestos floor tiles.

This part of the amendment shall become effective as of 12:01 a. m. August 30, 1956.

The following commodity is deleted from the list of commodities:

Dept. of Commerce Schedule B No.	Commodity
384986	Polytetrafluoroethylene (Teflon) fabric.

This part of the amendment shall become effective as of 12:01 a. m., September 6, 1956, except that with respect to any commodities removed from General

License GHK, shipments which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., September 6, 1956, may be exported under the previous General License GHK provisions up to and including October 1, 1956. Any such shipment not laden aboard the exporting carrier on or before October 1, 1956, requires a validated license for export.

5. Section 372.7 License applications for ship stores, plane stores, supplies and equipment, paragraph (c) Exportations of petroleum and petroleum products, including bunker fuel for use on vessels and fuel for planes departing from the

U. S., subparagraphs (1) and (2) are amended to read as follows:

(1) In the item entitled "Additional Information" (or on an attachment thereto), state the reasons why a general license is inapplicable to the proposed exportation. In addition, supply the following information:

(i) The carrier's call at Macao, or any point under Far Eastern Communist control, and dates of each call, within 180 days prior to date of application (or 30 days in the case of aircraft).

(ii) Submit for each point of call mentioned in subdivision (i) of this subparagraph, a copy of the manifest of cargo loaded or discharged. Also give the destination and anticipated dates of discharge of any cargo still on board the carrier which was laden at such point. The contents of the manifest submitted will be treated as confidential and will not be disclosed to any person other than a party in interest.

(iii) The carrier's proposed calls at Macao or any point under Far Eastern Communist control for the next 120 days in the case of vessels (30 days in the case of aircraft) from the anticipated date of departure from the last port in the United States.<sup>1</sup>

(iv) If the carrier will call at Macao or a point under Far Eastern Communist control within the period of time shown in subdivision (iii) of this subparagraph or if the carrier is registered in, or under charter to, a Subgroup A country, or if the carrier is under charter to a national of a Subgroup A country, state whether any commodities included on the Positive List of Commodities (§ 399.1 of this subchapter), the United States Munitions List (§ 370.4 (a) of this subchapter), or the United States Atomic Energy List (§ 370.4 (d) of this subchapter), are carried on board the vessel or aircraft and destined directly or indirectly to any of these destinations. If the answer is in the affirmative, indicate where such commodities will be discharged, unless this information has already been supplied in accordance with subdivision (ii) of this subparagraph.

(2) In the case of vessels, state (in the space provided for "end use") the gross registered tonnage (GRT), type of main engines and rated horsepower, with daily fuel consumption rate, total fuel capacity, and fuel supply on board, indicating specifically the number of days' running supply from the port where additional supplies are requested. In the case of aircraft, state make and model.

This part of the amendment shall become effective as of October 1, 1956.

6. Section 373.7 Commodities exported for exhibition is amended to read as follows:

§ 373.7 Commodities exported for exhibition. (a) When a person in the United States applies for a license to ex-

<sup>1</sup> If the carrier's itinerary for all of the next 120 days in the case of vessels (or 30 days in the case of aircraft) is not known and cannot be ascertained, the itinerary shall be stated so far as it may be known or ascertainable. In addition, all other available information as to the future destinations and areas of operation shall be submitted.



port a commodity for display at a trade fair or other exhibition, with the intention of returning it to the United States, forwarding it for display at another trade fair or exhibition, or selling it abroad to a yet undetermined purchaser during or after exhibition (as distinguished from instances where it is intended to sell the commodities prior to exhibition or where they will be sold during or after exhibition to a known purchaser abroad), the application for an export license does not require the support of an ultimate consignee statement or import certificate, or other documentation issued by the country of ultimate destination. However, such application shall include the following certification:

These commodities are to be exported for exhibition from \_\_\_\_\_

to \_\_\_\_\_ (Date)

at \_\_\_\_\_ (Date)

to be held at \_\_\_\_\_ (Official name of fair or exhibition)

and if they are not returned to the United States at the end of the exhibition they will not be otherwise disposed of without prior authorization of the Bureau of Foreign Commerce.

(b) In addition, since the applicant retains title to the commodities, he shall be shown as the ultimate consignee, in care of the person who will have custody of the commodities abroad.

(c) When it is decided that the exhibited commodities are not to be returned to the United States, the request made to the Bureau of Foreign Commerce for authorization to display the commodities at another fair or exhibition or to otherwise dispose of the commodities shall be made by means of a letter setting forth the proposed disposition, the license number, the BFC case number, the ultimate destination, the commodity description, the quantity, and the Schedule B number of the commodity, as well as the name, address, and identity of each party to the transaction. In addition, except where the request is for permission to exhibit at another fair or other exhibition, the letter shall be accompanied by all documents required in support of an application for an export license to the proposed destination. The Bureau of Foreign Commerce will validate and issue Form FC-L-58 "Authorization to Dispose of Commodities Shipped to Trade Fairs" for approved requests. If it is subsequently desired to forward the commodities for display at another fair or other exhibition or to make any other use or disposition of the commodities not authorized by the validated Form FC-L-58, an amendment of the form shall be requested by means of a letter to the Bureau of Foreign Commerce containing the same information and documentation as that described above.

This part of the amendment shall become effective as of August 30, 1956.

7. Section 373.56 *Selenium containing chemical compounds, including pigments* is amended in the following particulars:

Paragraph (a) *General* is amended to read as follows:

(a) *General.* License applications to export selenium containing chemical compounds, including pigments, Schedule B Nos. 829810, 830980, 839750, 839900 and 842900 will be considered for approval in accordance with the licensing policy described below.

Paragraph (d) *Time for submission of applications* is amended to read as follows:

(d) *Time for submission of applications.* Applications for licenses to export

selenium containing chemical compounds, including pigments, Schedule B Nos. 829810, 830980, 839750, 839900 and 842900, shall be submitted in accordance with the schedule set forth in § 373.71 Supplement 1.

8. Section 373.71 *Supplement 1; Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended to read as follows:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES  
THIRD AND FOURTH QUARTERS OF 1956

Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Third quarter, 1956	Fourth quarter, 1956
630059	Aluminum scrap (new and old)	Before Sept. 15, 1956.	
630070	Aluminum remelt ingots		
641300	Copper scrap (new and old) containing 40 percent or more copper.		
644000	Copper-base alloy scrap (new and old) containing 40 percent or more copper, excluding copper nickel alloy scrap containing 40 percent or more copper and 5 percent or more nickel.		
644100	Copper-base alloy ingots and other crude forms.	June 1-15, 1956.	Sept. 4-15, 1956.
619159	Selenium powder		
622098	Ferroselenium		
664988	Selenium metal, except selenium-bearing scrap materials.		
829810	Selenium-containing rubber compounding agents not of coal tar origin; accelerators.		
830980	Selenous acid (selenious acid)		
839750	Selenium salts of organic compounds		
839900	Selenium salts and compounds, including selenium dioxide.		
842900	Selenium-containing pigments		

<sup>1</sup> License applications to export "offshore" copper scrap may be submitted at any time. See § 373.41 (e) (7).

NOTE: 1. *Return of unused quotas.* As soon as a licensee determines that he will not export the entire licensed amount of a commodity subject to a quantitative quota he shall promptly submit to the Bureau of Foreign Commerce a request for an amendment reducing the quantity covered by the license to the amount he actually intends to export (see § 373.6). If none of the commodities covered by the license is to be exported, the license shall be returned to the Bureau of Foreign Commerce for cancellation.

2. *Where no filing dates are announced.* Applications for licenses to export commodities for which no specified filing dates are

announced may be submitted at any time (see § 372.5 (c)).

3. *Intransit shipments.* Export applications for commodities requiring a validated license when moving in transit through the United States may be submitted at any time and are not subject to specified filing dates (see Note following § 372.6 (d)).

9. Section 382.51 *Supplement 1; Table of compliance orders currently in effect denying export privileges*, paragraph (b) *Table of compliance orders* is amended in the following particulars:

The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Frick, Ernst A., 18 Oberstrasse, Bremen, Germany.	8-3-56	8-2-57	General and validated licenses, all commodities, any destination, also exports to Canada.	21 F. R. 5944, 8-8-56.
Gyma Laboratories of America, Inc., 83-10 Baxter Ave., Jackson Heights 73, N. Y.	8-21-56	9-21-56 (11-21-56)*	do	21 F. R. 6305, 8-22-56.
Lipton, Rolf, 83-10 Baxter Ave., Jackson Heights 73, N. Y.	8-21-56	9-21-56 (11-21-56)*	do	21 F. R. 6305, 8-22-56.

\*This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (a) (1) of this section.

The following entry is amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Duhme, Adolf, 43 Ausser der Schleifmühle and P. O. B. 1135, Bremen, Germany.	2-21-55	2-20-58	General and validated licenses, all commodities, any destination, also exports to Canada.	20 F. R. 1188, 2-25-55. 21 F. R. 5944, 8-8-56.

(Sec. 3. 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,  
Director,  
Bureau of Foreign Commerce.

[F. R. Doc. 56-7048; Filed, Sept. 5, 1956; 8:45 a. m.]







**TITLE 32—NATIONAL DEFENSE****Chapter I—Office of the Secretary of Defense**

[Amdt. 15]

**Subchapter A—Armed Services Procurement Regulations****MISCELLANEOUS AMENDMENTS TO SUBCHAPTER**

The following miscellaneous amendments are made to this subchapter:

**PART I—GENERAL PROVISIONS****SUBPART C—GENERAL POLICIES**

1. Section 1.300 has been revised as follows:

§ 1.300 *Scope of subpart.* This subpart sets forth general policies with respect to (a) methods of procurement, (b) sources of supply (including governmental and foreign sources), (c) types of contracts, (d) specifications, (e) transportation costs, and (f) responsible prospective contractors.

2. Section 1.306 has been revised to provide expanded coverage with respect to transportation aspects of procurement. In addition to policy in choosing place of delivery, the revised paragraph now covers the effect of such factors as quantity analysis, commodity description, delivery terms, consignment and marking instructions, scheduling of deliveries to permit consolidation of shipments, transit arrangements, rate information, volume shipments, unusually large or heavy shipments, and mode of transportation.

**§ 1.306 Transportation costs.**

§ 1.306-1 *General.* Proper consideration of transportation costs is necessary to insure that procurement is on the basis most advantageous to the Government. Contracting officers shall give consideration to the transportation factors set forth below which may affect such costs.

§ 1.306-2 *Place of delivery.*—(a) *Shipments originating within the continental United States for ultimate delivery within the continental United States.* Unless there are valid reasons to the contrary, the procurement of supplies from sources and for delivery within the continental limits of the United States shall be in accordance with the following policy:

(1) when it is estimated that a contract will require no shipment to a single destination which will equal a minimum carload or truckload lot, delivery shall be made on the basis of all transportation charges paid to destination.

(2) when it is estimated that a contract will require a shipment of a minimum carload or truckload lot, delivery shall be either on the basis of:

(i) At the Government's option f. o. b. carrier's equipment, wharf, or freight station at a specified city or shipping point at or near contractor's plant; or

(ii) All transportation charges paid to destination, whichever is the more advantageous to the Government. In formally advertised procurements the Invitation for Bids shall provide that bidders

may bid on either or both of the above bases, and bids shall be evaluated on the basis of overall cost to the Government.

In the absence of specific information to the contrary, a minimum carload or truckload lot shall be deemed to be approximately 20,000 pounds.

(b) *Shipments originating within the continental United States for ultimate delivery outside the continental United States.* Unless there are valid reasons to the contrary, purchases of supplies within the continental United States for ultimate delivery to destinations outside of the continental United States, regardless of the quantity of the shipment, shall be made on the basis of delivery at the Government's option, f. o. b. carrier's equipment, wharf, or freight station at a specified city or shipping point at or near contractor's plant. This policy applies to supplies shipped directly to a port area for export or to storage areas for subsequent reshipment to a port area for export.

(c) *Shipments originating outside the continental United States.* Selection of place of delivery for shipments originating outside continental limits of the United States shall be in accordance with procedures prescribed by each respective Department.

§ 1.306-3 *Quantity analysis.* When additional quantities of the item being purchased can be transported at no increase in transportation cost or when purchase of carload or truckload quantities will result in lower unit transportation costs, consideration shall be given to the purchase of such additional quantities or of carload or truckload quantities.

§ 1.306-4 *Commodity description.* A complete description of the commodity being purchased, including packing and packaging instructions, is necessary not only to enable the supplier to bid or quote properly on the requirement, but also for subsequent freight classification purposes.

§ 1.306-5 *Delivery terms.* To preclude any misunderstanding by suppliers, delivery terms shall be stated clearly in Invitations for Bids or Requests for Proposals. Contracts for supplies purchased f. o. b. destination shall generally provide that supplies shall be delivered, all transportation charges paid, to the specified destination by the contractor. Contracts for supplies purchased f. o. b. origin shall generally provide for delivery, at the Government's option, f. o. b. carrier's equipment, wharf, or freight station at a specified city or shipping point at or near the contractor's plant, in order that military traffic management offices may, in issuing routing instructions, select the mode of transportation which will provide the required service at the lowest cost.

§ 1.306-6 *Consignment and marking instructions.* Complete consignment and marking instructions shall be included in contracts to assist in insuring that supplies will be delivered to proper destinations without delay. Attention shall be given to the fact that receiving activities may have different consignment points for the various transportation media.

§ 1.306-7 *Scheduling of Deliveries to permit consolidation of shipments.* The accumulation of small shipments into carload or truckload lots will result in lower transportation costs. Also, the accumulation of small shipments into less than load shipments may also result in lower transportation costs. Upon review of the purchase requisition, and in conjunction with the requiring or requisitioning activity, consideration shall be given to revising delivery schedules to provide for deliveries in larger quantities. In some cases, delivery schedules for supplies to be delivered to multiple destinations can be consolidated and the stop-off in transit privilege used for partial unloading at one or more points directly en route between the point of origin and the last destination.

§ 1.306-8 *Transit arrangements.* Transit arrangements afford an opportunity to store or process carload or truckload shipments at specific intermediate points en route to the final destination. A single through rate from origin to final destination, plus a transit or other related charge if applicable, is charged in lieu of a combination of rates to and from the transit point which would result in higher costs.

§ 1.306-9 *Rates.* Generally, carriers are required by both Federal and State laws to charge all shippers equally for like services rendered. However, when Government traffic possesses more favorable transportation characteristics (greater volume, heavier loading, less likelihood of damage, etc.) than commercial traffic between the same origins and destinations, freight rates are often lower for the Government traffic. Rate information shall be obtained from the appropriate military traffic management office.

§ 1.306-10 *Volume shipments.* Procurements involving volume shipments (as defined in Departmental instructions) shall be referred at the earliest practicable time to the appropriate military traffic management office for a determination of the reasonableness of applicable current rates and, when appropriate, for negotiation of adjusted or modified rates.

§ 1.306-11 *Unusually large or heavy shipments.* Prior to purchasing unusually large, heavy, high, wide, or long items, the appropriate military traffic management office shall be consulted in order that any transportation difficulties may be considered. Additional costs, such as the use of special equipment, excess blocking and bracing material, circuitous routing, etc., incident to these shipments shall also be considered, in conjunction with the freight rate, in determining total transportation costs.

§ 1.306-12 *Mode of transportation.* Generally, the military traffic management office is the proper authority to specify the mode and routing of shipments. If urgency in delivery is a factor, the appropriate military traffic management office shall be so informed in order that routing authorities may select the means of transportation consistent with the stated urgency.



## PART 2—PROCUREMENT BY FORMAL ADVERTISING

## SUBPART E—QUALIFIED PRODUCTS

The provision to be inserted in invitations for bids involving qualified products has been revised by an amendment of § 2.505-2 to authorize consideration of bids where the products involved have been tested and approved up to the "time set for opening of bids". Previously the cut-off time was the "bid opening date."

§ 2.505-2 *Solicitation of bids.* In formally advertised procurements involving qualified products, the following provision shall be inserted in invitations for bids:

With respect to products requiring qualification, awards will be made only for such products as have, prior to the time set for opening of bids, been tested and approved for inclusion in the Qualified Products List (insert here the title of the applicable Federal or Military Qualified Products List or Lists), whether or not such products have actually been so listed by that date. Manufacturers are urged to communicate with the (insert here the name and address of the applicable office) and arrange to have the products that they propose to offer tested for qualification.

## PART 3—PROCUREMENT BY NEGOTIATION

## SUBPART C—DETERMINATIONS AND FINDINGS

The responsibility for furnishing Determinations and Findings in negotiated coordinated procurements has been clarified by amendment of § 3.306. Generally, the Procuring Department makes the Determinations and Findings, based upon information furnished by the Requiring Department with the MIPR. The Requiring Department will make and furnish Determinations and Findings when the procurement is negotiated under section 2 (c) (13) of the Act; and under section 2 (c) (16) only when the coordinated procurement takes place pursuant to agreement between the Departments.

§ 3.306 *Procedure with respect to determinations and findings.* Each Determination and Findings shall be approved and processed in accordance with procedures prescribed by each respective Department, except that Determinations and Findings for procurement by negotiation with respect to coordinated procurement (§ 4.101-1 of this subchapter) shall be made in accordance with § 4.206-2 of this subchapter.

## SUBPART D—TYPES OF CONTRACTS

Section 3.404 has been revised as follows:

§ 3.404 *Cost-reimbursement type contract.* (a) *Description.* The cost-reimbursement type of contract provides for payment to the contractor of allowable costs incurred in the performance of the contract, to the extent prescribed in the contract. This type of contract establishes an estimate of total cost for the purpose of (i) obligation of funds, and (ii) establishing a ceiling which the contractor may not exceed (except at his own risk) without prior approval or subsequent ratification of the contracting officer. A cost-reimbursement type con-

tract may, to the extent authorized by Subpart G of this part, provide for negotiated fixed overhead rates.

(b) *Applicability.* The cost-reimbursement type contract is suitable for use when the nature and complexity of the procurement is such that costs of performance cannot be estimated with reasonable accuracy. In addition, it is essential that (1) the contractor's cost accounting system is adequate for the determination of costs applicable to the contract and (2) appropriate surveillance by Government personnel during performance will give reasonable assurance that inefficient or wasteful methods are not being used. While cost-reimbursement contracts are particularly useful for procurements involving substantial amounts, i. e., estimated cost of \$25,000 or more, the Contracting Officer may determine in a given case to utilize this type of contract to cover transactions in which the estimated costs are less than \$25,000.

(c) *Limitations.* The cost-reimbursement type contract may be used only after a determination, in accordance with the requirements of Subpart C of this part, that:

(1) Such method of contracting is likely to be less costly than other methods, or

(2) It is impractical to secure supplies or services of the kind or quality required without the use of such type of contract.

## SUBPART G—NEGOTIATED OVERHEAD RATES

A new Subpart G to Part 3 prescribes DoD policy and procedure governing the negotiation of overhead rates for use in cost-reimbursement type contracts. Since the Comptroller General has held "predetermined" overhead rates to be illegal (Decision No. B-126794, dated January 27, 1956) use of them shall be discontinued according to the following schedule:

(1) *Commercial contractors.* Predetermined overhead rates are no longer acceptable in proposals, and shall not be incorporated in contracts executed after 30 June 1956.

(2) *Research and development contracts with educational institutions.* Predetermined overhead rates are not acceptable in proposals received after June 30, 1956, and shall not be incorporated in contracts executed after 30 September 1956.

In accordance with the new Subpart G, Part 3, overhead rates may be negotiated only on the basis of historical or after-the-fact costs and when incorporated in contracts will affect only the related historical period. Prospective rates may be used on a provisional basis only, subject to adjustment at the end of an appropriate historical period. It is contemplated that uniform clauses will be available shortly for insertion in applicable contracts.

## SUBPART G—NEGOTIATED OVERHEAD RATES

§ 3.700 *Scope of subpart.* This subpart sets forth the policy and procedure governing the negotiation of overhead rates for use in cost-reimbursement type contracts.

§ 3.701 *Definitions.*

§ 3.701-1 *Negotiated final overhead rates.* The term negotiated final overhead rate, as used in this subpart, means a percentage or dollar factor which expresses the ratio(s) mutually agreed upon by the Government and the contractor, at the close of a period (see § 3.704 (1)), of indirect expenses incurred in the period to direct labor, manufacturing cost, cost of sales, or other appropriate base of the same period. Such rate is used as a means of determining the amount of reimbursement under a contract for the applicable indirect costs.

§ 3.701-2 *Provisional overhead rates.* The term provisional overhead rate, as used in this part, means a tentative overhead rate established for interim billing purposes pending a negotiation of the final overhead rate.

§ 3.701-3 *Overhead (indirect costs).* The term overhead (indirect costs) as used in this part, includes, but is not limited to, the general groups of indirect expenses such as those generated in manufacturing departments, engineering departments, tooling departments, general and administrative departments and, if applicable, indirect costs accumulated by cost centers within these general groups. In the case of contractors using fund accounting systems, the term includes, but is not limited to, the general groups of expenses such as general administration and general expense, maintenance and operation of physical plant, library expenses, and use charges for building and equipment.

§ 3.702 *Purpose.* The major purposes of negotiated final overhead rates are: (a) to effect uniformity of approach in cases where more than one contract or more than one Military Department is involved; (b) to effect economy in administrative effort; and (c) to promote timely settlement of reimbursement claims.

§ 3.703 *Applicability.* Negotiated final overhead rates are authorized for use primarily in cost-reimbursement type contracts for research and development with commercial organizations and non-profit or educational institutions. They may also be used in other cost-reimbursement type contracts, after a determination is made by the contracting officer that their use is advantageous to the Government and provided general requirements for use of overhead rates set forth in § 3.704 are met. Where it is not apparent that any one of the major purposes enumerated in § 3.702 results or will result by the use of negotiated final overhead rates, the contracting officer will provide for settlement of overhead by audit determination.

§ 3.704 *Contract requirements.* Cost-reimbursement type contracts providing for the use of negotiated final overhead rates shall, among other things, require that—

(a) Overhead rates be established for regularly stated periods (preferably the contractor's fiscal year);

(b) The contractor submit a proposal to the contracting officer or his author-



ized representative setting forth its claimed overhead rates, together with schedules of historical costs to support such proposal. The proposal shall be submitted as soon as practicable but not later than 90 days (6 months for educational institutions) after the expiration of the stated period specified in the contract;

(c) Overhead rate proposals be subject to accounting review and audit of the records of the contractor by any authorized departmental representative;

(d) Part 15 of this subchapter be used as the basis for determining allowability of indirect expenses and acceptability of the methods of allocation used in negotiating final overhead rates;

(e) Provisional payment on account of overhead may be made either on the basis of billing rates not incorporated in the contract or on the basis of negotiated provisional overhead rates incorporated in the contract. In the event that provisional payments are to be made on the basis of billing rates, they shall be subject to the approval of the contracting officer or his authorized representative. Where negotiated provisional overhead rates are incorporated in the contract, to prevent substantial over or under provisional reimbursement, the contract shall provide that, at the request of either of the contracting parties, the provisional rate may be revised by mutual agreement and appropriate amendment to the contract; and,

(f) Overhead rates be negotiated promptly after receipt of the contractor's proposal.

**§ 3.705 Procedure.** The procedure for use of negotiated final overhead rates generally consists of submission by the contractor of an overhead rate proposal, submission of an advisory audit report, review of the contractor's proposal and the advisory audit report, conduct of negotiation, preparation of a negotiation report or summary, and execution of contract amendments or supplemental agreements.

(a) Where only one procurement activity is concerned the proposal shall be submitted to the contracting officer or his authorized representative, with a copy to the cognizant audit activity. Where coordinated negotiations as described under § 3.706 are involved, contractors' overhead rate proposals may be submitted to the cognizant negotiating activity of the Department sponsoring the negotiation, with a copy to the cognizant audit activity.

(b) The determination as to the necessity of an advisory audit report for overhead rate negotiation purposes and the extent of the use of such report is the sole responsibility of the contracting officer. Unless advised to the contrary by the contracting officer, the cognizant audit activity shall submit an audit advisory report to the contracting officer or his authorized representative. Such report shall set forth the findings of the audit activity including the results of discussion of such findings with the contractor. The audit or accounting review will be governed by the provisions of Part 15 of this subchapter.

(c) Where there is a significant difference of opinion between the auditor

and the contractor concerning the allowability of indirect costs or the acceptability of the bases used in developing the overhead rates, representatives of the audit activity and the negotiating activity will discuss the areas of disagreement prior to the negotiation conference with the contractor. As a further aid to the negotiating activity, a representative of the audit activity will, upon request, attend the negotiation conference.

(d) The negotiation conference will be conducted by the contracting officer or his authorized representative. Where coordinated negotiation is involved (§ 3.706), the sponsoring negotiating activity will be the authorized representative of those procuring activities not represented. The negotiation shall be governed by Part 15 of this subchapter and shall encompass an agreement on final overhead rates, the specific items to be treated as direct charges, and the provisional overhead rates if such rates are to be specified in the contract.

(e) At the completion of the negotiation, the contracting officer or his authorized representative shall prepare a negotiation report or summary, setting forth the rates negotiated, the reasons for variation from the audit report, if any, the period of rate applicability, the basis for the determination of such rates and, where applicable, the provisional rates agreed upon for application in the succeeding period. Such report or summary shall be the basis for amending the affected contracts; it shall become a part of the contract file; and copies shall be distributed to any interested procurement activities and the audit activity.

(f) Supplemental agreements or contract amendments will incorporate the negotiated final overhead rates, the bases to which they apply, the period of rate applicability, and the agreement with respect to the specific items of direct charges referred to in paragraph (d) of this section.

**§ 3.706 Coordination.** When more than one Military Department contemplates the use of negotiated final overhead rates with the same contractor, the service having the preponderance of cost-reimbursement type work will, generally, sponsor and conduct the negotiation. Each Department having an interest will be notified of the pending negotiation and will be invited to participate in the negotiation. If a Department does not have a representative at the negotiation, the sponsoring Department will represent the absentee Department. The results of the negotiation will be binding upon all Departments. At the completion of the negotiation, the sponsoring Department will prepare and distribute to the other Departments a Negotiation Report or Summary as provided for in § 3.705 (e). Each Military Department shall thereupon amend or supplement the affected contracts in accordance with the rates and other data set forth in the negotiation report or summary.

**§ 3.707 Cost-sharing rates.** Cost-sharing arrangements are frequently made wherein the cost participation by the contractor is evidenced by an agreement to accept overhead rates which are lower than the anticipated actual overhead

rates. In such cases, a negotiated fixed-ceiling overhead rate may be used for application prospectively, provided that in the event overhead rates developed by the cognizant audit activity on the basis of actual allowable costs are less than the negotiated rates, the negotiated rates will be reduced. Where reductions are necessary, they will be accomplished in accordance with § 3.705. The Government will not be obligated to pay any additional amounts on account of overhead above the negotiated fixed-ceiling rates.

#### PART 4—COORDINATED PROCUREMENT

A new § 4.206-2 has been added to § 4.206 clarifying the responsibility for furnishing Determinations and Findings in negotiated coordinated procurements. Generally the Procuring Department makes the Determinations and Findings, based upon information furnished by the Requiring Department with the MIPR. The Requiring Department will make and furnish Determinations and Findings when the procurement is negotiated under section 2 (c) (13) of the act; and under section 2 (c) (16) only when the coordinated procurement takes place pursuant to agreement between the Departments. Section 4.206-2 reads as follows:

##### § 4.206 Purchase authorization.

**§ 4.206-2 Determinations and Findings.** (a) When procurement is by negotiation, the Procuring Department except as provided in paragraphs (b) and (c) of this section, shall make the Determinations and Findings in accordance with Part 3, Subpart C, of this subchapter with respect to coordinated procurement. The Requiring Department shall furnish with the procurement request the information required by the Procuring Department to develop the Determinations and Findings.

(b) With respect to section 2 (c) (13) of the act, the Requiring Department shall make the Determinations and Findings in accordance with Part 3, Subpart C, of this subchapter. Two copies of the Determinations and Findings shall be attached to the procurement request and shall be utilized by the Procuring Department as authority for negotiation under the act, and the Procuring Department need not make further Determinations and Findings.

(c) With respect to section 2 (c) (16) of the act and when the procurement agreements under § 4.002 (as distinguished from single procurement) do not include mobilization planning responsibility, the Requiring Department shall make the Determinations and Findings in accordance with Part 3, Subpart C, of this subchapter. Two copies of the Determinations and Findings shall be attached to the procurement request and shall be utilized by the Procuring Department as authority for negotiation under the act, and the Procuring Department need not make further Determinations and Findings. With respect to single procurement (§ 4.101-2), the Procuring Department shall make the Determinations and Findings.



# PART 5—INTERDEPARTMENTAL PROCUREMENT

## SUBPART E—PROCUREMENT OF BLIND-MADE SUPPLIES

Revision of § 5.504-2 requires that a purchase order be issued when making purchases from institutions for the blind. Previously, it was permissible to issue delivery orders.

§ 5.504-2 *Through national industries for the blind.* When procurement of blind-made supplies is to be effected through the National Industries for the Blind, such procurement shall be made by submitting directly to the National Industries for the Blind, 15 West 16th Street, New York 11, New York, a request, in letter form, for an allocation. Upon receipt of the request, requirements will be allocated by the National Industries for the Blind and the procuring activity will be notified of the name and location of the agency designated to manufacture the requirements. Upon receipt of such notification, a purchase order shall be issued to the designated agency for the blind.

(R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21, sec. 638, 66 Stat. 537; 41 U. S. C. 151-162)

## PART 15—CONTRACT COST PRINCIPLES

### SUBPART A—APPLICABILITY

Section 15.101 has been revised as follows:

§ 15.101 *Types of contracts.* Subject to the requirements of § 15.102, the provisions of Subparts B, C, or D of this part (whichever subpart is applicable) shall be followed in connection with all cost-reimbursement type contracts (including cost-reimbursement subcontracts thereunder), except that in the case of such contracts having negotiated overhead rates the applicable provisions of this part shall be used only as a basis for negotiating such rates but shall be followed for all other items of cost. The provisions of Subpart B shall be followed for all cost-reimbursement type contracts other than those covered in Subparts C and D, the provisions of Subpart C shall normally be followed for all research and development cost or cost-sharing contracts with educational or other nonprofit institutions, and the provisions of Subpart D shall normally be followed for all construction contracts (as defined in said Subpart D) and for all contracts for architect-engineer services related to construction; however, when deemed by the head of the procuring activity concerned to be more suitable for a particular contract, Subpart B may be followed in place of Subpart C or of Subpart D. The term "cost-reimbursement type contract," as used throughout this part, includes cost or cost-sharing contracts, cost-plus-a-fixed-fee contracts, and the cost-reimbursement portion of time-and-materials contracts.

## SUBPART E—SUBJECTS AFFECTING COST WHICH MAY REQUIRE SPECIAL CONSIDERATION

Section 15.502 has been revised as follows:

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§ 15.502 *Examples of subjects requiring special consideration.* The following examples are illustrative of subjects affecting cost which may require special consideration:

(a) Costs incurred incidental to work covered by the contract but prior to the execution of the contract, with specific identification of the types thereof and the period involved.

(b) Government-furnished property, general nature and extent.

(c) Indirect cost basis (1) actual, (2) negotiated rate or amount, or (3) other.

(d) Insurance.

(e) Intracompany and intercompany transactions.

(f) Liability to third persons.

(g) Operation of restaurants and cafeterias.

(h) Overtime compensation.

(i) Patents, purchased designs, and royalty payments.

(j) Personnel movement of a special or mass nature.

(k) Plant facilities fully depreciated or amortized on the contractor's books of account or acquired without cost (possible compensation for utilization in the form of a use or rental charge).

(l) Rearrangement or relocation of facilities or plant sites.

(m) Research programs of a general nature.

(n) Security measures of a special nature.

(o) Sharing of cost of research projects of the type which an educational or other nonprofit institution might undertake as a part of its own educational or research program.

(p) Subcontracting, nature and extent thereof and relation to fee or profit.

(q) Subsistence and housing of employees.

(r) Termination expenses.

(s) Tooling and equipment.

(t) Traveling expenses of a special or unusual nature.

(u) Wages or salaries of partners or sole proprietors.

(Sec. 1, 54 Stat. 712, as amended, sec. 201, 55 Stat. 839, as amended, sec. 2-12, 62 Stat. 21-26, sec. 638, 66 Stat. 537; 50 U. S. C. App. 1171, 611, 41 U. S. C. 151-161, 162, E. O. 9001, 6 F. R. 8787, as amended, E. O. 9296, 8 F. R. 1429; 3 CFR, 1943 Cum. Sup.)

R. C. LANPHER, Jr.,  
Deputy Assistant Secretary of  
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AUGUST 29, 1956.

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8:45 a. m.]

## TITLE 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Department of Health, Education, and Welfare

#### Subchapter G—Water Pollution Control; Hearing Procedures

### PART 81—PUBLIC HEARINGS UNDER THE WATER POLLUTION CONTROL ACT OF 1948

On July 10, 1956 a notice of proposed rule making regarding an amendment of Subchapter F of this chapter was published in the FEDERAL REGISTER (21 F. R. 5119) which stated in full the details

of the proposed regulations. The enactment of the Water Pollution Control Act Amendments of 1956 (70 Stat. 498) on July 9, 1956 necessitates the addition of a provision making clear that these regulations will apply only to proceedings under the Water Pollution Control Act of 1948, as in effect prior to the enactment of such amendments, which continues to be applicable to certain enforcement proceedings. The regulations previously published in the FEDERAL REGISTER under the notice of proposed rule making have been renumbered and redesignated Part 81 of a new Subchapter G.

The amendments set forth below are hereby adopted and shall become effective 30 days after their publication in the FEDERAL REGISTER.

Sec.	
81.1	Applicability.
81.2	Definitions.
81.3	Initiation of proceedings for public hearing; appointment of Board.
81.4	Organization and general procedures of the Board.
81.5	Notice of hearing.
81.6	Service.
81.7	Publication of notice.
81.8	Parties.
81.9	Pre-hearing procedures.
81.10	Presentation of evidence by the Surgeon General.
81.11	Hearing procedure.
81.12	Records of proceedings.
81.13	Oral and written arguments.
81.14	Final findings and recommendations.

Authority: §§ 81.1 to 81.14 issued under sec. 9, 62 Stat. 1160, as amended, sec. 10, 70 Stat. 506; 33 U. S. C. 466h. Interpret or apply sec. 5, 70 Stat. 49.

§ 81.1 *Applicability.* The provisions of this part apply only to proceedings arising out of any discharge or discharges causing or contributing to water pollution with respect to which the actions by the Surgeon General prescribed under paragraph (2) of section 2 (d) of the Water Pollution Control Act as in effect prior to the enactment of the Water Pollution Control Act Amendments of 1956 (70 Stat. 498) on July 9, 1956, have already been completed prior to such enactment. This does not, however, prevent action with respect to any such pollution under and in accordance with the provisions of the Federal Water Pollution Control Act (70 Stat. 498).

§ 81.2 *Definitions.* As used in this part:

(a) "Act" means the Water Pollution Control Act (62 Stat. 1155 et seq., 33 U. S. C. 466-466j) as in effect prior to the enactment of the Water Pollution Control Act Amendments of 1956 (70 Stat. 498).

(b) "Board" means the board appointed by the Secretary pursuant to section 2 (d) (3) of the act (33 U. S. C. 466a (d) (3)).

(c) "Department" means the Department of Health, Education, and Welfare.

(d) "Pollution" means any pollution declared to be subject to abatement by section 2 (d) (1) of the act (33 U. S. C. 466a (d) (1)).

(e) "Secretary" means the Secretary of Health, Education, and Welfare.

(f) "Surgeon General" means the Surgeon General of the Public Health Service.



(g) The definitions of terms contained in section 2d (8) and section 10 of the act (33 U. S. C. 466a (d) (8), 466i) shall be applicable to such terms unless the context otherwise requires.

**§ 81.3 Initiation of proceedings for public hearing; appointment of Board.**

(a) In any case where the Surgeon General finds that the conditions precedent to the calling of a public hearing under the act exist, he shall so report to the Secretary together with his recommendation as to further action. If it then appears to the Secretary that a public hearing would contribute to the abatement of the pollution, he will call such a hearing, and may either fix the time and place thereof, or authorize the Surgeon General to do so.

(b) Prior to the hearing, the Secretary will appoint a hearing board of five or more persons, as provided in the act, and may designate one of the members as chairman. The Secretary may thereafter revoke appointments to the Board, or the designation of one of its members as chairman and may fill any vacancy in the membership of the Board, or in the office of chairman.

**§ 81.4 Organization and general procedures of the Board.** (a) The Board shall convene for hearing sessions and for such other meetings as may be necessary.

(b) The chairman designated by the Secretary shall preside at all hearing sessions. In case of the absence or incapacity of the chairman, the Board may elect from its members an acting chairman to preside and perform the duties of the chairman.

(c) The hearing shall be conducted by the Board in an informal but orderly manner in accordance with this part. A quorum of the Board for the purpose of the hearing shall consist of not less than five members and not less than a majority of such members shall be persons other than officers and employees of the Department. Questions of procedure during a hearing shall be determined by majority vote of the members present.

(d) The Board shall have the power to rule upon offers of proof and the admissibility of evidence, to receive relevant evidence, to examine witnesses, to regulate the course of the hearing, to change the time and place of the hearing or any of its sessions upon reasonable notice to the parties, and to hold conferences for the settlement or simplification of issues.

(e) The Board may authorize the chairman on its behalf to execute, issue or serve such notices, reports, communications, and other documents relating to the functions of the Board as it may deem proper.

(f) The Surgeon General shall provide for the Board such clerical and technical assistance as may be necessary.

(g) The Board shall designate a secretary, from personnel provided by the Surgeon General, who shall maintain and have custody of all official records and other documents pertaining to the functions of the Board, and shall perform such other duties as the Board may prescribe.

**§ 81.5 Notice of hearing.** (a) The Surgeon General shall issue and serve notice of hearing as herein provided and, if the time and place of the hearing have not been fixed by the Secretary, shall fix such time and place.

(b) The notice of hearing shall identify the person or persons discharging any matter causing or contributing to the pollution, and briefly describe the nature of the discharge or discharges and the interstate waters affected thereby. The notice shall include the names of the persons constituting the Board before whom the hearing will be held upon a day and at a time and place specified not earlier than thirty (30) days after the service of the notice.

(c) Notice of hearing shall be served on the following:

(1) Each person named in the notice as discharging any matter causing or contributing to pollution and the water pollution agency or interstate agency, to whom notice or advice, as the case may be, of such pollution has previously been given in accordance with the act.

(2) The water pollution agency or the interstate agency of the State or States, other than that in which the discharge originates, adversely affected by such pollution.

**§ 81.6 Service.** Notice of hearing, findings, conclusions and recommendations of the Board, and any other documents relating to the functions of the Board, may be served by mailing a copy thereof addressed to each person or agency to be served at their respective residences, offices or places of business as ascertained by the Surgeon General or the Board, as the case may be.

**§ 81.7 Publication of notice.** Notice of the public hearing shall be published in the FEDERAL REGISTER at least thirty (30) days prior to the hearing.

**§ 81.8 Parties.** (a) The parties to a hearing shall include the persons and agencies specified in § 81.5 (c).

(b) The Surgeon General shall have all the rights of a party to the hearing.

(c) Upon application and good cause shown, the Board may permit any interested person or agency to appear before it and be admitted as a party to such extent and upon such terms as the Board shall determine proper.

(d) Any party may appear in person or by counsel.

(e) The failure of any party to file an appearance or appear at the hearing in response to the notice of hearing shall not delay the hearing and the Board may proceed, hear and receive evidence and take other appropriate action affecting such party.

**§ 81.9 Prehearing procedures.** (a) Upon request made to the Board within fifteen (15) days after the service of the notice of hearing, any party shall be afforded an opportunity for the submission of facts, arguments, or proposals to secure abatement of the pollution where time, the nature of the proceeding, and the public interest permit, and due consideration shall be given the same by the Board. Such submission shall be in writing. The filing of such request shall not operate to delay the hearing.

(b) The Board may, at any time, prior to the conclusion of the hearing, on its own initiative or at the request of any party, call a conference with any or all parties to consider:

- (1) The simplification of the issues,
- (2) The possibility of obtaining stipulations, admissions of facts, and documents,
- (3) The limitation of the number of expert witnesses,
- (4) The scheduling of witnesses,
- (5) Proposals to abate the pollution by reasonable and equitable measures, and
- (6) Such other matters as may aid in the conduct of the hearing or the determination of the issues.

(c) Any prehearing or other conferences may be held with the full Board, with one or more of its members or with one or more other persons, as the Board may direct.

**§ 81.10 Presentation of evidence by the Surgeon General.** The Surgeon General shall arrange for the presentation of evidence concerning the pollution, the person or persons discharging any matter causing or contributing to the pollution and remedial measures, if any, recommended by him.

**§ 81.11 Hearing procedure.** (a) Each witness shall, before testifying, be sworn or make affirmation.

(b) When necessary, in order to prevent undue prolongation of the hearing, the Board may limit the number of times any witness may testify, the repetitious examination or cross-examination of witnesses or the amount of corroborative or cumulative testimony.

(c) The Board shall exclude irrelevant, immaterial or unduly repetitious evidence.

(d) Every party shall have the right to cross-examination, presentation of evidence, objection, argument and other fundamental rights.

(e) Rulings of the chairman on the receipt of evidence and other questions relating to the procedure of the hearing may be appealed to the Board.

**§ 81.12 Record of proceedings.** (a) Testimony given and other proceedings had at a hearing shall be reported verbatim by a reporter. A transcript of such report shall be a part of the record and the sole official transcript of the proceedings.

(b) All written statements, charts, tabulations and similar data offered in evidence at the hearing shall be marked for identification and upon a showing satisfactory to the Board of their authenticity, relevancy and materiality shall be received in evidence and shall constitute a part of the record.

(c) Where the testimony of a witness refers to a statute, or a report or document, the Board shall, after satisfying itself of identification of such statute, report or document, determine whether the same shall be produced at the hearing and physically be made a part of the record or shall be incorporated in the record by reference.

(d) The Board may take official notice of statutes of the United States or of any State and of duly promulgated regulations of any Federal agency.



(e) The Board may take official notice of a material fact not appearing in the evidence in the record, but any party, prior to the conclusion of the hearing, shall be afforded an opportunity to show the contrary.

§ 81.13 *Oral and written arguments.*  
(a) Oral argument shall be permitted in the discretion of the Board, and shall be reported as part of the record unless otherwise ordered by the Board.

(b) The Board shall announce at the hearing a reasonable period within which parties and other interested persons may submit (1) written arguments, and (2) proposed findings, conclusions and recommendations for the abatement of the pollution together with supporting reasons therefor. Such material shall be submitted in such number of copies as the Board may direct and shall be based solely upon the evidence presented at the hearing, citing the pages of the transcript of the testimony or of properly identified exhibits where such evidence occurs.

§ 81.14 *Final findings and recommendations.* (a) After consideration of the whole record, and all proposed findings, conclusions and recommendations, the Board shall make its final findings, conclusions and recommendations, if any, based on the evidence presented at the hearing, and submit the same to the Secretary.

(b) Upon submission of such findings, conclusions and recommendations, the Board shall be terminated and all records pertaining to its functions transferred to the custody of the Surgeon General.

(c) A copy of the findings, conclusions, and recommendations, if any, of the Board shall be served on all parties to the hearing by the Secretary.

Dated: August 28, 1956.

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

Approved: August 30, 1956.

HEROLD C. HUNT,  
Acting Secretary.

[P. R. Doc. 56-7103; Filed, Sept. 5, 1956;  
8:45 a. m.]

## TITLE 44—PUBLIC PROPERTY AND WORKS

### Chapter I—General Services Administration

#### PART 99—STOCK PILING OF STRATEGIC AND CRITICAL MATERIALS

#### TUNGSTEN REGULATION: DOMESTIC TUNGSTEN PURCHASE PROGRAM

Sec.	
99.201	Basis and purpose.
99.202	Definitions.
99.203	Participation in the program.
99.204	Tenders and deliveries.
99.205	Packaging.
99.206	Specifications and penalties.
99.207	Access to books and records.
99.208	Duration of the program.

AUTHORITY: §§ 99.201 to 99.208 issued under sec. 4, 70 Stat. 580. Interpret or apply sec. 2, 70 Stat. 579.

§ 99.201 *Basis and purpose.* It is the purpose of this program to provide tem-

porary assistance to tungsten producers for an interim period to enable them to adjust production, largely related to defense programs, to normal competitive market conditions. Sections 99.201 to 99.208 interpret and implement the authority of the Administrator of General Services to purchase tungsten concentrates of domestic origin for the period beginning July 19, 1956, to December 31, 1958, pursuant to authority delegated by the Secretary of the Interior on July 31, 1956 (21 F. R. 5872), and outlines the attendant responsibilities and functions of the Administrator of General Services in purchasing such tungsten concentrates for the Government. In accordance with the program set forth in §§ 99.201 to 99.208, the Administrator will buy domestically produced tungsten concentrates, at a base price of \$55.00 per short ton unit of contained tungsten trioxide ( $WO_3$ ), less penalties.

§ 99.202 *Definitions.* As used in §§ 99.201 to 99.208:

(a) "Administrator" means the Administrator of General Services.

(b) "Program" means the terms and conditions set forth in §§ 99.201 to 99.208 pursuant to which the Government will purchase tungsten concentrates.

(c) "Milling point" means plant where ores are processed into specification grade tungsten concentrates.

(d) "Tungsten concentrates" means tungsten concentrates produced in the United States, its Territories and possessions from ores mined in the United States, its Territories and possessions.

(e) "Short ton unit" means one percent of 2,000 pounds avoirdupois dry weight.

(f) "Ferberite" means concentrates containing tungsten primarily as  $FeWO_4$ , with not more than 20 percent of the tungsten as  $MnWO_4$ .

(g) "Hubnerite" means concentrates containing tungsten primarily as  $MnWO_4$ , with not more than 20 percent of the tungsten as  $FeWO_4$ .

(h) "Wolframite" means concentrates containing tungsten as both  $FeWO_4$  and  $MnWO_4$ , in any proportions from 80 percent  $FeWO_4$ , and 20 percent  $MnWO_4$ , to 20 percent  $FeWO_4$ , and 80 percent  $MnWO_4$ .

(i) "Scheelite" means concentrates containing, in nature, tungsten as  $CaWO_4$ .

(j) "Synthetic Scheelite" means chemically precipitated scheelite produced from any natural type of ore, and shall be chemically precipitated scheelite produced from any original type of ore and shall contain not in excess of 0.50 percent free moisture by weight.

(k) "Lot" means the quantity of tungsten concentrates tendered to the Government at one time by a participant.

(l) "Government" means the United States of America.

(m) "Producer of ores" means any person who mines tungsten ores.

(n) "Person" means a natural person or a company.

(o) "Company" means a corporation, a partnership, an association, a joint-stock company, a trust, a fund, or any group of persons whether organized or not and whether incorporated or not.

(p) "Concentrating plant" means a tungsten mill or a tungsten processing plant.

§ 99.203 *Participation in the program.*

(a) Any producer of ores or operator of a concentrating plant desiring to participate in the program shall apply in writing to the nearest General Services Administration regional office for a certificate of participation. If the applicant is a producer of ores, such application shall provide full information concerning the nature and extent of the applicant's interest in or control over any tungsten mining properties in the mining district or districts for which a certificate is sought by him, and shall be signed and a return address given. Each eligible applicant will promptly be sent a certificate of participation authorizing him to deliver, f. o. b. carrier's conveyance, milling point, tungsten concentrates meeting minimum specifications.

(b) Producers of ores who do not operate concentrating plants may, if they are issued certificates of participation, participate in the program to the extent of the ore produced by them, as follows:

(1) By selling such ore to operators of concentrating plants, in which event the resulting tungsten concentrates meeting specifications may be sold by such operators to the Government under the program; or

(2) By having such ore treated on a toll basis and selling the resulting tungsten concentrates meeting specifications to the Government under the program.

(c) Any operator of a concentrating plant, by applying for a certificate of participation, agrees to purchase or process suitable tungsten contained ores offered to him by participating producers of ores to the limit of the capacity of his plant in excess of that required for his own production and on fair and equitable terms and conditions (including prices). Each operator of a concentrating plant participating in the program shall promptly establish a schedule setting forth his terms and conditions (including prices) for the purchase or processing of tungsten contained ores. Each such operator shall promptly submit a copy of such schedule to the General Services Administration regional office which issued a certificate of participation to him, and shall also submit promptly any changes made in such schedule thereafter. No such operator shall purchase or process for sale to the Government hereunder tungsten contained ores from nonparticipating producers of ores.

§ 99.204 *Tenders and deliveries.* (a) Notice of any tender of tungsten concentrates under the program shall be given by the participant to the General Services Administration regional office which issued the certificate of participation. Such notice shall provide information concerning the approximate quantity proposed to be delivered, the approximate date of delivery and the milling point. Shipping instructions will be issued by the Government. Deliveries shall be made by the participant f. o. b. carrier's conveyance, milling point. Any lot of less than one short ton of tungsten concentrates will not be accepted. Each lot will be weighed, sampled and



analyzed by the Government, or its designee. From the representative sample three pulp samples will be prepared and sealed, one each for the Government and the seller and one for umpire purposes, the umpire sample to be retained by the Government. If there is a difference between the Government's analysis and the participant's analysis of their respective samples resulting in a dispute, the umpire sample shall, at the request of the participant, be analyzed by an analyst satisfactory to both the Government and the participant, and the umpire analysis shall be final and conclusive. The cost of the umpire analysis shall be borne by the party whose analysis is further from that of the umpire. Payment will be made in accordance with the Government's analysis unless there is a dispute, in which case payment will be made in accordance with the umpire analysis.

(b) The Government will not accept offers for delivery in any one calendar month from any one producer of ores in excess of five thousand (5,000) short ton units originating in any one mining district from properties controlled by such producer of ores. Questions concerning the mining district in which any particular property is located will be decided by the Secretary of the Interior. Tungsten concentrates already actually produced which were ready for delivery and offered in the calendar month of July 1956, will be accepted and applied against the July quotas of the producers of ores used in making such tungsten concentrates. Similarly, tungsten concentrates already actually produced which were ready for delivery and offered in the calendar month of August 1956, will be accepted and applied against the August quotas of such producers of ores. In each case, however, the offeror shall certify that such tungsten concentrates had been already actually produced and that they were ready for delivery in July or August 1956, as the case may be. Tungsten concentrates produced from ores sold a concentrating plant in accordance with this regulation shall not be considered as the production of the owner or operator of the concentrating plant but shall be considered as the production of the producer of such ores.

(c) The properties controlled by a producer of ores shall be considered to include all properties owned or otherwise controlled by such producer of ores. All such properties within a single mining district shall be considered as a single source of production hereunder, regardless of any disposition thereof by sale, lease, or otherwise. Any properties within a single mining district will be considered as a single source of production hereunder if, through relationship, affiliation, common control, or otherwise, the persons owning or otherwise controlling such properties are not in the judgment of the Administrator bona fide separate and independent producers of ores. Without in any way affecting any other rights which the Government may have, the Administrator may refuse to accept offers hereunder, may refuse to issue certificates of participation hereunder, or may revoke certificates of participation previously issued if he deter-

mines such action is necessary to enforce the 5,000 short ton unit limitation specified in paragraph (b) of this section.

(d) Tungsten concentrates not conforming to the specifications, requirements, terms and conditions set forth in §§ 99.201 to 99.208 shall be rejected, and all expenses incurred by the Government in connection with such rejection shall be for the account of the participant tendering such tungsten concentrates.

(e) Each lot tendered the Government hereunder shall be accompanied by a certificate executed by the producer of ores, on a form to be provided by the Administrator, disclosing the source of the tungsten concentrates.

§ 99.205 *Packaging.* All tungsten concentrates except Synthetic Scheelite shall be packaged in: (a) Steel drums of 20 gauge minimum thickness for 15 gallons or less capacity and 18 gauge or heavier steel drums for larger capacity, or (b) bags of 110 pound capacity made from heavy burlap cloth which has been made waterproof and sift proof by a craped bag liner inserted and laminated with a waterproof adhesive such as asphaltum. Synthetic Scheelite shall be packaged in steel drums of 18 gauge minimum thickness.

§ 99.206 *Specifications and penalties.* (a) The specifications for tungsten concentrates and penalties applicable to deliveries of such concentrates appear below:

(1) Percentage of tungsten trioxide (WO<sub>3</sub>) required with respect to each of the following:

	Ferberite	Huberite	Wolf-ramite	Scheelite and/or synthetic scheelite
Standard.....	Percent 60	Percent 60	Percent 65	Percent 60
Minimum.....	55	55	60	55

(2) Maximum percentage allowances of the following elements without penalty:

	Ferberite	Huberite	Wolf-ramite	Scheelite and/or synthetic scheelite
Tin (Sn) max.....	Percent 0.20	Percent 0.25	Percent 1.50	Percent 0.10
Copper (Cu) max.....	.10	.10	.05	.05
Arsenic (As) max.....	.15	.10	.25	.10
Antimony (Sb) max.....	.10	.10	.10	.10
Bismuth (Bi) max.....	1.00	1.00	1.00	.25
Molybdenum (Mo) max.....	.50	.50	.40	2.75
Phosphorus (P) max.....	.07	.05	.05	.05
Sulphur (S) max.....	.50	.50	.50	.50
Manganese (Mn) max.....	1.00	( <sup>1</sup> )	( <sup>1</sup> )	1.00
Lead (Pb) max.....	.20	.20	.20	.10
Zinc (Zn) max.....	.10	.10	.10	.10

<sup>1</sup> Not specified.

(b) The minimum base price shall be subject to the following adjustments:

(1) For each short ton unit of delivered tungsten trioxide (WO<sub>3</sub>) the sum of twenty cents (\$0.20) shall be deducted from the base price for each one per-

cent of tungsten trioxide (WO<sub>3</sub>) below the standard requirements set forth in paragraph (a) of this section. Tungsten concentrates will not be accepted unless they meet the minimum requirements set forth in said paragraph (a) of this section.

(2) For each short ton unit of delivered tungsten trioxide (WO<sub>3</sub>) a deduction of twenty-five cents (\$0.25) shall be made for each of the following increments in excess of the maximum allowances (paragraph (a) of this section), as to each of the following elements:

	Percent
Copper (Cu).....	0.01
Phosphorus (P).....	.01
Arsenic (As).....	.10
Bismuth (Bi).....	.50
Molybdenum (Mo).....	.10
Tin (Sn).....	.10
Sulphur (S).....	.10
Antimony (Sb).....	.10
Manganese (Mn).....	1.00
Lead (Pb).....	.10
Zinc (Zn).....	.10

§ 99.207 *Access to books and records.* By participating in the program each participant agrees to permit authorized representatives of the Government, during the duration of the program and for a period of three (3) years thereafter, to have access to and the right to examine any pertinent books, documents, papers and records of the participant involving transactions related to the program.

§ 99.208 *Duration of the program.* The program is limited to one million two hundred fifty thousand (1,250,000) short ton units of tungsten trioxide and shall terminate when the Administrator determines that approximately that amount has been delivered to and accepted by the Government under the program, or on December 31, 1958, whichever first occurs; provided, however, that until amendment to §§ 99.201 to 99.208 the quantity which the Government shall be obligated to purchase hereunder shall be limited to approximately two hundred eighty-five thousand (285,000) short ton units, which is the approximate quantity that can be purchased with funds presently available. When additional funds are available, notice thereof will be given by amendment to §§ 99.201 to 99.208.

Dated: August 31, 1956.

FRANKLIN G. FLOETE,  
Administrator of General Services.

Approved: August 31, 1956.

FRED G. AANDAH,  
Acting Secretary of the Interior.

[F. R. Doc. 56-7198; Filed, Sept. 5, 1956;  
11:10 a. m.]

## TITLE 46—SHIPPING

### Chapter I—Coast Guard, Department of the Treasury

[CGFR 56-35]

#### MISCELLANEOUS AMENDMENTS TO CHAPTER

Notices regarding proposed changes in the navigation and vessel inspection regulations were published in the FEDERAL REGISTER dated March 1, 1956 (21 F. R.



1350-1356), and March 28, 1956 (21 F. R. 1901, 1902), as Items I through XVIII of the Agenda to be considered by the Merchant Marine Council at a public hearing, which was to be held on April 24, 1956, at Washington, D. C. This document is the third of a series of documents covering the regulations considered at this public hearing. The first two documents contain dangerous cargo regulations.

All the comments, views, and data submitted in connection with the items considered by the Merchant Marine Council at this public hearing have been very helpful to the Coast Guard and are very much appreciated. On the basis of the information received certain proposed regulations were revised and others rejected. The following items considered at the public hearing held April 24, 1956, as revised, are adopted and included in this document:

- Item IV—Watchman for Tank Vessels.
- Item V—Tool Kits for Motor-Propelled Lifeboats.
- Item VI—Rails for Passenger, Cargo, and Tank Vessels.
- Item VIII—Structural Fire Protection for Passenger Vessels.
- Item IX—Rules and Regulations for Cargo Vessels; Miscellaneous Amendments.
- Item X—Embarkation-Debarkation Ladders (Flexible) for Merchant Vessels.
- Item XVII—Vents on Cargo Tanks of Tank Barges.

The proposals in Items IV, V, VIII, and XVII of the Agenda were not changed. The necessary amendments to the regulations are in this document.

The proposal regarding rails to be in three courses for decks and bridges on tank, cargo, and passenger vessels in Item VI of the Agenda was modified. The major change in the proposal revised this requirement regarding rails to be in three courses by making it applicable to passenger and cargo vessels and to those tank vessels operating on ocean waters. The effective date of these amendments shall be for all vessels contracted for on or after January 1, 1957.

The proposals in Item IX of the Agenda regarding the weight testing of lifeboat installations on cargo vessels and the establishment of minimum standards for the proper stowage of bulk ore and similar cargoes when carried on general cargo vessels are withdrawn for further study. The proposals regarding permits to proceed to another port for repairs for cargo vessels and ventilation for closed spaces in cargo vessels were not changed and the amendments to the regulations are in this document.

The proposals in Item X of the Agenda regarding flexible embarkation-debarkation ladders for merchant vessels were revised. The major changes permit the optional use of both chain and manila rope ladders as pilot's ladders, and after January 1, 1957, the use of wire rope ladders as pilot's ladders is prohibited. With respect to flexible embarkation-debarkation ladders at lifeboat stations, such ladders are to be only chain ladders, but existing approved ladders on board passenger and cargo vessels may be continued in use so long as they are maintained in good condition. In the specification for flexible embarkation-

tion-debarkation ladders, the requirements for aluminum spacer ears were removed.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), to promulgate regulations in accordance with the statutes cited with the regulations below: *It is ordered, That:*

- (a) All the amendments to regulations containing specific dates shall become effective on the dates set forth in the regulations; and,
- (b) All the other amendments to regulations (which are not covered by paragraph (a), above) are prescribed and shall become effective 90 days after the date of publication of this document in the FEDERAL REGISTER.

#### Subchapter D—Tank Vessels

### PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

#### SUBPART 32.01—SAFETY REQUIREMENTS

Section 32.01-10 is amended to read as follows:

§ 32.01-10 *Rails—TB/ALL.* (a) All tank vessels, except unmanned tank barges, the construction or conversion of which is started on or after January 1, 1957, shall be fitted with fixed or portable rails on decks and bridges. All rails shall be in at least two courses, including the

top, and shall be at least 36 inches high, and in no case shall the clear spaces between the courses exceed 18 inches. However, on tank vessels operating on ocean waters the outboard rails on all decks shall be in at least three courses, including the top, and shall be evenly spaced and shall be at least 36 inches high. All rails shall consist of solid or tubular sections or chains or wire rope or a combination thereof.

(b) For all tank vessels, except those navigating the rivers only, the construction or conversion of which was started after September 11, 1946, and prior to January 1, 1957, rails on decks or bridges, shall be in at least two courses, including the top, and shall be at least 36 inches high.

(R. S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U. S. C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

### PART 33—LIFESAVING APPLIANCES

#### SUBPART 33.15—EQUIPMENT FOR LIFEBOATS, LIFE RAFTS, OR BUOYANT APPARATUS

1. Section 33.15-5 (a) is amended by revising Table 33.15-5 (a) by redesignating the item identified as "i" to "jj" and by inserting a new item identified as "ii", and these items read as follows:

§ 33.15-5 *Required equipment for lifeboats—TB/ALL.* \* \* \*

TABLE 33.15-5 (a)

Letter identification	Item	Tank ship			Tank barge—all waters
		Ocean and coastwise	Great Lakes	Lakes, bays, sounds, and rivers	
ii	Tool kit (motor-propelled lifeboats only).....	1	1	1	1
jj	Water (quarts per person).....	3	None	None	1

\* Seagoing barges only.

† For description of unit see § 33.15-10.

2. Section 33.15-10 is amended by redesignating paragraph (ii) *Water* to paragraph (jj) and by inserting a new paragraph (ii), reading as follows:

§ 33.15-10 *Description of equipment for lifeboats—TB/ALL.* \* \* \*

(i) *Tool kit.* The tool kit shall consist of at least the following tools contained in a suitable container:

- (1) One 12-ounce ball peen hammer.
- (2) One screwdriver with 6-inch blade.
- (3) One pair 8-inch slip joint pliers.
- (4) One 8-inch adjustable end wrench.

(R. S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U. S. C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

### PART 35—OPERATIONS

#### SUBPART 35.05—OFFICERS AND CREWS

Section 35.05-15 is amended by revising the headline and paragraph (a) to read as follows:

§ 35.05-15 *Watchman for a tank vessel—TB/ALL—(a) Manned tank vessel.* At least one member of the crew of a manned tank vessel shall be on board at

all times except when the vessel is gas free or is moored at a dock or terminal at which watchman service is provided.

#### SUBPART 35.35—CARGO HANDLING

Section 35.35-60 is amended to read as follows:

§ 35.35-60 *Transportation of other cargo or stores on tank barges—B/ALL.* (a) Tank barges may be permitted to transport deck cargoes directly over bulk cargo spaces when the nature of such deck cargoes and the methods of loading and unloading same do not create an undue hazard. Such tank barges shall have their decks properly dunnaged to prevent chafing between the steel parts of the vessel and the deck cargo.

(R. S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U. S. C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

#### Subchapter H—Passenger Vessels

### PART 72—CONSTRUCTION AND ARRANGEMENT

Part 72 is amended by adding a new Subpart 72.03, consisting of §§ 72.03-1 through 72.03-15, reading as follows:



## SUBPART 72.03—GENERAL FIRE PROTECTION

- Sec.  
72.03-1 Application.  
72.03-5 Fire hazards to be minimized.  
72.03-10 Woodwork insulated from heated surfaces.  
72.03-15 Lamp room construction.

**AUTHORITY:** §§ 72.03-1 to 72.03-15 issued under R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, 4418, 4426, 4490, as amended, sec. 3, 24 Stat. 129, 41 Stat. 305, sec. 5, 49 Stat. 1384, sec. 1, 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, sec. 2, 54 Stat. 1028, and sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 482, 483, 363, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.

§ 72.03-1 *Application.* (a) The provisions of this subpart shall apply to all vessels.

§ 72.03-5 *Fire hazards to be minimized.* (a) The general construction of the vessel shall be such as to minimize fire hazards insofar as is reasonable and practicable.

§ 72.03-10 *Woodwork insulated from heated surfaces.* (a) Internal combustion engine exhausts, boiler and galley uptakes and similar sources of ignition shall be kept clear of and suitably insulated from any woodwork or other combustible matter.

§ 72.03-15 *Lamp room construction.* (a) Lamp, paint, and oil lockers and similar compartments shall be constructed of steel or shall be wholly lined with metal.

## SUBPART 72.05—STRUCTURAL FIRE PROTECTION

Section 72.05-55 is amended by revising paragraph (a) (3) and paragraph (c) to read as follows:

§ 72.05-55 *Furniture and furnishings.*

(a) \* \* \*

(3) All draperies shall be of approved fire resistant fabrics.

(c) \* \* \*

(c) Passageways and stairway enclosures shall contain only fire resistant furnishings. In addition, all upholstery and padding of chairs, sofas, etc., in these areas, shall be of approved fire resistant materials.

## SUBPART 72.40—RAILS AND GUARDS

Section 72.40-5 (d) is amended to read as follows:

§ 72.40-5 *Where rails required.* \* \* \*

(d) All other such rails shall be at least 36 inches high and shall be in at least three courses, approximately evenly spaced, except that on vessels contracted for prior to January 1, 1957, the rails may be in two courses.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, 4418, 4426, 4490, as amended, sec. 3, 24 Stat. 129, 41 Stat. 305, sec. 5, 49 Stat. 1384, sec. 1, 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, sec. 2, 54 Stat. 1028, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 482, 483, 363, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

## PART 75—LIFESAVING EQUIPMENT

## SUBPART 75.20—EQUIPMENT FOR LIFEBOATS, LIFE RAFTS, LIFE FLOATS, AND BUOYANT APPARATUS

1. Section 75.20-10 is amended by revising Table 75.20-10 (a) by redesignating the item identified as "kk" to "ll" and by inserting a new item identified as "kk", and these items read as follows:

§ 75.20-10 *Required equipment for lifeboats.* (a) \* \* \*

TABLE 75.20-10 (a)

Letter Identification	Item	Ocean and coastwise	Great Lakes	Lakes, bays, sounds, and rivers
kk.....	Tool kit (motor-propelled lifeboats only).....	1 unit *.....	1 unit *.....	1 unit *.....
ll.....	Water (quarts per person).....	3.....	None.....	None.....

\* For description of units, see § 75.20-15.

2. Section 75.20-15 is amended by redesignating paragraph (kk) *Water* to (ll) and by inserting a new paragraph (kk), reading as follows:

§ 75.20-15 *Description of equipment for lifeboats.* \* \* \*

(kk) *Tool kit.* The tool kit shall consist of at least the following tools contained in a suitable container:

- (1) One 12-ounce ball peen hammer.
- (2) One screwdriver with 6-inch blade.
- (3) One pair 8-inch slip joint pliers.
- (4) One 8-inch adjustable end wrench.

## SUBPART 75.50—EMBARKATION AIDS

Section 75.50-5 (a) is amended to read as follows:

§ 75.50-5 *Ladders.* (a) Vessels certificated for ocean and coastwise service as follows:

(1) All ladders required by this paragraph shall be of an approved type, constructed in accordance with Subpart

160.017 of Subchapter Q (Specifications) of this chapter.

(2) All vessels shall have an approved Type II (chain suspension) ladder for each set of lifeboat davits, but existing ladders previously approved may be continued in service so long as they are maintained in good condition. Such ladders shall be kept ready and convenient for use on the lifeboat deck, and shall reach from such deck to the vessel's light water line, no heel assumed.

(3) All vessels which normally employ a pilot shall have an approved type ladder for the use of the pilot in addition to the ladders required by subparagraph (2) of this paragraph. On and after January 1, 1957, all pilot ladders shall be approved Type I (rope suspension) or Type II (chain suspension) ladders, and suitable spreaders and man ropes shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, 4418, 4426, 4481, 4482, 4488, 4491, as amended, sec. 1, 2, 49 Stat. 1544, sec. 17, 54 Stat. 166, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 474, 475, 481, 489, 367, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

## Subchapter I—Cargo and Miscellaneous Vessels

## PART 91—INSPECTION AND CERTIFICATION

## SUBPART 91.05—PERMIT TO PROCEED TO ANOTHER PORT FOR REPAIRS

Section 91.05-10 is amended to read as follows:

§ 91.05-10 *Conditions of permit.* (a) The permit will state upon its face the conditions under which it is issued and whether or not the vessel is permitted to carry freight or passengers.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4309, 4400, 4417, 4418, 4421, 4423, 4426-4431, 4433, 4434, 4453, as amended, sec. 14, 29 Stat. 690, sec. 10, 11, 35 Stat. 428, 41 Stat. 305, sec. 1, 2, 49 Stat. 1544, sec. 4, 49 Stat. 1935, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 361, 362, 391, 392, 399, 400, 404-409, 411, 412, 435, 366, 395, 396, 363, 367, 660a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR 1952 Supp.)

## PART 92—CONSTRUCTION AND ARRANGEMENT

## SUBPART 92.15—VENTILATION

Section 92.15-10 is amended to read as follows:

§ 92.15-10 *Ventilation for closed spaces.* (a) Except as noted in paragraph (b) of this section, all enclosed spaces within the vessel shall be properly vented or ventilated. Means shall be provided to close off all vents and ventilators.

(b) On unmanned cargo barges not fitted with a fixed bilge system, vents and ventilators may be omitted from void spaces.

## SUBPART 92.25—RAILS AND GUARDS

Section 92.25-5 is amended to read as follows:

§ 92.25-5 *Where rails required.* (a) Rails or equivalent protection shall be installed near the periphery of all weather decks accessible to persons on board. Such rails shall be at least 36 inches high and shall be in at least three courses approximately evenly spaced, unless it can be shown to the satisfaction of the Officer in Charge, Marine Inspection, that the installation of rails of such height will be unreasonable and impracticable, having regard to the business of the vessel. On vessels contracted for on or after January 1, 1955, and prior to January 1, 1957, the rails may be in two courses and the equal space between rails shall not exceed 18 inches.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, 4418, 4426, 4490, as amended, 41 Stat. 305, sec. 1, 2, 49 Stat. 1544, sec. 2, 54 Stat. 1028, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 482, 483, 363, 367, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.)



## PART 94—LIFESAVING EQUIPMENT

## SUBPART 94.20—EQUIPMENT FOR LIFEBOATS AND LIFE RAFTS

1. Section 94.20-10 (a) is amended by revising Table 94.20-10 (a) by redesignating the item identified as "(ii)" to "(jj)" and by inserting a new item identified as "(ii)", and these items read as follows:

§ 94.20-10 Required equipment for lifeboats. (a) \* \* \*

TABLE 94.20-10 (a)

Letter identification	Item	Ocean and coastwise		Great Lakes		Lakes, bays, and sounds; and rivers
		Other than seagoing barges	Seagoing barges	Vessels carrying cargo	Other	
(ii).....	Tool kit (motor-propelled lifeboat only).	1 unit <sup>4</sup> .....	1 unit <sup>4</sup> .....	1 unit <sup>4</sup> .....	1 unit <sup>4</sup> .....	1 unit <sup>4</sup> .....
(jj).....	Water (quarts per person).....	3.....	1.....	None.....	None.....	None.....

<sup>4</sup> For description of units, see § 94.20-15.

2. Section 94.20-15 is amended by redesignating paragraph (ii) *Water* to (jj) and by inserting a new paragraph (ii), reading as follows:

§ 94.20-15 Description of equipment for lifeboats. \* \* \*

(ii) *Tool kit.* The tool kit shall consist of at least the following tools contained in a suitable container:

- (1) One 12-ounce ball peen hammer.
- (2) One screwdriver with 6-inch blade.
- (3) One pair 8-inch slip joint pliers.
- (4) One 8-inch adjustable end wrench.

## SUBPART 94.50—EMBARKATION AIDS

Section 94.50-5 (a) is amended to read as follows:

§ 94.50-5 Ladders—(a) *Vessels in ocean or coastwise service.* (1) All ladders required by this paragraph shall be of an approved type, constructed in accordance with Subpart 160.017 of Subchapter Q (Specifications) of this chapter.

(2) All vessels shall have an approved Type II (chain suspension) ladder for each set of lifeboat davits, but existing ladders previously approved may be continued in service so long as they are maintained in good condition. Such ladders shall be kept ready and convenient for use on the lifeboat deck, and shall reach from such deck to the vessel's light water line, no heel assumed.

(3) All vessels which normally employ a pilot shall have an approved type ladder for the use of the pilot in addition to the ladders required by subparagraph (2) of this paragraph. On and after January 1, 1957, all pilot ladders shall be approved Type I (rope suspension) or Type II (chain suspension) ladders, and suitable spreaders and man ropes shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, 4418, 4426, 4481, 4482, 4488, 4491, as amended, secs. 1, 2, 49 Stat. 1544, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 484, 475, 481, 489, 367, 526p, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

## Subchapter Q—Specifications

## PART 160—LIFESAVING EQUIPMENT

## SUBPART 160.017—LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE), FOR MERCHANT VESSELS

Subpart 160.017, consisting of §§ 160.017-1 to 160.017-8, is amended to read as follows:

## Sec.

- 160.017-1 Applicable specifications.  
160.017-2 Types.  
160.017-3 Materials for Type I ladders.  
160.017-4 Materials for Type II ladders.  
160.017-5 Construction of Type I ladders.  
160.017-6 Construction of Type II ladders.  
160.017-7 Performance and workmanship requirements.  
160.017-8 Inspections and tests.  
160.017-9 Marking.  
160.017-10 Procedure for approval.

AUTHORITY: §§ 160.017-1 to 160.017-10 issued under R. S. 4405, as amended, and 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391a, 404, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.

§ 160.017-1 Applicable specifications—(a) *Specifications.* The following specifications, of the issue in effect on the date embarkation-debarkation ladders are manufactured, form a part of this subpart:

## (1) Federal specifications:

RR-C-271—Chain and Attachments, Welded, Weldless, and Roller Chain.  
TT-W-572—Wood Preservative, Water-Repellent.

## (2) Military specifications:

MIL-R-16060—Rope, Manila; and Substitutes.

(b) *Plans.* The following plans, of the issue in effect on the date embarkation-debarkation ladders are manufactured, form a part of this subpart:

## (1) Drawing No. 160.017-1 (b):

Sheet 1—Type I Embarkation-Debarkation Ladder.

Sheet 2—Type II Embarkation-Debarkation Ladder.

(c) *Copies on file.* Copies of the specifications and reference plans referred

to in this section shall be kept on file by the manufacturer, together with a copy of this specification, the approved plans, and the certificate of approval. The Federal specifications may be purchased from the Business Service Center, General Services Administration, Washington 25, D. C. The Military Specification may be obtained upon application to the Bureau of Supplies and Accounts, Department of the Navy, Washington 25, D. C.

§ 160.017-2 Types. (a) Ladders specified by this subpart shall be of two types as follows with materials and construction details in substantial agreements with those specified herein, but alternate arrangements will be given special consideration:

- Type I—Rope Suspension Ladders.  
Type II—Chain Suspension Ladders.

§ 160.017-3 Materials for Type I ladders—(a) *Suspension members.* Suspension members for Type I ladders shall be not less than 2-inch circumference (approx  $\frac{5}{8}$ " diameter) mildew-resistant manila rope in accordance with the requirements of specifications MIL-R-16060, and shall have a breaking strength of not less than 4,400 pounds.

(b) *Spacer ears and rungs.* Spacer ears and rungs for Type I ladders shall be made from hickory, oak, ash, maple, beech, or other approved hardwood, which is straight-grained and free from knots, checks, honeycomb, warp or other detrimental defects.

(c) *Thimbles and other hardware.* The rope thimbles, bolts for ears, and any other metal hardware used in the construction of Type I ladders shall be of corrosion-resistant materials or steel protected against corrosion by galvanizing applied by the hot dip process.

§ 160.017-4 Materials for Type II ladders—(a) *Suspension members.* Suspension members for Type II ladders shall be 7-0, single-loop, weldless, lock-link pattern galvanized steel chain in accordance with the requirements of Federal Specification RR-C-271 for Type II, Class I, chain, and shall have a minimum breaking strength of 3,560 pounds.

(b) *Spacer ears.* Spacer ears for Type II ladders may be either steel or wood. Steel ears shall be made from sheet steel not lighter than No. 14 U. S. Standard Gage (0.0747 inch nominal thickness). Wooden ears shall be made of hardwood as specified in § 160.017-3 (b) for Type I ladders.

(c) *Rungs.* Rungs for Type II ladders shall be made of hardwood as specified in § 160.017-3 (b) for Type I ladders.

(d) *Lashing rings.* Lashing rings shall be  $\frac{3}{8}$ " x 3" galvanized steel rings.

(e) *Miscellaneous metal parts.* Chain clips, rung clips, bolts, rivets, and other miscellaneous metal parts for Type II ladders shall be of adequate size and strength and of materials suitable for the purpose.

§ 160.017-5 Construction of Type I ladders—(a) *General.* Type I ladders shall be constructed in general agree-



ment with the details shown on Drawing No. 160.017-1 (b), Sheet 1, with double rope suspension members, double wooden rungs, and suitably shaped wooden spacer ears. The spacing between steps shall be uniform. The steps shall be 13 to 15 inches apart, and the distance between the thimbles at the top and the first step shall be approximately 24 inches. The suspension members shall be served with a good grade of common tarred marline for a distance of at least 1 inch above and below the spacer ears and for a distance of at least 2 inches below the thimbles. The clear passage width shall be from 15 to 18 inches.

(b) *Spacer ears.* The spacer ears shall be oval-shaped with a major diameter of approximately  $8\frac{1}{2}$  inches and a minor diameter of not less than 5 inches. The ears shall be not less than  $1\frac{1}{4}$  inches in thickness and shall be uniform in size and shape. The edges of the ears shall be grooved to take the rope suspension members, and suitable slots shall be milled out to take the rungs as indicated on the drawing. All surfaces of the ears shall be worked down to a smooth finish. Four  $\frac{3}{8}$ -inch diameter holes shall be drilled in each ear at the approximate locations shown on the drawing, and the rope suspension members secured to the ears with two turns of tarred marline as shown. The ears shall also be drilled as indicated on the drawing to take the bolt attaching the rungs to the ears.

(c) *Rungs.* Each step shall consist of two wooden rungs. The rungs shall be rectangular in shape, approximately  $2\frac{1}{2}$  inches in width and not less than 1 inch in thickness, and all longitudinal edges of the rungs shall be slightly rounded or chamfered. The rungs of each step shall be spaced a uniform distance apart, not less than  $1\frac{1}{2}$  inches and not more than  $2\frac{1}{2}$  inches, and when the ladder is assembled, the edges of the rungs shall project slightly beyond the edges of the suspension members so that the rope will not rub on the side of the vessel when the ladder is in use. The rungs shall be attached to the ears with  $\frac{1}{4}$ -inch carriage bolts, and shall be counterbored so that the bolt heads and nuts do not project into the rope groove. The bolt ends shall be securely peened over.

(d) *Thimbles.* Standard rope thimbles shall be fitted at the top of each suspension member as shown on the drawing.

(e) *Wood preservative.* After forming, finishing, and drilling of all necessary holes, etc., the completed rungs and ears shall be treated with two brush coats, with 24 hours drying time between coats, or with one dip coat of water repellent wood preservative complying with the requirements of Federal Specification TT-W-572 for Type A or B preservative.

§ 160.017-6 *Construction of Type II ladders.*—(a) *General.* Type II ladders shall be constructed in general agreement with the details shown on Drawing No. 160.017-1 (b), Sheet 2, with chain suspension members, double wooden rungs, and suitably shaped spacer ears. The spacing between the steps shall be

uniform. The steps shall be approximately  $15\frac{1}{4}$  inches apart, and the distance between the top lashing rings and the first step and the bottom lashing rings and the last step shall be approximately 24 inches. The clear passage width shall be from 15 to 18 inches.

(b) *Spacer ears.* The ears shall be uniform in size, and either elliptical or rectangular in shape. Wooden ears shall be not less than  $1\frac{1}{4}$  inches in thickness. Rectangular ears shall be not less than  $8\frac{1}{2}$  inches nor more than 10 inches in length and not less than 5 inches in width, with the corners rounded to a 1-inch radius. Elliptical ears shall have a major diameter of approximately 10 inches and a minor diameter of not less than 5 inches. All surfaces of wooden ears shall be worked down to a smooth finish and all edges suitably rounded. Metal ears shall have one or more stamped or formed ribs and the edges of the ears shall be turned or rolled similarly to that indicated on Drawing No. 160.017-1 (b), Sheet 2, with the flange thus formed not less than  $\frac{3}{8}$  inch in width. Ears shall be attached to chain suspension members by use of bolts or rivets and a clip arrangement as indicated on the drawing, or by other suitable means.

(c) *Rungs.* Each step shall consist of two wooden rungs secured in such a manner that the rungs will not turn within the attachment or on the attached suspension member. The rungs shall be rectangular in shape, not less than  $1\frac{1}{2}$  inches in width and not less than 1 inch in thickness, and all longitudinal edges of the rungs shall be slightly rounded or chamfered. The rungs of each step shall be spaced a uniform distance apart, not less than  $1\frac{1}{2}$  inches and not more than  $2\frac{1}{2}$  inches. The attachment of the rung steps to the ears shall be by one of the following methods:

(1) By channel shaped clips approximately  $1\frac{1}{4}$  inches in depth by  $1\frac{1}{4}$  inches flange width by not less than  $4\frac{1}{2}$  inches in length attached to the rungs, ears, and suspension members by bolts or rivets.

(2) By a section of the ears (steel ears only) stamped out to form a suitable channel clip to hold the rungs and attached to the rungs with bolts or rivets. In ears with stamped out clips, not less than  $\frac{3}{16}$ -inch diameter holes shall be drilled out prior to stamping at the points where the corners of the clips will fall so that the ends of the cuts will terminate in these holes.

(d) *Lashing rings.* A lashing ring shall be attached to the top of each suspension member by a reverse lock-link shackle made from chain of a size and strength not less than the suspension member, which is locked by a button head rivet not less than  $\frac{1}{2}$  inch in diameter, and with suitable countersunk clinch ring so formed that when the rivet is peened over, the rivet and clinch ring form a rounded surface. A lashing ring shall be attached to the bottom of each chain suspension member by a  $\frac{1}{4}$ -inch diameter screw pin anchor shackle with the screw pin securely peened over. A suitable thimble or wear plate shall be fitted between the top

chain links and the lashing rings and between the bottom chain links and the anchor shackles.

(e) *Galvanizing of steel parts.* All steel parts shall be treated to resist corrosion by galvanizing applied by the hot dip process after the parts have been formed.

(f) *Wood preservative.* After forming, finishing, and drilling of all necessary holes, etc., all wooden parts shall be treated with two brush coats, with 24 hours drying time between coats, or with one dip coat of water repellent wood preservative complying with the requirements of Federal Specification TT-W-572 for Type A or B preservative.

§ 160.017-7 *Performance and workmanship requirements.*—(a) *Strength (steps).* With the assembled ladder supported in such a manner that the test load shall act on both the step and its attachments a total static load of 700 pounds shall be applied separately to each of six steps for a duration of approximately one minute per step. The load shall be uniformly distributed over approximately 4 inches of contact surface at the center of the step. The step shall not fail nor shall there be any cracking, permanent set, or any other sign of weakness in the step or its attachments.

(b) *Strength (ladder).* The assembled, rolled up ladder, of the full length as supplied to the purchaser, shall be dropped freely so that it will fetch up on the secured end. With the ladder suspended full length vertically, a total static load of 2,000 pounds shall be applied to the lower end of the ladder in such manner as to be distributed equally between the two suspension members. There shall be no flaking or peeling of the finish on the component parts, the flexibility of the suspension members shall not be impaired, nor shall there be any other sign of weakness or injury to the ladder.

(c) *Workmanship.* Finished ladders shall be free from splinters, burrs, sharp corners or projections which might be injurious to the hands or feet and other defects materially affecting their appearance or serviceability and workmanship shall be first-class throughout.

§ 160.017-8 *Inspections and tests.* (a) A marine inspector shall examine all ladders at the place of manufacture for compliance with this specification. Samples of materials entering into construction may be taken at random by the inspector and tests made for compliance with the applicable requirements. After satisfying himself that the ladders have been manufactured according to this specification and the manufacturer's drawings and specifications as approved by the Commandant, he shall select indiscriminately from each lot offered for inspection at least one ladder to be tested in accordance with § 160.017-7 (a) and (b). If the specimen ladder passes the tests, the lot shall be acceptable. If the specimen ladder fails any of the tests, the lot shall be rejected. Rejected lots may, when permitted by the inspector, be reworked by the manufacturer to correct the defect causing rejection and be re-submitted for official inspection. A



copy of the inspector's report of the tests, including the lot number and serial numbers of ladders passed and rejected, shall be forwarded to the Commandant (MMT).

§ 160.017-9 *Marking.* (a) Each ladder shall be branded or otherwise permanently and legibly marked on the rungs or ears, at intervals of not more than 5 feet, with the name of the manufacturer, the manufacturer's brand or model designation, the serial number of the ladder, the lot number, the Coast Guard Type number, and the Coast Guard approval number. Lots shall be numbered serially by the manufacturer and shall consist of all ladders of the same type and model offered for inspection at one time.

§ 160.017-10 *Procedure for approval.* (a) Embarkation-debarkation ladders for use on merchant vessels are approved only by the Commandant, U. S. Coast Guard, Washington 25, D. C. Before any action is taken on any design of embarkation-debarkation ladder, detailed plans covering fully the arrangement and construction of the ladder, material specifications, and a description of the construction methods shall be submitted to the Commandant through the Commander of the Coast Guard District in which the ladder is to be manufactured.

(b) If the drawings and specifications are found satisfactory, the Commander of the Coast Guard District shall be notified in writing when fabrication is to commence. A marine inspector will be assigned to observe the construction in accordance with the plans and specifications and upon completion of a sample ladder at least 40 feet in length, he will conduct the tests described by § 160.017-7 (a) and (b).

(c) After the tests are successfully completed, the manufacturer shall present to the inspector four copies of the plans and specifications, including any changes or additions which may have been found necessary during construction or testing. If the manufacturer desires more than one set of approved plans, additional copies shall be submitted at that time.

(d) The inspector will file a report of the examinations and tests, together with the four copies of the plans and specifications, with the Commander of the Coast Guard District, who will transmit them to the Commandant to determine compliance with the requirements of this subpart and suitability of the ladder for type or brand approval for use on merchant vessels.

#### Subchapter R—Nautical Schools

#### PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

##### SUBPART 167.35—LIFESAVING EQUIPMENT

Section 167.35-65 is amended by revising paragraph (a) and by adding a new paragraph (c), reading as follows:

§ 167.35-65 *Motor lifeboat equipment.* (a) *Equipment required.* In addition to the equipment required by

§ 167.35-60, the following items shall also be carried:

(1) Two portable fire extinguishers having Coast Guard classification B-I, C-I. (Vaporizing liquid, carbon dioxide, or dry chemical type approved by the Coast Guard or the Navy.)

(2) One tool kit containing at least:

(i) One 12-ounce ball peen hammer.  
(ii) One screwdriver with 6-inch blade.

(iii) One pair 8-inch slip joint pliers.

(iv) One 8-inch adjustable end wrench.

(c) *Equipment not required.* A motor-propelled lifeboat need not carry a

mast or sails nor more than four rowing oars and one steering oar.

(R. S. 4405, as amended; 46 U. S. C. 375. Interpret or apply R. S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, 41 Stat. 305, secs. 1, 2, 49 Stat. 1544, 1545, sec. 17, 54 Stat. 166, sec. 2, 54 Stat. 1028, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391, 392, 404, 367, 463a, 481, 489, 526p, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.)

Dated: August 27, 1956.

[SEAL] A. C. RICHMOND,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 56-7145; Filed, Sept. 5, 1956;  
8:51 a.m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

#### United States Coast Guard

[46 CFR Parts 24, 30, 70, 90, 110,  
175-186]

[CGFR 56-36]

SMALL PASSENGER VESSELS (NOT MORE  
THAN 65 FEET IN LENGTH)

#### PUBLIC HEARING ON PROPOSED REGULATIONS

1. The Merchant Marine Council will hold a Public Hearing on Tuesday, October 16, 1956, commencing at 9:30 a. m. in the Department of Commerce Auditorium, Fourteenth Street NW., between E Street and Constitution Avenue, Washington, D. C., for the purpose of receiving comments, views, and data on the proposed regulations for small passenger vessels carrying more than six passengers, as set forth in the Merchant Marine Council Public Hearing Agenda, CG-249, dated October 16, 1956. The proposed regulations will consist of a new Subchapter T, entitled "Small Passenger Vessels (Not More Than 65 Feet in Length)," in 46 CFR Chapter I (Shipping). These proposed regulations will give force and effect to the Act of May 10, 1956 (Public Law 519, 84th Congress, 2d Session; 70 Stat. 151-154), which requires the inspection and certification of certain vessels carrying more than six passengers. The proposed effective date for the new requirements will be July 1, 1957.

2. Public Law 519 (84th Congress, 2d Session) will require the inspection and certification of many motorboats, sail vessels, and barges which have not been subject to special Federal rules and regulations before. This Public Hearing is the opportunity for all persons and organizations affected by the proposed regulations for small passenger vessels to express their views to the Coast Guard regarding the feasibility, necessity, or practicality of the proposed regulations and to submit alternate suggestions and views, with reasons therefor, which will carry out the intended purposes of these proposals and the intent of Public Law 519.

3. The proposed regulations for small passenger vessels, together with the statutory authority for such proposals, are generally described in paragraphs 6 to 31, inclusive. The proposed regulations are in the Merchant Marine Council Public Hearing Agenda (CG-249), dated October 16, 1956. Copies of this Agenda have been mailed to persons and organizations who have expressed an interest in this subject and requested that copies be furnished them. Copies will be furnished to those interested so long as they are available and requests should be addressed to the Commandant (CMC), United States Coast Guard, Washington 25, D. C. After the extra copies for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

4. Written and oral comments on the proposed regulations for small passenger vessels described generally in paragraphs 6 to 31 below are invited. Written comments containing constructive criticisms, suggestions, or views are welcomed. Each oral and written comment received is considered and evaluated. If it is believed the comment, view, or suggestion clarifies or improves the proposed regulations, it is accepted and after adoption by the Commandant the revised regulations are published in the FEDERAL REGISTER. Acknowledgment of the comments received and reasons why the suggested changes were or were not adopted are not normally furnished because personnel is not available to perform this work. Comments submitted in writing before or at a Merchant Marine Council Public Hearing will not normally be read at the Public Hearing but such comments will be made a part of the record.

5. Comments, data, or views, regarding the inspection and certification of small passenger vessels carrying more than six passengers may be presented orally or in writing at the Public Hearing before the Merchant Marine Council on October 16, 1956. Any person or organization who desires to submit written comments, data, or views is urged to



submit them so that they will be received prior to October 10, 1956, by the Commandant (CMC), United States Coast Guard, Washington 25, D. C. In order to insure consideration of comments and to facilitate checking and recording, it is essential that each comment regarding a section or paragraph of the proposed regulation shall be submitted on Form CG-3287, showing the section number, the proposed change, the reason or basis (if any), and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG-3287 is attached to each Agenda and additional copies may be obtained upon request from the Commandant (CMC), or from any Coast Guard District Commander, or the form may be reproduced by a typewriter or otherwise.

6. The Public Law 519 requires that regulations be issued to give it force and effect. By Treasury Department Order No. 167-20, dated June 18, 1956 (21 F. R. 4894), the Secretary of the Treasury delegated his functions under this law to the Commandant, U. S. Coast Guard. In order to minimize the changes necessary in the regulations in 46 CFR Chapter I, as well as to have all the requirements for small passenger vessels in one group, it was decided to have the length of the vessel as a determining factor, regardless of manner of propulsion. Therefore, it is proposed to add a new Subchapter T to 46 CFR Chapter I, to read as follows: "Subchapter T—Small Passenger Vessels (Not More Than 65 Feet in Length)."

7. It is proposed to add a new part designated 46 CFR Part 175 and entitled "General Provisions." This part describes in general terms the basis and purpose of the regulations and their application to vessels carrying more than six passengers. This part contains the definitions of terms used throughout these regulations. The proposed regulations also include when equivalents may be used under certain conditions, and policies concerning the application of marine engineering and electrical engineering requirements described in 46 CFR Parts 50 to 61 (Subchapter F) and 46 CFR Parts 110 to 113 (Subchapter J), and appeals from decisions or actions of Officers in Charge, Marine Inspection, and District Commanders to the Commandant, whose decision shall be final.

8. It is proposed to add a new part designated 46 CFR Part 176 and entitled "Inspection and Certification." This part provides that no small passenger vessel subject to inspection and certification shall be operated without having a valid certificate of inspection, Form CG-841.

9. The proposed regulations in 46 CFR Part 176 include the procedures and general requirements to obtain certification of inspection, permits to proceed to another port for repairs, the standards followed in performing inspections, reinspections, etc. As provided in the law, the existing small passenger vessels will be subject to an initial inspection and every three years thereafter to a triennial inspection. While the proposed standards are for all new vessels contracted for on or after July 1, 1957, the standards for existing small passenger

vessels will be the same as for new vessels insofar as it is determined by the Officer in Charge, Marine Inspection, of the Coast Guard to be feasible and practicable for such existing vessel. The purpose for the inspection is to insure that the vessel and its equipment is in all respects satisfactory and considered seaworthy for the type of operation in which such vessel is engaged, and in compliance with the applicable requirements governing such vessel. In addition to the initial inspection and the triennial inspections, it is proposed that each vessel be reinspected at least once during each year between regular inspections. This reinspection is to determine that the vessel is seaworthy, in compliance with the requirements governing its operation, and no major change has occurred since the last inspection affecting its seaworthiness. The proposed regulations provide that no repairs or alterations affecting the safety of the vessel, that is the vessel's hull, or its machinery or equipment, shall be made without first notifying the nearest Officer in Charge, Marine Inspection. If alterations in a vessel are contemplated, it will be necessary for the owner or builder of the vessel to submit plans and/or specifications covering such alterations for approval to the nearest Officer in Charge, Marine Inspection, before the construction is started.

10. It is proposed to add a new part designated 46 CFR Part 177 and entitled "Construction and Arrangement." This part will provide general requirements affecting the construction of all small passenger vessels which are contracted for on or after July 1, 1957. The proposed requirements in this part will also provide a standard for all such vessels contracted for before July 1, 1957, insofar as it is deemed reasonable and practicable by the Officer in Charge, Marine Inspection, having jurisdiction.

11. The proposed regulations in 46 CFR Part 177 include such requirements as standards for hull structure and fire protection, means of escape, ventilation for closed spaces (other than machinery spaces), ventilation for passenger and crew quarters, accommodations for passengers and crews, hatches, rails and guards, restrictions on cooking and heating facilities, and a prohibition of the use of liquefied petroleum gas and gasoline. With respect to the number of passengers allowed to be carried, restrictions may be determined according to deck area, fixed seating capacity, length of rail, or stability of the vessel.

12. It is proposed to add a new part designated 46 CFR Part 178 and entitled "Watertight Subdivision." This part will provide general requirements for bulkheads for all small passenger vessels contracted for on or after July 1, 1957. For those vessels contracted for before July 1, 1957, it will be necessary for such vessels to meet these requirements insofar as it is deemed reasonable and practicable by the Officer in Charge, Marine Inspection, having jurisdiction.

13. The proposed regulations in 46 CFR Part 178 include general requirements for bulkheads for all vessels. Ferry vessels and all other vessels of more than 75 gross tons or which carry more

than 49 passengers are required to have subdivision bulkheads so that the vessel will remain afloat with any one compartment flooded. Damage stability calculations will be required for all such vessels. Proposed requirements for cockpits are also provided.

14. It is proposed to add a new part designated 46 CFR Part 179 and entitled "Stability." This part provides general requirements for determining the stability of vessels carrying passengers. This part applies to all ferry vessels, all vessels carrying more than 49 passengers, all vessels of more than 75 gross tons, all vessels where the number of passengers carried is greater than the number obtained by multiplying the length and breadth of the vessel in feet and dividing the product by 15, and all other vessels whose stability may be questioned by the Officer in Charge, Marine Inspection, having jurisdiction.

15. The proposed regulations in 46 CFR Part 179 describe the stability test required, the stability test procedure, stability standards, and when it is determined that a vessel does not have sufficient stability to meet these requirements ballast shall be installed in the vessel under the supervision of the Officer in Charge, Marine Inspection. There is also provided that a stability letter will be issued to each vessel meeting the requirements in this part and this letter must be posted in the pilothouse or shall be carried on board to be shown on demand.

16. It is proposed to add a new part designated 46 CFR Part 180 and entitled "Lifesaving Equipment." This part contains general requirements regarding the lifesaving equipment required to be carried on small passenger vessels.

17. The proposed regulations in 46 CFR Part 180 include general provisions pertaining to lifesaving equipment, primary lifesaving equipment required, equipment for life floats and buoyant apparatus, requirements for stowage and marking of lifesaving appliances, life preservers, ring buoys and water lights, distress signals, signaling mirror, and distress flags.

18. It is proposed to add a new part designated 46 CFR Part 181, entitled "Fire Protection Equipment." This part will provide general requirements regarding fire protection equipment for all small passenger vessels.

19. The proposed regulations in 46 CFR Part 181 include provisions regarding fire extinguishing equipment required, details of fire main systems, fixed carbon dioxide extinguishing systems, and portable fire extinguishers.

20. It is proposed to add a new part designated 46 CFR Part 182 and entitled "Machinery Installation." This part will provide general requirements for small passenger vessels which are propelled by machinery.

21. The proposed regulations in 46 CFR Part 182 include such requirements as separation of machinery and fuel tank spaces from accommodation spaces, machinery installations using fuels having a flash point of 110 degrees F. or lower (gasoline), machinery installations using fuels having a flash point of over 110 degrees F. (diesel), bilge systems, overboard discharges and shell connections,



and steering apparatus. The proposed provisions of this part will be applicable to the machinery installations on vessels contracted for on or after July 1, 1957. Vessels contracted for prior to that date will be required to meet these proposed requirements insofar as it is deemed reasonable and practicable by the Officer in Charge, Marine Inspection, having jurisdiction.

22. It is proposed to add a new part designated 46 CFR Part 183 and entitled "Electrical Installations." This part will provide general requirements regarding electrical installations on all small passenger vessels. Those vessels having electrical installations operating at potentials of 50 volts or over shall comply with the applicable regulations in 46 CFR Parts 110-113 (Subchapter J—Electrical Engineering) in 46 CFR Chapter I. Vessels having electrical installations operating at potentials of less than 50 volts will be subject to the proposed regulations in this part. These proposed regulations will apply to all those vessels contracted for on or after July 1, 1957. For those vessels contracted for before July 1, 1957, the requirements proposed will apply insofar as it is deemed reasonable and practicable by the Officer in Charge, Marine Inspection, having jurisdiction.

23. The proposed regulations in 46 CFR Part 183 include requirements for starting the main auxiliary engines, electrical equipment which may be on board (such as generators, motors, switchboards, batteries, etc.), and wiring.

24. It is proposed to add a new part designated 46 CFR Part 184 and entitled "Vessel Control and Miscellaneous Systems and Equipment." This part will apply to all small passenger vessels.

25. The proposed regulations in 46 CFR Part 184 include a statement regarding the application of regulations in other subchapters in 46 CFR Chapter I to these vessels, and requirements for mooring equipment, navigation lights and shapes, whistles, fog horns, fog bells, compass, radio, and position finding apparatus.

26. It is proposed to add a new part designated 46 CFR Part 185 and entitled "Operations." This part will apply to all small passenger vessels.

27. The proposed regulations in 46 CFR Part 185 include description of penalties for various types of violations, and requirements regarding exhibition of licenses, notice to nearest Officer in Charge, Marine Inspection, of a casualty or accident, compliance with provisions in certificates of inspection, use of searchlights, steering gear tests, closing of hatches while underway, ferries carrying automobiles or other vehicles, preparations for emergencies, reports of accidents to machinery or proposed repairs or alterations to Officer in Charge, Marine Inspection, having jurisdiction, and markings regarding equipment, etc., carried.

28. It is proposed to add a new part designated 46 CFR Part 186 and entitled "Manning and Licensing." This part provides for the complement of personnel required in the operation of small passenger vessels carrying passengers.

29. The proposed regulations in 46 CFR Part 186 include requirements regarding the complement of vessels described by number of passengers carried and method of propulsion used, qualifications for and issuance of various types of operators' licenses, physical examinations of prospective operators, renewal of operators' licenses, issuance of duplicate licenses, suspension and revocation of operators' licenses, and qualifications to obtain master's license for services on vessel operating ocean and/or coastwise waters.

30. For vessels over 65 feet in length and carrying more than six passengers, it is proposed to apply to such vessels the applicable regulations in 46 CFR Parts 70 to 78, inclusive (Subchapter H—Passenger Vessels). To show the proper application of all the regulations in 46 CFR Chapter I to the various types of vessels inspected, the tables and text in 46 CFR 24.05-1, 30.01-5, 70.05-1, 90.05-1, and 110.05-1 will be revised.

31. The authority for the proposed regulation in 46 CFR Parts 175 to 186, inclusive, is the act of May 10, 1956 (70 Stat. 151-154; 46 U. S. C. 390). The authority for the necessary amendments to 46 CFR Parts 24, 30, 70, 90, and 110 is R. S. 4405, as amended, 4417a, as amended, and 4462, as amended (46 U. S. C. 375, 391a, 416).

Dated: August 30, 1956.

[SEAL] A. C. RICHMOND,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 56-7144; Filed, Sept. 5, 1956;  
8:51 a. m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### [ 7 CFR Part 931 ]

[Docket No. AO-229-A4]

#### MILK IN CEDAR RAPIDS-IOWA CITY MARKETING AREA

#### NOTICE OF HEARING ON PROPOSED AMENDMENTS TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the U. S. Post Office and Courthouse, Cedar Rapids, Iowa, beginning at 10:00 a. m., c. s. t., September 25, 1956, for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk in the Cedar Rapids-Iowa City marketing area and to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cedar Rapids-Iowa City marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed by Eastern Iowa Co-operative Dairy Producers, Dows Manitl Dairy, Cedar Valley Dairy, Davis Dairy, Blinder Dairy, Krebs Dutch Girl, Searles Dairy, Home Town Dairies, and Sanitary Farms Dairies:

1. Delete § 931.7 and substitute therefor the following:

§ 931.7 *Cedar Rapids-Iowa City marketing area.* "Cedar Rapids-Iowa City marketing area", called the "marketing area" in this subpart, means all the territory within the counties of Johnson and Linn, also the Springdale Township in Cedar County and Wapsinonoc Township in Muscatine County, all in the State of Iowa.

2. Delete § 931.8 and substitute therefor the following:

§ 931.8 *Approved plant.* "Approved plant" means a milk processing plant approved by, and under regular inspection of, the proper health authority of either Cedar Rapids, Iowa City or the State Health Department of the State of Iowa and (a) from which milk is disposed of on wholesale or retail routes (including plant stores) within the marketing area, or (b) which furnishes milk to a plant described in paragraph (a) of this section.

3. Amend § 931.10 to include producers who meet the requirements of the State Health Department of the State of Iowa for the production of milk for consumption as milk.

4. Delete § 931.11 and substitute therefor the following:

§ 931.11 *Producer-handler.* "Producer-handler" means any person who produces milk and operates an approved plant but who receives no milk directly from the farms of other producers and who disposes during a delivery period of less than a daily average of 1,000 pounds of Class I milk as defined pursuant to § 931.41 (a) (1).

5. Add a new § 931.14 as follows:

§ 931.14 *Pool plant.* "Pool plant" means any approved plant, other than that of a producer-handler, which during any delivery period disposes of as Class I milk an amount equal to 40 percent or more of such plant's total receipts of milk from producers: *Provided*, That milk diverted from an approved plant for the account of the handler operating such approved plant shall be considered a receipt at the approved plant from which it was diverted: *Provided further*, That milk diverted from an approved plant to an unapproved plant for the account of a cooperative association which does not operate a plant shall be deemed to have been received by such cooperative association at a pool plant.

6. Amend § 931.50 (a) by adding the following: "Provided, That for any delivery period, the Class I price shall not be less than the price established per hundredweight for Class I milk under Order No. 44, as amended, regulating the handling of milk in the Quad Cities marketing area, minus 10 cents."



## 7. Add a new § 931.57 as follows:

§ 931.57 *Handler operating an approved plant which is not a pool plant.* Each handler who operates an approved plant which is not a pool plant during a delivery period shall, in lieu of the payments required pursuant to §§ 931.60 through 931.69, pay to the market administrator, for the producer-settlement fund, on or before the 12th day after the end of such delivery period, the amount resulting from the quantity of milk disposed of as Class I milk multiplied by the Class I price, adjusted by the butterfat differential for Class I, and the quantity of such milk multiplied by the Class II price, adjusted by the butterfat differential for Class II milk.

8. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing may be procured from the Market Administrator, 409 O. R. C. Building, Cedar Rapids, Iowa, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: August 31, 1956.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator.

[P. R. Doc. 56-7152; Filed, Sept. 5, 1956;  
8:53 a. m.]

## Agricultural Research Service

## [ 9 CFR Part 94 ]

RINDERPEST AND FOOT AND MOUTH DISEASE  
AND CERTAIN OTHER DISEASESNOTICE OF PROPOSED DETERMINATION OF  
NONEXISTENCE IN SWEDEN AND OF PRO-  
POSED AMENDMENT OF REGULATIONS  
IMPOSING PROHIBITIONS AND RESTRICTIONS  
ON IMPORTATION OF SPECIFIED ANIMALS  
AND ANIMAL PRODUCTS

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that, pursuant to the provisions of section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) and section 2 of the act of February 2, 1903, as amended (21 U. S. C. 111), it is proposed to determine, and to give notice of such determination, that neither rinderpest nor foot-and-mouth disease now exists in Sweden, and to amend the regulations in 9 CFR Part 94, as amended, imposing prohibitions and restrictions on the importation of specified animals and animal products on account of rinderpest and foot-and-mouth disease and certain other diseases, by removing the word "and" before the words "the Republic of Ireland" and adding ", and Sweden" following the words "the Republic of Ireland", in paragraph (a) (4) of § 94.1.

The proposed determination, notification, and amendment would remove the present prohibition under section 306 of the Tariff Act upon importation into the United States of cattle, sheep, other domestic ruminants, and swine, and of

fresh, chilled, or frozen beef, veal, mutton, lamb, and pork from Sweden and render the commodities specified in §§ 94.2 to 94.5 of 9 CFR Part 94, as amended, and originating in said country, no longer subject to the provisions of that part.

Any person who wishes to submit written data, views, or arguments concerning the proposed determination and amendment may do so by filing them with the Chief, Animal Inspection and Quarantine Branch, Agricultural Research Service, United States Department of Agriculture, Washington 25, D. C., within 30 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D. C. this 30th day of August 1956.

[SEAL] M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.

[P. R. Doc. 56-7153; Filed, Sept. 5, 1956;  
8:53 a. m.]

## Commodity Stabilization Service

## [ 7 CFR Part 722 ]

## 1957 CROP OF EXTRA LONG STAPLE COTTON

NOTICE OF DETERMINATIONS WITH RESPECT  
TO NATIONAL MARKETING QUOTA, NATIONAL, STATE, AND COUNTY ACREAGE  
ALLOTMENTS, AND FORMULATION OF REGULATIONS  
PERTAINING TO FARM ACREAGE  
ALLOTMENTS

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1388), the Secretary of Agriculture is preparing to determine, as soon as possible after October 8, 1956, whether a national marketing quota is required to be proclaimed for the 1957 crop of extra long staple cotton, to provide for conversion of such quota into a national acreage allotment in accordance with section 344 (a) of the act, and to formulate regulations for apportioning the national acreage allotment to States and the State acreage allotments to counties, and for establishing farm acreage allotments. Pertinent parts of the provisions of the act which are applicable to these determinations and formulations are as follows:

Sec. 347. (a) Except as otherwise provided by this section, the provisions of this part shall not apply to extra long staple cotton which is produced from pure strain varieties of the Barbados species, or any hybrid thereof, or other similar types of extra long staple cotton designated by the Secretary having characteristics needed for various end uses for which American upland cotton is not suitable, and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of such varieties or types.

(b) Whenever during any calendar year, not later than October 15, the Secretary determines that the total supply of cotton described in subsection (a) for the marketing year beginning in such calendar year will exceed the normal supply thereof for such marketing year by more than 8 per centum, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of such cotton produced in the

next calendar year. The Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the quantity of cotton described in subsection (a) adequate to make available a normal supply of such cotton, taking into account (1) the estimated carry-over at the beginning of the marketing year which begins in the next calendar year, and (2) the estimated imports during such marketing year. The national marketing quota for cotton described in subsection (a) for any year shall not be less than the larger of 30,000 bales or a number of bales equal to 30 per centum of the estimated domestic consumption plus exports of such cotton for the marketing year beginning in the calendar year in which such quota is proclaimed.

(c) All provisions of this act, except section 342, subsections (h), (k), and (l) of section 344, the parenthetical provisions relating to acreages regarded as having been planted to cotton, and the provisions relating to minimum small farm allotments, shall, insofar as applicable, apply to marketing quotas and acreage allotments authorized by this section.

Sec. 301 (b) (16) (C) "Total supply" of cotton for any marketing year shall be the carry-over at the beginning of such marketing year, plus the estimated production of cotton in the United States during the calendar year in which such marketing year begins and the estimated imports of cotton into the United States during such marketing year.

Sec. 301 (b) (3) (B) "Carry-over" of cotton for any marketing year shall be the quantity of cotton on hand in the United States at the beginning of such marketing year, not including any part of the crop which was produced in the United States during the calendar year then current.

Sec. 301 (b) (10) (C) The "normal supply" of cotton for any marketing year shall be the estimated domestic consumption of cotton for the marketing year for which such normal supply is being determined, plus the estimated exports of cotton for such marketing year, plus 30 per centum of the sum of such consumption and exports as an allowance for carry-over.

For purposes of the supply determinations required to be made under section 347 (b) of the act, (1) the term "extra long staple cotton" refers to all American-Egyptian, Sea Island (in both the continental United States and Puerto Rico), and Sealand cotton, and to all similar type cotton imported from Egypt, Anglo-Egyptian Sudan, and Peru, and (2) the term "carry-over" does not include the stocks of extra long staple cotton acquired pursuant to, or under the authority of, the Strategic and Critical Materials Stockpiling Act.

In the event the Secretary determines that a national marketing quota for the 1957 crop of extra long staple cotton is required to be proclaimed pursuant to section 347 (b) of the act, such quota will be converted into a national acreage allotment in accordance with section 344 (a) of the act, which reads in pertinent part as follows:

Whenever a national marketing quota is proclaimed \* \* \* the Secretary shall determine and proclaim a national acreage allotment for the crop of cotton to be produced in the next calendar year. The national acreage allotment for cotton shall be that acreage, based upon the national average yield per acre of cotton for the 5 years immediately preceding the calendar year in which the national marketing quota is proclaimed, required to make available from such crop an amount of cotton equal to the national marketing quota.



It is expected that the regulations pertaining to the apportionment of the State acreage allotment among counties and farms will be substantially the same as the regulations issued with respect to the 1956 crop of extra long staple cotton, including amendments (20 F. R. 8621 and 8843). The 1957 regulations will prescribe no minimum limitations on the size of the acreages reserved by the State and county committees. The 1957 regulations will contain provisions implementing section 377 of the Agricultural Adjustment Act of 1938, as amended, which provides that a farm owner or operator may preserve the allotment for his farm by complying with certain provisions regarding notice to the county committee. In addition, the regulations for 1957 will implement section 106 (a) of the Agricultural Act of 1956, which provides, in effect, that in the establishment of 1957 farm acreage allotments, any acreage placed in the acreage reserve and conservation reserve programs for 1956 shall be credited to the farm as though such acreage had actually been devoted to the production of cotton in 1956, except that no such acreage credit shall be given to a farm for acreage al-

lotments reapportioned to it under the provisions of the Agricultural Adjustment Act of 1938, as amended, that have been placed in the acreage reserve program.

Section 343 of the act provides that not later than December 15 following the issuance of the proclamation of the national marketing quota provided for in section 347 of the act, the Secretary shall conduct a referendum, by secret ballot, of farmers engaged in the production of cotton in the calendar year in which the referendum is held, to determine whether such farmers are in favor of or opposed to the quota so proclaimed. If a quota is proclaimed for the 1957 crop of cotton, it is expected that the Secretary will fix the date of the referendum reasonably close to the final date of December 15, 1956, for holding it, in order to allow maximum time for establishing 1957 farm acreage allotments and issuing notices thereof to farmers. Section 362 of the act provides that notice of the farm acreage allotment established for each farm shown by the record of the county committee to be entitled to such allotment shall, insofar as practicable, be mailed to the farm operator in suffi-

cient time to be received prior to the date of the referendum.

Prior to making any of the foregoing determinations with respect to the national marketing quota, the national acreage allotment, the apportionment of the national acreage allotment to States and the State acreage allotments to counties, and the formulation of regulations for the measurement of farms and for the establishment of farm acreage allotments for the 1957 crop of extra long staple cotton, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Cotton Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C., within 30 days following the publication of this notice in the FEDERAL REGISTER. The date of the postmark will be considered as the date of any submission.

Done at Washington, D. C., this 30th day of August 1956.

[SEAL]

WALTER C. BERGER,  
Acting Administrator.

[F. R. Doc. 56-7126; Filed, Sept. 5, 1956; 8:48 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

[427.32]

#### LONG LENGTHS OF EXPANDING LINKS READILY SEPARABLE INTO WATCH BRACELETS

##### NOTICE OF PROSPECTIVE TARIFF CLASSIFICATION

AUGUST 31, 1956.

It appears that certain merchandise made of base metal consisting of expanding links, each about  $\frac{1}{2}$  inch long, in 10 or 11 link sections joined together with a short connecting link about  $\frac{1}{8}$  inch long, which can readily be snapped open, and imported in the piece in various lengths is properly classifiable under paragraph 1527 (c) (2), Tariff Act of 1930, as modified, as unfinished watch bracelets and dutiable at the rate of 55 percent ad valorem if valued over 20 cents but not over \$5 per dozen pieces or at the rate of 35 percent ad valorem if valued over \$5 per dozen pieces.

Pursuant to § 16.10a (d) of the Customs Regulations (19 CFR 16.10a (d)), notice is hereby given that the existing practice of classifying the merchandise described above under paragraph 1527 (d) of the tariff act, as modified, as materials of metal other than gold or platinum suitable for use in the manufacture of jewelry or articles to be carried on the person, such as watch bracelets, and dutiable at the rate of 40 percent ad valorem, is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct classification of this merchandise which are submitted to the Bureau of Customs, Washington 25, D. C.,

in writing. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice. No hearings will be held.

[SEAL]

D. B. STRUBINGER,  
Acting Commissioner of Customs.

[F. R. Doc. 56-7146; Filed, Sept. 5, 1956; 8:52 a. m.]

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### FLORIDA

##### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LAND

AUGUST 30, 1956.

The Fish and Wildlife Service, Department of the Interior, has filed application, Misc. 62646, for the withdrawal of the land described below, from all form of appropriation, including the mining and mineral leasing laws, subject to valid existing rights.

The applicant desires the land as an addition to the Key Deer Refuge.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

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 land involved in the application is:

##### MONROE COUNTY, FLORIDA

T. 66 S., R. 28 E., Tall Mer.,  
Sec. 27, lot 5 (Island), containing 0.59 acre.

H. K. SCHOLL,  
Acting Manager.

[F. R. Doc. 56-7104; Filed, Sept. 5, 1956; 8:45 a. m.]

#### Bureau of Reclamation

##### SHOSHONE EXTENSIONS UNIT, MISSOURI RIVER BASIN PROJECT, WYOMING

##### FIRST FORM RECLAMATION WITHDRAWAL

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004) I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by Section 3 of the Act of June 17, 1902 (32 Stat. 388):

##### SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 50 N., R. 98 W.,  
Sec. 6, lots 9, 10, 14, 15, and 16;  
Tract 85, lots S, U and V.  
T. 51 N., R. 98 W.,  
Sec. 1, lots 18, 16 and 25;  
Sec. 12, lots 1, 14, and 27;  
Sec. 20, lots 12, 21, and 22;  
Sec. 21, lot 18;  
Sec. 29, lots 4, 13, 18, 28, 29, and 30,  
SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 30, lots 16, 25 and 30;  
Sec. 31, lots 25, 26, 28, and 30;  
Sec. 32, lots 29 and 31;  
Tract 46, lots 2, 23, and 26;  
Tract 62, lots A to K, inclusive;  
Tract 63, lots B, D, F, H and I to T inclusive;



Tract 64, lots B, D, F, H and I to T inclusive;  
 Tract 65, lots A to H inclusive, and J to N, inclusive;  
 Tract 66, lots B, C, and D;  
 Tract 67, lots A to H inclusive, K, L, and M;  
 Tract 69, all;  
 Tract 70, lots B, D, F, H and I to T inclusive;  
 Tract 71, lots B, D, F, H and I to T inclusive;  
 Tract 72, all;  
 Tract 76, lots A to N inclusive;  
 Tract 77, all;  
 Tract 78, all;  
 Tract 79, lots B, D, F, H and I to T inclusive;  
 Tract 80, lots P, Q, R, S, V, W, X, and Y;  
 Tract 81, lots A to D, inclusive; G to N, inclusive, and Q to T, inclusive;  
 Tract 82, lots A to D, inclusive, G to N, inclusive, and Q to T, inclusive;  
 Tract 83, lots A to D, inclusive, G to N, inclusive, and Q to T, inclusive;  
 Tract 84, lots A to D, inclusive, G to N, inclusive, and Q to T, inclusive;  
 Tract 85, lots A to D, inclusive, G to N, inclusive, and R, T, and V;  
 Tract 86, lots A and B;  
 Tract 87, lot B;  
 Tract 90, all;  
 Tract 91, lots B and C;  
 Tract 95, lots H and I.  
 T. 52 N., R. 98 W.,  
 Tract 42, lots I to P, inclusive;  
 Tract 43, lots I to P, inclusive;  
 Tract 44, lots I to P, inclusive;  
 Tract 63, lots A, C, E, and G;  
 Tract 64, lots A, C, E, and G;  
 Tract 70, lots A, C, E, and G;  
 Tract 71, lots A, C, E, and G;  
 Tract 79, lots A, C, E, and G.  
 T. 50 N., R. 99 W.,  
 Sec. 9, all frac. (lots 16, 19, 20, 23, and 24, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ );  
 Sec. 10, lots 10, 12, 13, 33, and 36;  
 Sec. 16, lots 2, 3, 4, and 5;  
 Tract 72, lots A, B, G, and H;  
 Tract 73, all;  
 Tract 75, all;  
 Tract 76, all (including those lots of Tract in T. 51 N., R. 99 W.);  
 Tract 77, lots M and N;  
 Tract 87, lots N, P, R, and T;  
 Tract 88, lots R and P.  
 T. 51 N., R. 99 W.,  
 Tract 81, lots O and P;  
 Tract 82, lots E, F, O, and P;  
 Tract 83, lots E, F, O, and P;  
 Tract 84, lots E, F, O, and P;  
 Tract 46, lot P;  
 Tract 47, lots A, E, H, I, and L to P, inclusive;  
 Tract 48, lots I, J, O, and P;  
 Tract 58, lots I, O, and P;  
 Tracts 59, 60, 61, and 62;  
 Tracts 63, lots A, B, G, H, I, and P;  
 Tract 87, lots A to M, inclusive, and O, Q, and S;  
 Tract 88, lots A, H, I, J, O, and Q.

The above areas aggregate 20,622.81 acres.

E. G. NIELSEN,  
 Assistant Commissioner.

[71707]

AUGUST 30, 1956.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands shall be administered by the Bureau of Land Management until such time as they are needed for reclamation purposes.

EDWARD WOOLEY,  
 Bureau of Land Management.

# **Notice for Filing Objections To Order Withdrawing Public Lands for the Shoshone Extensions Unit, Missouri River Basin Project, Wyoming**

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Wyoming, for use in connection with the YU Bench Area, Shoshone Extensions Unit, Bighorn Basin Division, Missouri River Basin Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the objection is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

E. G. NIELSEN,  
 Assistant Commissioner.

[F. R. Doc. 56-7105; Filed, Sept. 5, 1956;  
 8:46 a. m.]

## **DEPARTMENT OF COMMERCE**

### **Federal Maritime Board**

GRACE LINE, INC. and GULF and SOUTH  
 AMERICAN STEAMSHIP CO., INC.

### **NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL**

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

Agreement No. 7657-1, between Grace Line, Inc. and Gulf and South American Steamship Co., Inc., modifies approved Agreement No. 7657 covering the interchange of passengers on services by Grace Line between U. S. Atlantic ports and ports of Panama Canal Zone and West Coast of South America and by Gulf and South American Steamship Co. between U. S. Gulf ports and ports of the Panama Canal Zone and West Coast of South America. The purpose of the modification is to extend the scope of the agreement to include the interchange of passengers on services by Grace Line between Pacific ports of the United States, Mexico, Central America and ports of the Panama Canal Zone and West Coast of South America and to exclude the trade between U. S. Gulf ports and ports of the Panama Canal from the services covered by Gulf and South American Steamship Co. under the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may sub-

mit, within 20 days after publication of this notice in the FEDERAL REGISTER written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 31, 1956.

[SEAL] A. J. WILLIAMS,  
 Secretary.

[F. R. Doc. 56-7127; Filed, Sept. 5, 1956;  
 8:48 a. m.]

### **FARRELL SHIPPING CO., INC. ET AL.**

### **NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL**

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

- (1) Agreement No. 8116 between Farrell Shipping Co., Inc., New Orleans, Louisiana, and Atlantic Forwarding Co., Inc., New York, New York;
- (2) Agreement No. 8118 between Farrell Shipping Co., Inc. and Godwin Shipping Co., Inc., Mobile, Alabama;
- (3) Agreement No. 8119 between Farrell Shipping Co., Inc. and H. S. Thielen, Lake Charles, Louisiana.

The foregoing agreements are cooperative working arrangements under which the parties perform freight forwarding services for each other.

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

Dated: August 31, 1956.

[SEAL] A. J. WILLIAMS,  
 Secretary.

[F. R. Doc. 56-7128; Filed, Sept. 5, 1956;  
 8:48 a. m.]

### **Office of the Secretary**

[Dept. Order 46 (Amended)]

DIRECTOR OF OFFICE OF ADMINISTRATIVE  
 OPERATIONS AND HEADS OF CERTAIN PRIMA  
 RY ORGANIZATION UNITS

### **DELEGATION OF CONTRACTING AUTHORITY**

The material appearing in 19 F. R. 1730-31 of March 30, 1954 is superseded by the following:

SECTION 1. *Purpose.* The purpose of this order is to delegate contracting authority within the Department of Commerce and to prescribe conditions in the exercise of such authority.

SEC. 2. *Delegation.* .01 Pursuant to the provisions of section 161 R. S. (5 U. S. C. 22), and Reorganization Plan



[Dept. Order 164]

## OFFICE OF AREA DEVELOPMENT

## ORGANIZATION AND FUNCTIONS

Section 6 (e) of Department Order No. 152, amendment No. 2, appearing in 20 F. R. 6263-6264 of August 26, 1955, is superseded by the following:

**SECTION 1. Purpose.** The purpose of this order is to establish the Office of Area Development as a primary organization unit of the Department of Commerce, and to prescribe its organization and functions.

**SEC. 2. Establishment and organization.** .01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950, there is hereby established as a primary organization unit of the Department of Commerce the Office of Area Development. The Office of Area Development shall be headed by a Director who shall report to the Assistant Secretary of Commerce for Domestic Affairs.

.02 The Office of Area Development shall consist of the following organization units:

- (1) Office of the Director, Deputy Director, Assistant to the Director, Public Information Officer, Administrative Officer.
- (2) State and Community Assistance Division.
- (3) Resources Analysis Division.
- (4) Products Expansion Division.
- (5) Industrial Location Division.

**SEC. 3. Delegation of authority.** .01 Subject to such policies and limitations as the Secretary of Commerce may prescribe, the Director, Office of Area Development, shall perform those functions and exercise the authorities vested in the Secretary of Commerce under the Act of February 14, 1903 (32 Stat. 826) with reference to promoting the growth of the domestic commerce of the United States by assisting in the development of the industrial potential of areas and communities of the United States.

.02 The Director may redelegate the authorities granted herein to offices or employees of the Office of Area Development as he may select to be exercised in accordance with such conditions and limitations as he may prescribe.

**SEC. 4. Objective.** The principal goal of the Office of Area Development is the improvement of economic and business conditions by furnishing technical assistance directed to (1) expanding and strengthening existing industry, (2) developing new industries based on local resources, and (3) improving community assets for economic growth.

**SEC. 5. Duties and responsibilities.** .01 The Director shall be responsible for developing and coordinating the programs and directing all operations and administrative activities of the Office of Area Development. He shall be assisted by the following officers whose functions are described below:

(1) The Deputy Director who shall be the chief operating aide to the Director and assist in the direction of operations of the office. He shall also perform such other duties as the Director may assign;

(2) The Assistant to the Director, under the general direction of the Director and Deputy Director, shall collaborate in planning and coordinate operations under the assistance programs developed and carried out by the office. In addition, he shall assist in establishing working relations with other Federal, State, and local organizations contributing to the program;

(3) The Public Information Officer shall act as advisor to the Director on informational aspects of the office's programs and services. In collaboration with the operating units of the office, he prepares visual and other educational materials on development programs for use in the field. In addition, he shall conduct regional meetings, in cooperation with Commerce Field Offices, to inform the public, local dispersion committees, and others of changes in dispersion criteria.

(4) The Administrative Officer shall perform the budget, personnel and other administrative functions of the office. In so doing, he shall utilize the services of appropriate staff offices of the Office of the Secretary.

.02 The State and Community Assistance Division shall provide technical assistance and field consultation to State and local groups who request guidance in organizing and carrying out economic development programs. It will be responsible for mobilizing at the local community level the technical resources and services of the Office and Federal Government to make the most effective contribution to the problems of specific areas. Specifically, the Division:

(1) Provides on-the-spot technical area development assistance to organized State and local development groups;

(2) Guides local groups to take advantage of the successful development experiences of other communities;

(3) Assists local groups to plan and undertake area surveys and to fully use Federal programs already available;

(4) Assists local groups in identifying those growth industries most suited to local resources (in collaboration with Resource Analysis Division);

(5) Maintains close liaison with all Federal departments having information and programs useful in area and community development;

(6) Prepares general technical development aids necessary to counseling activities on such subjects as available Federal programs helpful to community development and checklists of community action;

(7) In cooperation with State Planning and Development Agencies helps organize and assists local small industry committees to increase nonfarm job opportunities and income levels in rural areas through identification of small industry possibilities and methods of developing them.

.03 The Resources Analysis Division shall conduct research on the various possible uses for the resources of areas, industrial location advantages of areas, industrial growth trends, successful community experiences, and other resource and development matters useful to area development. Besides the continuing research on subjects of use to all areas, the

No. 5 of 1950, the Director of the Office of Administrative Operations for those primary organization units served by that office (which include the Office of the Secretary, Office of Business Economics, Business and Defense Services Administration and the Bureau of Foreign Commerce) and the head of each other primary organization unit of the Department of Commerce are hereby authorized, subject to provisions of this order and applicable laws and regulations, to approve and execute:

(1) Advertised contracts and accompanying bonds, including annual bid bonds;

(2) Any contract which is supplemental to an advertised contract; and

(3) Negotiated contracts and accompanying bonds, including annual bid bonds, or any contract supplemental thereto. (For the purpose of this order, a negotiated contract is one entered into without advertising, whether or not it falls within any of the exceptions mentioned in R. S. 3709 (41 U. S. C. 5).)

.02 Any contract and supplement thereto and amendments thereof for services by a management or any other consulting firm shall be approved by the Assistant Secretary of Commerce for Administration, regardless of amount, prior to execution.

.03 The authority delegated by section 2.01 of this order shall not include authority to execute negotiated contracts under Executive Order No. 10210 of February 2, 1951.

.04 The Director of the Office of Administrative Operations and the heads of primary organization units may redelegate the authority granted herein and may impose such additional conditions and limitations as they deem necessary.

**SEC. 3. Responsibility of prospective contractors.** .01 Prior to the award of any contract, contracting officers shall consider whether the prospective contractor satisfies the following requirements:

(1) Qualifies as a supplier, as defined in General Services Administration Regulations;

(2) Has adequate financial resources, or has the ability to secure such resources;

(3) Has the necessary experience, organization, technical qualifications, and facilities, including subcontractor arrangements, to perform the proposed contract;

(4) Can comply with delivery schedule;

(5) Has a satisfactory record for performance, integrity, judgment, and skills; and

(6) Is otherwise qualified and eligible under applicable laws and regulations.

.02 In addition to the application of the criteria set forth above, contracting officers shall make such additional inquiries as may be indicated by the proposed terms of individual contracts.

Effective date: August 10, 1956.

SINCLAIR WEEKS,  
Secretary of Commerce.

[P. R. Doc. 56-7159; Filed, Sept. 5, 1956; 8:54 a. m.]



Division will do research on specific areas at the request of, and in cooperation with, the State and Community Assistance Division. Specifically, the Division:

(1) Analyzes the industrial location advantages of labor surplus areas and identifies the types of industrial potentially suited to those areas;

(2) Reports on industrial location trends and the location requirements of growth industries;

(3) Prepares and publishes area economic trend studies showing which areas are lagging behind national growth rates and those exceeding these rates;

(4) Collects information on successful community programs for economic development throughout the nation as guides for other communities to follow;

(5) Reports on successful community efforts to use neglected resources to create more jobs;

(6) Acts as clearing house for State and local groups and labor surplus areas on Federal data, programs and information through periodical bulletins, national conferences, visual displays and other means;

(7) Keeps available for use of the office, regional and business groups, specialized statistical information on regional and local areas.

.04 The Products Expansion Division plans, develops, and administers programs of assistance to States, communities, and private area development organizations by stimulating research in and the use of the latest technology on new products and methods especially suitable for helping to strengthen or establish local industries in areas of labor surplus, one-industry communities, and other areas needing diversification. Specifically, the Division:

(1) Assists State, local and private area development organizations in locating, organizing, screening and utilizing new technology which may have possibilities for the areas to be assisted;

(2) Serves as the focal point and clearing house in the Federal Government through which the State and local area development groups may be put in touch with the many Federal agencies who can assist in the development and administration of technological programs designed to stimulate the starting of new business or expansion of existing businesses;

(3) Organizes and coordinates cooperative participation by the Federal Government in locally sponsored technological exhibits and procurement clinics for fostering area development;

(4) Advises and assists local area groups in the development of exhibits to bring new technology into the area;

(5) Reports on methods and experiences of community and area organizations in the field of expanding local employment through product diversification and improvement measures.

.05 The Industries Location Division provides a clearing house of technical and advisory services on industrial location problems for local groups, manufacturers and others. This service includes advice on how to plan and conduct industrial site surveys; information on those critical factors governing industrial location; a catalog of locational

data on regions, States, and metropolitan areas; assistance to defense manufacturers in determining the dispersion adequacy of specific sites under the National Industrial Dispersion Program; advice on industrial zoning problems and on the development of planned industrial parks. Specifically, the Division:

(1) Advises on the specific location problems of individual manufacturers and businesses bringing together all applicable government and other data for the purpose as well as data and policies on labor surplus areas;

(2) Prepares technical data and publications of use to community and other groups in planning, financing, and developing planned industrial parks. Upon request, renders on-the-spot technical assistance and guidance in preparing industrial park layout plans and in other area development techniques;

(3) Provides a one-stop service for manufacturers, for the 100 local citizen industrial dispersion committees (voluntarily formed) and others to determine whether specific sites conform to the standards of the National Industrial Dispersion Program, as determined by Office of Defense Mobilization;

(4) Provides technical assistance on industrial dispersion survey preparation and on designation of potential target areas; reviews and certifies local area dispersion reports; and maintains for military, civil defense, and general governmental use a central file of urban area dispersion maps and data developed by the local committees;

(5) Maintains liaison with the Federal Civil Defense Administration in connection with protective construction and reduction of urban vulnerability program; with the Department of Defense with respect to data on major military installations and key facilities; and with the Office of Defense Mobilization on policies, standards and the Program of the Regional Defense Mobilization Committees.

Sec. 6. *Transfer provisions.* The Assistant Secretary for Administration shall arrange for the transfer, which is hereby authorized, of the personnel, funds, records, and equipment now assigned or allocated to the Office of Area Development, Business and Defense Services Administration, to the Office of Area Development created by this order.

Effective date: August 10, 1956.

SINCLAIR WEEKS,  
Secretary of Commerce.

[F. R. Doc. 56-7160; Filed, Sept. 5, 1956;  
8:54 a. m.]

[Dept. Order 85 (Amended), Amdt. 1]

#### CENSUS BUREAU ORGANIZATIONS AND FUNCTIONS

The material appearing in 20 F. R. 492-494 of January 1, 1955, is amended by the following:

The purpose of this amendment is to (1) provide authorization for the transfer of certain processing operations from the Business, Foreign Trade, and Industries Divisions into the Economic Opera-

tions Division established by this amendment (when the transfer is completed, the functional statements of the affected divisions will be amended to reflect the change), and (2) divide the functions of the Population and Housing Division between the newly created Housing and Population Divisions so as to recognize the current level of importance of the housing area and facilitate program execution. Accordingly, Department Order No. 85 (Amended) of January 1, 1955, is amended as follows:

(1) Subsection 6 of section 5.03 is changed to read as follows:

Economic Operations Division formulates processing plans and procedures and processes statistical data relating to the Censuses of Business, Manufacturers, Transportation, and Mineral Industries and, as required, for the current programs comprising these economic fields and Foreign Trade, and maintains a system of reports to assure adherence to stipulated standards of quality, cost, and progress.

(2) Subsection 2 of section 5.04 is changed to read as follows:

Population Division plans for, compiles, analyzes, and prepares for dissemination statistical data relating to the demographic, social, and economic characteristics of the people of the United States; and conducts special statistical surveys in these areas.

(3) Section 5.04 is expanded to include a subsection 3 which reads as follows:

Housing Division plans for, compiles, analyzes, and prepares for dissemination statistical data relating to housing, including equipment, quality, financial characteristics, and the like, and conducts special statistical surveys in these areas.

(4) All references in the order to the Census Operations Division and the Population and Housing Division should be changed accordingly.

Effective date: July 1, 1956.

SINCLAIR WEEKS,  
Secretary of Commerce.

[F. R. Doc. 56-7161; Filed, Sept. 5, 1956;  
8:54 a. m.]

RICHARD V. FORD

#### REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

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

#### Report of Appointment

1. Name of appointee: Mr. Richard V. Ford.

2. Employing agency: Department of Commerce, Business and Defense Services Administration.

3. Date of appointment: August 24, 1956.

4. Title of position: Director, Water and Sewerage Industry and Utilities Division.



5. Name of private employer: The Ford Meter Box Company, Inc., Wabash, Indiana.

CARLTON HAYWARD,  
Director of Personnel.

AUGUST 21, 1956.

#### Statement of Financial Interests

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

The Ford Meter Box Co., Inc.  
Ford Brothers Building Fund  
(a partnership).  
Atlantic City Electric Co.  
General Water Works Corporation.  
Bank Deposits.  
American Water Works Corporation.  
Loomis Sayles Mutual Fund.  
Scudder-Stevens & Clark Common Stock Fund.  
Massachusetts Investment Trust.

RICHARD V. FORD.

AUGUST 29, 1956.

[F. R. Doc. 56-7140; Filed, Sept. 5, 1956;  
8:50 a. m.]

MARGUERITE M. SAUERS

#### STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of April 3, 1956, 21 F. R. 2130.

A. Deletions: None.  
B. Additions: None.

This statement is made as of August 29, 1956.

Dated: August 29, 1956.

MARGUERITE M. SAUERS.

[F. R. Doc. 56-7141; Filed, Sept. 5, 1956;  
8:50 a. m.]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Office of Vocational Rehabilitation

##### PROMULGATION OF STATE ALLOTMENT PERCENTAGES

Pursuant to section 11 (h) of the Vocational Rehabilitation Act (68 Stat. 661), and it having been found that the three most recent consecutive years for which satisfactory data are available from the Department of Commerce as to

the per capita incomes of the States and of the continental United States are the years 1953, 1954 and 1955, the following allotment percentages for the several States, Alaska, the District of Columbia, Hawaii, the Virgin Islands, Puerto Rico, and Guam, as determined pursuant to said act and on the basis of said income data, are hereby promulgated to be conclusive for each of the two fiscal years in the period beginning July 1, 1957:

Alabama	69.31	New Mexico	60.89
Arizona	55.71	New York	39.17
Arkansas	71.90	North Caro-	
California	38.57	lina	66.92
Colorado	51.99	North Dakota	64.87
Connecticut	33.33	Ohio	44.09
Delaware	33.33	Oklahoma	59.18
Florida	55.70	Oregon	49.95
Georgia	64.87	Pennsylvania	48.13
Idaho	59.38	Rhode Island	46.91
Illinois	38.87	South Caro-	
Indiana	48.07	lina	69.50
Iowa	55.65	South Dakota	63.75
Kansas	53.96	Tennessee	65.98
Kentucky	66.11	Texas	56.16
Louisiana	63.67	Utah	57.56
Maine	58.40	Vermont	59.19
Maryland	45.15	Virginia	58.36
Massachusetts	44.31	Washington	45.19
Michigan	42.09	West Virginia	65.00
Minnesota	53.83	Wisconsin	51.36
Mississippi	75.00	Wyoming	49.90
Missouri	51.55	Alaska	75.00
Montana	50.34	District of	
Nebraska	55.91	Columbia	37.45
Nevada	33.56	Guam	75.00
New Hamp-		Hawaii	50.00
shire	54.39	Puerto Rico	75.00
New Jersey	37.41	Virgin Islands	75.00

Dated: August 31, 1956.

[SEAL]

HEROLD C. HUNT,  
Acting Secretary.

[F. R. Doc. 56-7139; Filed, Sept. 5, 1956;  
8:50 a. m.]

#### ATOMIC ENERGY COMMISSION

[Docket No. F-28]

AMF ATOMICS, INC.

##### NOTICE OF APPLICATION FOR UTILIZATION FACILITY EXPORT LICENSE

Please take notice that on August 20, 1956 AMF Atomics, Inc., 261 Madison Avenue, New York, New York, filed an application under section 104d of the Atomic Energy Act of 1954 for a license to export a "swimming pool" type nuclear reactor, designed to operate at one (1) megawatt, to the Laboratorium für Technische Physik der Technischen Hochschule München, Munich, Federal Republic of Germany. A copy of the application is available for public inspection in the Commission's Public Document Room located at 1717 H Street NW., Washington, D. C.

Dated at Washington, D. C. this 31st day of August 1956.

For the Atomic Energy Commission.

FRANK K. PITTMAN,  
Acting Director,  
Division of Civilian Application.

[F. R. Doc. 56-7147; Filed, Sept. 5, 1956;  
8:52 a. m.]

[Docket No. F-31]

#### ATOMICS INTERNATIONAL, A DIVISION OF NORTH AMERICAN AVIATION

##### NOTICE OF APPLICATION FOR LICENSE TO MANUFACTURE, POSSESS AND TRANSFER FOR EXPORT A UTILIZATION FACILITY

Please take notice that on August 27, 1956 Atomics International, a Division of North American Aviation, Canoga Park, California, filed an application under section 104c of the Atomic Energy Act of 1954 for a license to construct and possess a homogeneous solution type nuclear reactor designed to operate at 50 kilowatts and to transfer said reactor to Marubeni-Iida Co. (New York), Inc., 39 Broadway, New York City, for export to The Japan Atomic Energy Research Institution, Tokyo, Japan.

Dated at Washington, D. C., this 31st day of August 1956.

For the Atomic Energy Commission.

FRANK K. PITTMAN,  
Acting Director,  
Division of Civilian Application.

[F. R. Doc. 56-7148; Filed, Sept. 5, 1956;  
8:52 a. m.]

#### FEDERAL CIVIL DEFENSE ADMINISTRATION

[FCDA Delegation 5]

##### SECRETARY OF HEALTH, EDUCATION, AND WELFARE

##### DELEGATION OF CERTAIN RESPONSIBILITIES FOR CONDUCT OF PROGRAM OF DONATION OF FEDERAL SURPLUS PERSONAL PROPERTY FOR CIVIL DEFENSE PURPOSES

By virtue of the authority vested in me by section 201 (b) of the Federal Civil Defense Act of 1950 (64 Stat. 1248), and in the interest of the development of the National Civil Defense Program contemplated by the said act, including the operation of a program for the donation of Federal surplus personal property to State and local Civil Defense organizations, established by or pursuant to State law, and in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended by Public Law 655, 84th Congress (70 Stat. 493), I hereby delegate to the Secretary of Health, Education, and Welfare, to be administered in conjunction with the donation of the Federal Surplus Property Program for public health and educational purposes (including research), the following-described responsibilities for the conduct of a program of donation of Federal surplus personal property for civil defense purposes (including research):

1. The promulgation and issuance, upon approval of the Federal Civil Defense Administrator, of minimum standards of operations for State agencies for the acquiring, warehousing, use and transfer of Federal surplus personal property for civil defense purposes.

2. The issuance of regulations, in accordance with the criteria developed by the Federal Civil Defense Administrator,



governing the program for the donation of property for civil defense purposes.

3. The development and issuance of forms and procedures to be utilized in freezing, allocating, requesting, distributing, and retransferring donable surplus personal property for civil defense purposes.

4. The maintaining of liaison, directly with and through State agencies with all Federal installations, for the purpose of locating, inspecting, screening, and freezing reported and non-reported Federal surplus personal property usable and necessary for civil defense purposes.

5. The maintaining of liaison with GSA Regional Offices for the purpose of inspecting, screening, and freezing reported Federal surplus personal property usable and necessary for civil defense purposes.

6. The maintaining of liaison with Headquarters offices of the Executive Branch, and with other Federal agencies, for the purpose of coordinating policy and resolving problems or difficulties encountered in connection with the donation of Federal surplus personal property for civil defense purposes.

7. The allocation in conformance with criteria developed by the Federal Civil Defense Administrator, and based upon state certification of need and usability for civil defense purposes, of Federal surplus personal property.

8. The processing of applications for surplus personal property for civil defense purposes, based upon certification of the State Agency for Surplus Property and under regulations issued by FCDA concerning need and usability of such property for civil defense purposes; and the development of forms of application to incorporate conditions regulating donations for civil defense purposes, and the routing and distribution of these forms.

9. The maintaining of liaison with holding agencies and the General Services Administration for the purpose of assuring prompt removal of property approved for donations, reporting shortages, overages, and resolving difficulties encountered.

10. The inspection of State agency warehouses to insure that property is promptly distributed to eligible civil defense claimants consistent with policies mutually developed by and agreeable to the Federal Civil Defense Administrator and the Secretary of Health, Education, and Welfare.

**General provisions.** In carrying out his responsibilities hereunder, the Secretary of Health, Education, and Welfare

(1) shall report to the Federal Civil Defense Administrator any failure or breach of condition of any donation by State or local civil defense organizations, (2) shall submit such other reports to the Federal Civil Defense Administrator as he may request, and (3) shall be guided and governed by regulations issued by the Federal Civil Defense Administrator and by the following-described functions of the Administrator:

1. The determination of the general classifications of property usable and necessary for civil defense purposes, and needed by State and local civil defense organizations.

2. The establishing of general criteria for determining need and usability of the common use items of a type not included in classifications established in paragraph 1 above, but which can be effectively utilized for civil defense purposes.

3. The establishing of criteria for allocation between FCDA Regions and between States by specific reference to classes of property.

4. The promulgation of regulations governing the care and use of property donated to State and local civil defense organizations for civil defense purposes.

5. The compliance by civil defense organizations with the terms and conditions of the transfer instrument and the promulgation of regulations governing property transferred to State and local civil defense organizations for civil defense purposes.

6. The policies to be observed in the conduct of the civil defense donation program.

The provisions hereof shall become effective upon the date of approval by the President.

Dated: July 27, 1956.

VAL PETERSON,  
Federal Civil Defense Administrator.

Approved: September 1, 1956.

DWIGHT D. EISENHOWER  
[F. R. Doc. 56-7168; Filed, Sept. 5, 1956;  
8:54 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11776; FCC 56 M-790]

LEO JOSEPH THERIOT (KLFT)

ORDER CONTINUING HEARING

In re application of Leo Joseph Theriot (KLFT), Golden Meadow, Louisiana; Docket No. 11776, File No. BP-10482; for construction permit.

It is ordered, This 30th day of August 1956, on the Hearing Examiner's own motion, that the pre-hearing conference and the hearing presently scheduled herein for September 7, 1956, and September 19, 1956, respectively, be, and the same are hereby, continued without date.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] DEE W. PINCOCK,  
Acting Secretary.

[F. R. Doc. 56-7150; Filed, Sept. 5, 1956;  
8:52 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-10988]

RANCHO OIL CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Rancho Oil Company (Applicant), on July 31, 1956, tendered for filing proposed changes in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed changes which constitute increased rates are contained in the following designated filings which are proposed to become effective on the dates shown:

*Description, Purchaser, Rate Schedule Designation and Effective Date:*

Supplemental Agreement dated Apr. 15, 1955; Texas Illinois Natural Gas Pipeline Company; Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 1; Sept. 1, 1956. Notice of Change (undated); Texas Illinois Natural Gas Pipeline Company; Supplement No. 2 to Applicant's FPC Gas Rate Schedule No. 1; Sept. 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Part 1), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and the same hereby are suspended and the use thereof deferred until February 1, 1957, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by this Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: August 30, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7106; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-10989]

GEM OIL CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Gem Oil Company (Applicant), on July 31, 1956, tendered for filing proposed changes in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant, if later.



are contained in the following designated filings which are proposed to become effective on the date shown.

*Description, Purchaser, Rate Schedule Designation, and Effective Date*

Supplemental Agreement dated Apr. 15, 1955; Texas Illinois Natural Gas Pipeline Company; Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 1; Sept. 1, 1956.

Notice of Change (undated); Texas Illinois Natural Gas Pipeline Company; Supplement No. 2 to Applicant's FPC Gas Rate Schedule No. 1; Sept. 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Part 1), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and the same hereby are suspended and the use thereof deferred until February 1, 1957, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: August 30, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7107; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-9545]

UNION OIL AND GAS CORPORATION OF  
LOUISIANA

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 30, 1956.

Take notice that Union Oil and Gas

<sup>1</sup>The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant, if later.

Corporation of Louisiana (Applicant), a Delaware corporation with principal place of business at Houston Club Building, Houston 2, Texas, filed, on October 24, 1955, an application for permission to abandon service, pursuant to section 7 (b) of the Natural Gas Act, authorizing Applicant to terminate service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to abandon the sale<sup>1</sup> of natural gas in interstate commerce from production of its Aubrey No. 1 well, Hildebrandt's Bayou Field, Jefferson County, Texas, to Texas Gas Pipe Line Corporation for resale.

In support thereof, Applicant states that the well has ceased producing gas because of salt water encroachment; that pursuant to the requirements of the Texas Railroad Commission, Applicant has plugged the well with cement against the formation and the casing and tubing has been cut and pulled out of the hole; and that the well has been physically and permanently abandoned as a result thereof.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, October 9, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 24, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7108; Filed, Sept. 5, 1956;  
8:46 a. m.]

<sup>1</sup>The Commission authorized this sale by Applicant under its former corporate name of Union Sulphur and Oil Corporation on December 29, 1954 in Docket No. G-3637.

[Docket No. G-10083]

TEXAS CO.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 30, 1956.

Take notice that The Texas Company (Applicant), a Delaware corporation with principal place of business at P. O. Box 2332, Houston 1, Texas, filed, on March 12, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of its interests in the Anderson-Shrier, Geo. Gano, Garden City "B" and "C", Lee Kisner, Kisner "A" and "B", Meeker, W. Ulrich, W. Ulrich "B" and the O. J. Walters gas units, Hugoton Gas Field, Finney County, Kansas, to Northern Natural Gas Company for resale.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, October 9, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of §§ 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 24, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7109; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket Nos. G-10207, G-10208]

BELCO PETROLEUM CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 30, 1956.

In the matters of Belco Petroleum Corporation and David C. Bintliff, Docket



No. G-10207; Belfer Natural Gas Company, Docket No. G-10208.

Take notice that Belco Petroleum Corporation (Belco), a Delaware corporation with principal place of business at Box 302, Big Piney, Wyoming, and David C. Bintliff (Bintliff), an individual with office address at 812 Rusk Avenue, Houston, Texas, filed in Docket No. G-10207, on April 5, 1956 as amended June 29, 1956, a joint application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act (Act), authorizing Belco and Bintliff to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Concurrently therewith Belfer Natural Gas Company (Belfer), a general partnership consisting of Arthur B. Belfer, Rachel Belfer, Selma Ruben, Lawrence Ruben, Anita Saltz, Jack Saltz, and A. B. Belfer as Trustee for Robert Belfer, with principal place of business at P. O. Box 302, Big Piney, Wyoming, filed in Docket No. G-10208, on April 5, 1956 as amended June 29, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the act, authorizing Belfer to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Belco, Bintliff and Belfer respectively, hereinafter separately and collectively referred to as Applicant, propose to sell natural gas in interstate commerce from production of their respective interests in certain acreages in the Big Piney Area, Sublette County, Wyoming, to Pacific Northwest Pipeline Corporation for resale.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, October 9, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 24, 1956. Failure of any

party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7110; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-10647]

GEORGE S. HAMMONDS

# NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 30, 1956.

Take notice that George S. Hammonds (Applicant), a Texas limited partnership with principal place of business at Fidelity Union Life Building, Dallas, Texas, filed, on June 26, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of the 746 acre Robbins Lease, Puckett Field, Pecos County, Texas, to Permian Basin Pipeline Company for resale.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, October 9, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 24, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7111; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-9821]

TEXAS EASTERN TRANSMISSION CORP.

# NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 29, 1956.

Take notice that Texas Eastern Transmission Corporation (Applicant), having its principal place of business at Shreveport, Louisiana, filed an application on December 27, 1955, and amended on April 20, 1956, for a certificate of public convenience and necessity authorizing Applicant to construct and operate certain facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application which is on file with the Commission and open for public inspection.

Applicant proposes to construct and operate in its original application two 2-inch main line taps and appurtenances to receive gas produced by Egypt Gas and Gasoline Corporation (Egypt) and Jade Oil and Gas Company (Jade) from the El Dorado Field, Saline County, Illinois.

On April 20, 1956, Applicant filed an amendment to its original certificate application at Docket No. G-9821. Said amendment requests that authorizations for the construction and operation of such proposed facilities necessary to receive gas from Egypt be deleted from the original application.

In support of the above request, Applicant states that the precedent agreement dated July 26, 1955, between Applicant and Egypt covering the purchase of gas from the El Dorado Field was terminated by written agreement between the parties on March 19, 1956, because certain conditions stipulated therein had not been accomplished and consequently no contract or agreement exists between Applicant and Egypt.

Applicant estimates such facilities will cost approximately \$550.00 which will be financed from its corporate funds and said gas will be used to supplement its existing supplies.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 2, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Com-



mission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7112; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-9840]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1956.

Take notice that on January 3, 1956, Texas Eastern Transmission Corporation (Texas Eastern), having its principal place of business at Shreveport, Louisiana, filed at Docket No. G-9840 an application for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application which is on file with the Commission and open for public inspection.

Texas Eastern seeks authorization to construct and operate a 2-inch tap and appurtenant facilities at approximate mile post 5.42 on its 20-inch Baytown-Hankamer transmission line. This proposed tap will receive gas from Freedom Minerals, Inc. (Freedom) produced in the Walla-Boyt Field, Chambers County, Texas.

Texas Eastern states that the estimated total cost of the proposed facilities is \$675 which is to be financed from corporate funds.

On November 10, 1955, Freedom filed at Docket No. G-9645, an application for a certificate of public convenience and necessity covering the sale of gas to Texas Eastern from the Walla-Boyt Field, Chambers County, Texas, and said certificate was issued February 28, 1956.

Texas Eastern also states that it will transport the gas received from Freedom commingled with its other gas supplies for sale in other states.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 2, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of

§ 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7113; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-10627]

WILCOX TREND GATHERING SYSTEM, INC.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1956.

Take notice that on June 21, 1956, Wilcox Trend Gathering System, Inc. (Applicant), filed at Docket No. G-10627 an application for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application which is on file with the Commission and open for public inspection.

Applicant seeks authorization to construct and operate approximately 6.82 miles of 3½-inch O. D. supply lateral pipeline to extend southeasterly from a point in the Warmley Area, DeWitt County, Texas, to a point of connection with Applicant's existing 14-inch main transmission line in Gollad County, Texas; together with a meter station, a 2-inch main line tap and appurtenant equipment.

Applicant states that these proposed facilities will receive gas produced in the Warmley Area by Tidewater Oil Company (Tidewater). The estimated total capital cost of the proposed facilities is approximately \$84,599. The cost is to be financed from company funds.

Applicant further states that Tidewater was authorized at Docket No. G-3721 to sell gas from the Warmley Area to Texas Eastern Transmission Corporation (Texas Eastern) assignee of Applicant.

Applicant alleges that it will transport the gas received from Tidewater for redelivery to Texas Eastern at Provident City, Texas, and that Texas Eastern will transport such gas in interstate commerce for resale. It was authorized to build facilities to enable it to take gas from Applicant in Docket No. G-1947.

Estimated salable gas reserves as of January 1, 1956 dedicated to Applicant by Tidewater in the Warmley Area are estimated by Applicant as totaling 7,041 Mcf at 14.73 psia.

Applicant further alleges that the gas reserves involved herein were investigated and found adequate in the proceedings in Docket No. G-1959.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 1, 1956, at 9:35 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7114; Filed, Sept. 5, 1956;  
8:46 a. m.]

RYCADE OIL CORP. ET AL.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1956.

In the matters of Rycade Oil Corporation,<sup>1</sup> Docket No. G-3244; Humble Oil & Refining Company, Dockets Nos. G-5145 and G-8523; Byrd Oil Corporation, Succession of Ed E. Hurley, Deceased, Docket No. G-8542; Humble Oil & Refining Company, Docket No. G-8543; The TXL Oil Corporation, Docket No. G-8892; Midstates Oil Corporation, Docket No. G-8983; Isabel M. Fennup, Docket No. G-9105; John B. Hawley, Jr., Docket No. G-9143; W. A. Clark, Jr., Docket No. G-9246; Schermerhorn Oil Corporation, Kenwood Oil Company, J. Hiram Moore, Docket No. G-9371; Michaelis Drilling Company, Docket No. G-9388; L. M. Lockhart, Docket No. G-9474; Michel T. Halbouty, Docket No. G-9503; Hanley Company, Docket No. G-9531; The Chicago Corporation, Dockets Nos. G-9534 and G-9535; Michaelis Drilling Company, Dockets Nos. G-9618 and G-9637; Kerr-McGee Oil Industries, Inc., Dockets Nos. G-9652, G-9653, G-9654, G-9656,

<sup>1</sup> Substituted for G. V. Lyman as party seller.



G-9657, G-9658, G-9659, G-9660, G-9676, G-9677, and G-9678; The Texas Company, Dockets Nos. G-9691 and G-9705; Robey C. Knight, Docket No. G-9725; Michaelis Drilling Company, Dockets Nos. G-9751 and G-9752; Storm, Hagy & Herrmann, Docket No. G-9764; Kerr-McGee Oil Industries, Inc., Docket No. G-9817; Nay Mining Company, Docket No. G-9836; Kerr-McGee Oil Industries, Inc., Clark M. Clifford, Docket No. G-9841; John D. Todd, Docket No. G-9848; Maurice A. Machris, Docket No. G-9852; J. C. Trahan, Drilling Contractor, Inc., Docket No. G-9856; Columbian Fuel Corporation, Docket No. G-9864; Southwest Natural Production Company, Docket No. G-9865; Marvin E. Pollard, Docket No. G-9868; Tide Water Oil Company,\* W. J. Hunter, Docket No. G-9882; Frank C. Roper, Docket No. G-9918; Skelly Oil Company, Docket No. G-9920; Gilbert S. Johnson, Docket No. G-9921; Norton F. Wilson, Docket No. G-9922; E. J. Athens, Docket No. G-9939; United Producing Company, Inc., Docket No. G-9947; Carnegie Natural Gas Company, Docket No. G-9959; Hilty & Richards Drilling Co., Docket No. G-9969; T. J. White, Jr., Docket No. G-9975; E. A. Culbertson and Wallace W. Irwin, Docket No. G-9976; Phillips Petroleum Company, Docket No. G-9988; Amerada Petroleum Corporation, Docket No. G-9990; Aylward Drilling Company, Docket No. G-9995; Jim McMurray and B. F. Phillips, Docket No. G-9998; Edwin L. Cox, Docket No. G-10002; W. E. Bakke, Docket No. G-10003; Amerada Petroleum Corporation, Docket No. G-10006; Spencer Oil & Gas Co., Docket No. G-10007; Hunt Oil Company, Docket No. G-10009; Hassie Hunt Trust, Docket No. G-10010; Coastal States Gas Producing Company, Docket No. G-10012; Arnold H. Bruner, Docket No. G-10013; Michaelis Drilling Company, Docket No. G-10016; The Stevens County Oil & Gas Company, Docket No. G-10017; Sunray Mid-Continent Oil Company, Docket No. G-10019; Pan American Production Company, Docket No. G-10022; John D. Pareti, Docket No. G-10023; W. O. Woodward, Trustee, Docket No. G-10024; Schoolcraft Gas & Oil Company, Docket No. G-10025; The Texas Company, Docket No. G-10026; Oil Participations Incorporated, Docket No. G-10027; Skelly Oil Company, Docket No. G-10028; Michaelis Drilling Company, Docket No. G-10032; Petroleum, Inc., Docket No. G-10033; Isidor Sack,\* Abraham L. Bienstock, Ira Bfinknerhoff, George L. Callery, Hugh J. Chisholm, William D. Dana, Henry W. Frost, Jr., William Goetz, Marguerite Hawkins, Harry Hurt, Edward B. McLean, Elizabeth B. Blake, John R. McLean, A. Eugene Pattison, Muriel R. Pershing, Riddell Petroleum Corporation, A. Richard Stern, Lewis Turner, C. A. Wiggins, and Earl G. Bateman, Docket No. G-10035; Skelly Oil Company, Docket No. G-10039; R. Olsen Oil Company, Docket No. G-10040; Clyde Beymer, Jr., Docket No. G-10041; I. C. Wiatt and Arla A. Wiatt, Docket No. G-10042; Rock

Island Oil & Refining Co., Inc., Docket No. G-10043; Clyde Beymer, Jr., Docket No. G-10044; Clyde Beymer, Jr., Barbara J. Beymer, C. E. Beymer, and Ethel M. Beymer, Docket No. G-10045; Morris Oil and Gas Company, Inc., Docket No. G-10046; J. M. Huber Corporation, Docket No. G-10048; Anderson-Prichard Oil Corporation, Docket No. G-10049; Kirkwood & Company, Warren Petroleum Corporation, Lazard Freres & Company, W. F. Seeger, J. E. Trainer, and Grant Thomas, Docket No. G-10051; Northern Natural Gas Producing Company, Docket No. G-10053; Lloyd R. Pickrell, Docket No. G-10056; Chester-Miller Gas Company, Docket No. G-10059; J. C. Christopher and Curtis Douglass, doing business as Christopher-Douglass, Docket No. G-10065; Parker Oil and Gas Company, Docket No. G-10066; Fallon Gas Corporation, Docket No. G-10068; Rupert Cox, George A. Musselman, and Karl Streiber, Docket No. G-10071; The Carter Oil Company, Docket No. G-10073; Point Corporation, Docket No. G-10076; Lydie and Lowe, Docket No. G-10084; John E. Lydie and Bruce J. Lowe, Docket No. G-10085; The Atlantic Refining Company, Docket No. G-10087; Dolphin Petroleum Co., Inc., Docket No. G-10089; Hanley Company, Dockets Nos. G-10091, G-10092, G-10093, G-10094, and G-10095; The Atlantic Refining Company, Docket No. G-10097; Kansas Natural Gas, Inc., Docket No. G-10099; South Texas Oil and Gas Company, Docket No. G-10100; The Stevens County Oil & Gas Company, Docket No. G-10104; F. William Carr, William G. Gill, Mrs. Ora R. Kingsley, Mrs. Justine V. R. Milliken, Dr. Kegham Chutjian, East Side Service, Arthur Gardner, Roy Fruehauf, Alfons Landa, Howard Hall, Murray Earle, and Layton Brown Drilling Company, Docket No. G-10106; Mae Gas Company No. 2, Docket No. G-10107; Mrs. Annie Norton and Richard W. Norton, Jr., Docket No. G-10110; Amerada Petroleum Corporation, Docket No. G-10117; Three States Natural Gas Company, Docket No. G-10118; Continental Oil Company, Docket No. G-10125; The Carter Oil Company, Docket No. G-10131; Phillips Petroleum Company, Docket No. G-10153; Skelly Oil Company, Docket No. G-10174; Clyde Beymer, Jr., Docket No. G-10331.

Take notice that the persons as hereinabove captioned (Applicants), filed, as hereinafter indicated in the various dockets, separate applications for certificates of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Each Applicant in each docket proposes to sell natural gas in interstate commerce from production of certain leases, units or acreage located in the area indicated to the respective purchasers as indicated for resale. In addition to these proposed (new) sales, certain Applicants, as indicated by the filing dates, also propose to continue the mak-

ing of jurisdictional sales which were in existence on June 7, 1954 (old sales).

Docket No., Date Filed, Applicant and Address, Source of Gas, and Purchaser

G-3244; 9-27-54, 3-27-56, Rycade Oil Corporation, 2310 Esperson Bldg., Houston, Tex.; Hendricks, Kermit, Weiner, Emperor Deep and Emperor Holt Pools, Winkler County, Tex.; El Paso Natural Gas Company.

G-5145; 11-19-54, 1-21-55, 3-2-56, 3-5-56, Humble Oil & Refining Company, Humble Bldg., Houston 1, Tex.; Spraberry Trend Area, Midland, Reagan, Upton and Glasscock Counties, Tex.; All of Section 10, Block E, L & SV RR. Co. Survey, Reagan County, Tex.; S-2 Section 34, Block 38, T4S, T. & P. R. Co. Survey, Midland County, Tex.; All of Section 26, Block B, L & SV R. R. Co. Survey, Reagan County, Tex.; El Paso Natural Gas Company.

G-8523; 2-28-55; Humble Oil & Refining Company, Humble Building, Houston 1, Tex.; 10 units, Red Springs Field, Smith County, Tex.; Lone Star Gas Company.

G-8542; 3-4-55; Byrd Oil Corporation, et al., 1110 Tower Petroleum Building, Dallas 1, Tex.; All depths to 6402 feet except Young and Byrd zones in 580.47 acre Webb Rogers gas unit, Waskom Field, Harrison County, Tex.; Mississippi River Fuel Corporation.

G-8543; 3-4-55; Humble Oil & Refining Company, P. O. Box 2180, Houston 1, Tex.; W. M. Bevilacqua, Plymouth Field, San Patricio County, Tex.; Plymouth Oil Company. G-8892; 5-11-55, 8-11-55, 4-9-56, 8-1-56; The TXL Oil Corporation, 1309 Main Street, Dallas 2, Tex.; Spraberry Trend Area, Reagan County, Tex.; El Paso Natural Gas Company.

G-8983; 5-31-55; Midstates Oil Corporation, Seventh floor, Midstates Building, Tulsa 3, Okla.; Maude Oden Unit No. 1, Bethany Field, Panola County, Tex.; Tennessee Gas Transmission Company.

G-9105; 7-5-55, 3-28-56; Isabel M. Finnup, 119, North Main, Garden City, Kans.; Section 3, T2S, R36W, Hugoton Field, Kearny County, Kans.; Kansas-Nebraska Natural Gas Company, Inc.

G-9143; 7-18-55, 11-30-55; John B. Hawley, Jr., c/o Northern Pump Company, Columbia Heights P. O., Minneapolis 21, Minn.; Fortenbaugh #1 Gas Unit, Hugoton Field, Morton County, Kans.; Cities Service Gas Company.

G-9246; 8-19-55; W. A. Clark, Jr., 423 Esperson Bldg., Houston, Tex.; Maetze (Frio) Field, Goliad County, Tex.; Trunkline Gas Company.

G-9371; 9-19-55, 5-23-56; Schermerhorn Oil Corporation et al., P. O. Box 287, Tulsa, Okla.; Jal Mat Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-9388; 9-22-55; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Emmons No. 1 Unit and Schmidt B. No. 1 Unit, Hugoton Field, Haskell and Seward Counties, Kans.; Colorado Interstate Gas Company.

G-9474; 10-12-55; L. M. Lockhart, P. O. Box 306, Banquette, Tex.; Shary Field, Hidalgo County, Tex.; Trunkline Gas Company.

G-9503; 10-18-55; Michel T. Halbouty, c/o James Noel, Shell Building, Houston 2, Tex.; Lockridge Field, Brazoria County, Tex.; Tennessee Gas Transmission Company.

G-9531; 10-21-55; Hanley Company, 604 Continental Building, Dallas 1, Tex.; Spraberry Trend Field Area, Reagan County, Tex.; El Paso Natural Gas Company.

G-9534; 10-24-55, 3-6-56, 3-29-56; The Chicago Corporation, Continental Life Building, Fort Worth, Tex.; Garcia Lease, Sullivan City Area, Starr and Hidalgo Counties, Tex.; Tennessee Gas Transmission Company.

G-9535; 10-24-55, 3-8-56; The Chicago Corporation Continental Life Bldg., Fort Worth, Tex.; Doss Lease, Sullivan City Area, Starr and Hidalgo Counties, Tex.; Tennessee Gas Transmission Company.

G-9618; 11-4-55; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Hutchinson No. 1 Unit, Hugoton Field,

\* Name changed from Tidewater Associated Oil Company.

\* By F. A. Callery, Inc., as agent.



Finney County, Kans.; Northern Natural Gas Company.

G-9637; 11-9-55; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Reimelt No. 1 Unit, Hugoton Field, Haskell County, Kans.; Colorado Interstate Gas Company.

G-9652; 11-14-56; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Fox Graham Field, Carter County, Okla.; Magnolia Petroleum Company.

G-9653; 11-14-56; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Fox Graham Field, Carter County, Okla.; Magnolia Petroleum Company.

G-9654; 11-14-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Big Lake, Reagan County, Tex.; Texon Gas Inc.

G-9656; 11-15-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Wasson Field, Gaines County, Tex.; Shell Oil Company.

G-9657; 11-15-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; East Cushing Field, Creek County, Okla.; Sinclair Prairie Oil Company.

G-9658; 11-15-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Wasson Field, Gaines County, Tex.; Shell Oil Company.

G-9659; 11-15-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Fox Graham Field, Carter County, Okla.; Magnolia Petroleum Company.

G-9660; 11-15-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; Martin (Wolfcamp) Field, Andrews County, Tex.; Martinpool Gasoline Company.

G-9676; 11-18-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; East Cushing Field, Creek County, Okla.; Sinclair Prairie Oil Company.

G-9677; 11-18-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; East Cushing Field, Creek County, Okla.; Sinclair Prairie Oil Company.

G-9678; 11-18-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; East Cushing Field, Creek County, Okla.; Sinclair Prairie Oil Company.

G-9691; 11-23-55, 8-1-56; The Texas Company, P. O. Box 2332, Houston 1, Tex.; Odem Field, San Patricio County, Tex.; Tennessee Gas Transmission Company.

G-9705; 11-28-55; The Texas Company, P. O. Box 2332, Houston 1, Tex.; North Rincón Field, Starr County, Tex.; Tennessee Gas Transmission Company.

G-9725; 12-1-55; Robey C. Knight, Spencer, W. Va.; W. R. Nester Lease, Geary District, Roane County, W. Va.; Godfrey L. Cabot, Inc.

G-9751; 12-7-55; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Main Unit, Hugoton Field, Finney County, Kans.; Kansas-Nebraska Natural Gas Company, Inc.

G-9752; 12-7-55; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Vanderree Unit, Hugoton Field, Finney County, Kans.; Colorado Interstate Gas Company.

G-9764; 12-12-55; Storm, Hagy & Herrmann, Amarillo Building, Amarillo, Tex.; Sneed Lease, West Panhandle Field, Moore County, Tex.; Colorado Interstate Gas Company.

G-9817; 12-27-55; Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., 306 North Robinson, Oklahoma City 2, Okla.; West Edmund Field, Oklahoma County, Okla.; Phillips Petroleum Company and Continental Oil Company.

G-9836; 1-3-56; Nay Mining Company, RFD 3, Harrisville, W. Va.; Pullman Field, Union District, Ritchie County, W. Va.; Carnegie Natural Gas Company.

G-9841; 1-3-56; Kerr-McGee Oil Industries, Inc. et al., Kerr-McGee Building, 306 North Robinson, Oklahoma City 2, Okla.; Spraberry Field, Midland County, Tex.; Phillips Petroleum Company.

G-9848; 12-27-55; John D. Todd, 321 Esperon Building, Houston 2, Tex.; Ohio Oil Company Units SE-13 and SE-23, Pistol Ridge-Maxie Field, Forrest County, Miss.; United Gas Pipe Line Company.

G-9852; 1-9-56, 1-23-56, 4-13-56; Maurice A. Machris, Room 811, Midland Tower Building, Midland, Tex.; Lips Gas Field, Ochiltree and Roberts Counties, Tex.; Natural Gas Pipeline Company of America.

G-9856; 1-9-56; J. C. Trahan, Drilling Contractor, Inc., 326 Texas Eastern Bldg., Shreveport, La.; Greenwood-Waskom Field, Caddo Parish, La.; United Gas Pipe Line Company.

G-9864; 1-12-56; Columbia Fuel Corporation, 380 Madison Avenue, New York, N. Y.; Hugoton Field, Morton, Seward, and Stevens Counties, Kans.; Northern Natural Gas Company.

G-9865; 1-12-56; Southwest Natural Production Company, 605 Commercial National Bank Bldg., Shreveport, La.; North Ruston Field, Lincoln Parish, La.; Arkansas Louisiana Gas Company.

G-9868; 1-13-56; Marvin E. Pollard, 622 Johnson Building, Shreveport, La.; Bethany Gas Field, Panola County, Tex.; Arkansas Louisiana Gas Company.

G-9882; 4-30-56; Tide Water Oil Company et al., P. O. Box 1404, Houston 1, Tex.; Rodessa Field, Caddo Parish, La.; Arkansas-Louisiana Gas Company.

G-9918; 1-25-56; Frank C. Roper, P. O. Box 1185, San Angelo, Tex.; Ohio Oil Company Units SE-13 and SE-23, Maxie Field, Forrest County, Miss.; United Gas Pipe Line Company.

G-9920; 1-26-56; Skelly Oil Company, Box 1650, Tulsa, Okla.; Emmett Isaac Unit No. 1, Carthage Field Area, Rusk County, Tex.; Tennessee Gas Transmission Company.

G-9921; 1-26-56; Gilbert S. Johnson, 214 Petroleum Bldg., Shreveport, La.; Gullledge and Rice Units, Greenwood-Waskom Field, Caddo Parish, La.; United Gas Pipe Line Company.

G-9922; 1-26-56; Norton P. Wilson, 114½ Milam Street, Shreveport, La.; Gullledge Unit, Greenwood-Waskom Field, Caddo Parish, La.; United Gas Pipe Line Company.

G-9939; 1-30-56; E. J. Athens, First National Bank Building, Tulsa, Okla.; NE¼ of Section 27, T15N, R3W, Logan County, Okla.; Cities Service Gas Company.

G-9947; 2-2-56; United Producing Company, Inc., United Carbon Building, Charleston, W. Va.; Camrick Southeast Gas Field, Texas and Beaver Counties, Okla.; Natural Gas Pipeline Company of America.

G-9959; 2-8-56, 4-6-56; Carnegie Natural Gas Company, 1015 Frick Building, Pittsburgh 19, Pa.; Logan and Mingo Counties, W. Va.; Hope Natural Gas Company.

G-9969; 2-15-56; Hasty & Richards Drilling Co., 505 Hancock Ave., Vandergrift, Pa.; Benetzette Field, Elk County, Pa.; Manufacturers Light and Heat Company.

G-9975; 2-20-56; T. J. White, Jr., 3204 23rd Avenue, Meridian, Miss.; Maxie Field, Forrest County, Miss.; United Gas Pipe Line Company.

G-9976; 2-20-56; E. A. Culbertson and Wallace W. Irwin, Box 1071, Midland, Tex.; Crosby Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-9988; 2-23-56; Phillips Petroleum Company, Bartlesville, Okla.; Brysch Unit, West George West Field, Live Oak County, Tex.; Wilcox Trend Gathering System, Inc.

G-9990; 2-23-56; Amerada Petroleum Corporation, P. O. Box 2040, Tulsa 2, Okla.; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-9995; 2-24-56; Aylward Drilling Company, 813 First National Bank Bldg., Wichita, Kans.; Donovan and 3 other leases, Driftwood Field, Barber County, Kans.; Cities Service Gas Company.

G-9998; 2-27-56; Jim McMurray and B. F. Phillips, 205 Pioneer Bldg., Kilgore, Tex.; R. A. Jernigan Unit, Bethany Gas Field, Panola County, Tex.; Arkansas Louisiana Gas Company.

G-10002; 2-27-56; Edwin L. Cox, 2100 Adolphus Tower, Dallas 2, Tex.; Campbell and Campbell-Sillers Units, Camrick Southeast Gas Field, Texas County, Okla.; Natural Gas Pipeline Company of America.

G-10003; 2-27-56; W. E. Bakke, 1522 Alamo National Bldg., San Antonio 5, Tex.; Sawyer Lease, Wasson Field, Yoakum County, Tex.; Shell Oil Company and Coltex Corporation.

G-10006; 2-27-56; Amerada Petroleum Corporation, P. O. Box 2040, Tulsa 2, Okla.; San Juan Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Company.

G-10007; 2-27-56; Spencer Oil & Gas Co., Harrisville, W. Va.; Ritchie County, W. Va.; Carnegie Natural Gas Company.

G-10009; 2-27-56; Hunt Oil Company, 700 Mercantile Bank Building, Dallas, Tex.; Longstreet Field, DeSoto Parish, La.; Arkansas Louisiana Gas Company.

G-10010; 2-27-56; Hassie Hunt Trust, 700 Mercantile Bank Bldg., Dallas, Tex.; Longstreet Field, DeSoto Parish, La.; Arkansas Louisiana Gas Company.

G-10012; 2-28-56; Coastal States Gas Producing Company, 110 Oil Industries Bldg., Corpus Christi, Tex.; Hidalgo Field Area, Hidalgo County, Tex.; Trunkline Gas Company.

G-10013; 2-28-56; Arnold H. Bruner, Meadows Building, Dallas 6, Tex.; Hidalgo Field Area, Hidalgo County, Tex.; Coastal States Gas Producing Company.

G-10016; 2-29-56; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Niquette, Streckeljohn, Brennan, Lemon and Hammer Units, Hugoton Field, Finney and Haskell Counties, Kans.; Northern Natural Gas Company.

G-10017; 2-29-56; The Stevens County Oil & Gas Company, 202 Wheeler Kelly Haggy Bldg., Wichita, Kans.; Roth Unit, Kansas Hugoton Gas Field, Kearny County, Kans.; Kansas-Nebraska Natural Gas Company, Inc.

G-10019; 2-29-56, 8-23-56; Sunray Midcontinent Oil Company, P. O. Box 2039, Tulsa, Okla.; 4 Leases, East Victor Field, Lincoln County, Okla.; Jernigan & Morgan Transmission Company.

G-10022; 2-29-56; Pan American Production Company, Esperson Building, Houston 2, Tex.; South Thornwell Field, Jefferson Davis and Cameron Parishes, La.; United Fuel Gas Company.

G-10023; 2-29-56; John D. Paret, P. O. Box 1000, Lafayette, La.; South Bayou Mallet Field, Acadia Parish, La.; Texas Gas Transmission Corporation.

G-10024; 2-29-56; W. O. Woodward, Trustee, 418 Market St., Suite 600, Shreveport, La.; Greenwood-Waskom Field, Caddo Parish, La.; Texas Eastern Transmission Corporation.

G-10025; 3-1-56; Schoolcraft Gas & Oil Company, 701-03 United Carbon Building, Charleston, W. Va.; Lee District, Calhoun County, W. Va.; Hope Natural Gas Company.

G-10026; 3-1-56; The Texas Company, P. O. Box 2332, Houston 1, Tex.; Main Pass Block 35 Area and South Pass Block 24 Area, Plaquemine Parish, La.; Tennessee Gas Transmission Company.

G-10027; 3-1-56; Oil Participations Incorporated, San Jacinto Building, Houston 2, Tex.; Thornwell Field, Jefferson Davis and Cameron Parishes, La.; United Fuel Gas Company.

G-10028; 3-1-56; Skelly Oil Company, Box 1650, Tulsa, Okla.; Camrick Southeast Gas Field, Beaver and Texas Counties, Okla.; Natural Gas Pipeline Company of America.



G-10032; 3-2-56; Michaelis Drilling Company, 1019 East Second Street, Wichita, Kans.; Keller B No. 1 and Jones Units, Hugoton Field, Finney and Kearny Counties, Kans.; Colorado Interstate Gas Company.

G-10033; 3-2-56; Petroleum, Inc., 311 East Third Street, Wichita, Kans.; Hall Unit and 21 other leases, Boggs Field, Barber County, Kans.; Cities Service Gas Company.

G-10035; 3-2-56; Isidor Sack et al., c/o F. A. Callery, Inc., 520 Bank of Commerce Building, Houston, Tex.; West Barataria Field, Jefferson Parish, La.; Southern Natural Gas Company.

G-10039; 3-2-56; Skelly Oil Company, Box 1650, Tulsa, Okla.; North Columbus Field, Colorado County, Tex.; Tennessee Gas Transmission Company.

G-10040; 3-2-56; R. Olsen Oil Company, 2805 Liberty Bank Building, Oklahoma City, Okla.; Langille-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-10041; 3-2-56; Clyde Beymer, Jr., Lakin, Kans.; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

G-10042; 3-2-56; I. C. Wiatt and Arla A. Wiatt, Lakin, Kans.; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

G-10043; 3-2-56; Rock Island Oil & Refining Co., Inc., 321 West Douglas, Wichita, 2, Kans.; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

G-10044; 3-2-56; Clyde Beymer, Jr., Lakin, Kans.; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

G-10045; 3-2-56; Clyde Beymer, Jr., et al., Lakin, Kans.; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

G-10046; 3-2-56; Morris Oil and Gas Company, Inc., Box 294, Grantsville, W. Va.; Annamoriah Field, Sheridan District, Calhoun County, W. Va.; Hope Natural Gas Company.

G-10048; 3-5-56; J. M. Huber Corporation, P. O. Box 831, Berger, Tex.; Number 2 School Land Gas Unit, Section 4, T4N, R23ECM, Beaver County, Okla.; Natural Gas Pipeline Company of America.

G-10049; 3-5-56; Anderson-Prichard Oil Corporation, Liberty Bank Bldg., Oklahoma City, Okla.; Huston-Burke Unit, Eumont Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-10051; 3-5-56; Kirkwood & Company, et al., P. O. Box 1490, Alice, Tex.; 5 Leases, Doehrmann Field, DeWitt County, Tex.; Texas Eastern Transmission Corporation.

G-10053; 3-5-56; Northern Natural Gas Producing Company, 2223 Dodge Street, Omaha 1, Nebr.; 2 Sections, Hugoton Field, Finney County, Kans.; Northern Natural Gas Company.

G-10056; 3-6-56; Lloyd R. Pickrell, 705 Fourth National Bank Building, Wichita, Kans.; 4 Leases in Sections 7 and 18, T32S, R12W, Barber County, Kans.; Cities Service Gas Company.

G-10059; 3-7-56; Chester-Miller Gas Company, Box 148, Hamlin, W. Va.; 25 acres in Big Huff Creek Field, Wyoming County, W. Va.; Godfrey L. Cabot, Inc.

G-10065; 3-8-56; J. C. Christopher and Curtis Douglass, d/b/a Christopher-Douglass, Box 1781, Pampa, Tex.; West Panhandle Field, Hutchinson County, Tex.; Shamrock Oil and Gas Corporation.

G-10066; 3-8-56; Parker Oil and Gas Company, Smithville, W. Va.; Parker Lease, Murphy District, Ritchie County, W. Va.; Hope Natural Gas Company.

G-10068; 3-8-56; Fallon Gas Corporation, Suite 208, Patterson Building, Denver 2, Colo.; 320 acres, Section 7, T6N, R60E, Fallon County, Mont.; Frank A. Warner.

G-10071; 3-8-56; Rupert Cox et al., Alamo National Bldg., San Antonio, Tex.; F. J. Marbach Lease, Cologne Field, Victoria County, Tex.; Tennessee Gas Transmission Company.

G-10073; 3-8-56, 4-30-56; The Carter Oil Company, National Bank of Tulsa Building,

Tulsa, Okla.; Hardtner Pool, Barber County, Kans.; Cities Service Gas Company.

G-10076; 3-9-56; Point Corporation, 1922 West Gray, Houston, Tex.; North Willman Field, San Patricio County, Tex.; Gas Gathering Company.

G-10084; 3-12-56; Lydle and Lowe, Grantsville, W. Va.; Payton Blake Lease, Annamoriah, W. Va.; Hope Natural Gas Company.

G-10085; 3-12-56; John E. Lydle and Bruce J. Lowe, Box 1308, Akron 9, Ohio; John R. Pell Lease, Lee District, Calhoun County, W. Va.; Hope Natural Gas Company.

G-10087; 3-12-56; The Atlantic Refining Company, P. O. Box 2819, Dallas 1, Tex.; Meyersville Field, DeWitt and Victoria Counties, Tex.; Texas Eastern Transmission Corporation, Assignee of Wilcox Trend Gathering System, Inc.

G-10089; 3-12-56; Dolphin Petroleum Co., Inc., 2106 Mercantile Bank Building, Dallas, Tex.; Wyrick Field, Refugio County, Tex.; Transcontinental Gas Pipe Line Corporation.

G-10091; 3-12-56; Hanley Company, 604 Continental Building, Dallas 1, Tex.; J. M. Nunn Lease, Spraberry Trend Field Area, Reagan County, Tex.; El Paso Natural Gas Company.

G-10092; 3-12-56; Hanley Company, 604 Continental Building, Dallas 1, Tex.; Wraga-Hendrickson and Wraga-Hendrickson B Leases, Spraberry Trend Field, Glasscock County, Tex.; Phillips Petroleum Company.

G-10093; 3-12-56; Hanley Company, 604 Continental Building, Dallas 1, Tex.; D. C. Reed Lease, Spraberry Trend Field, Glasscock County, Tex.; Phillips Petroleum Company.

G-10094; 3-12-56; Hanley Company, 604 Continental Building, Dallas 1, Tex.; University BC and D Leases, Spraberry Trend Field Area, Upton County, Tex.; El Paso Natural Gas Company.

G-10095; 3-12-56; Hanley Company, 604 Continental Building, Dallas 1, Tex.; University A and E Leases in Sections 30 and 31 of Block 3, University Lands, Upton County, Tex.; Texas Gas Products Corporation.

G-10097; 3-13-56; The Atlantic Refining Company, P. O. Box 2819, Dallas 1, Tex.; Block 12 Field, Andrews County, Tex.; Phillips Petroleum Company.

G-10099; 3-13-56; Kansas Natural Gas, Inc., 105 West 13th Street, Box 270, Hays, Kans.; Stevens B-1 Unit, Hugoton Field, Haskell County, Tex.; Colorado Interstate Gas Company.

G-10100; 3-14-56; South Texas Oil and Gas Company, P. O. Box 440, Corpus Christi, Tex.; Schulze Lease, Agua Dulce Field, Nueces County, Tex.; Tennessee Gas Transmission Company.

G-10104; 3-15-56; The Stevens County Oil & Gas Company, 202 Wheeler Kelly Hagyn Building, Wichita 2, Kans.; Hume Unit, Greenwood (Sparks) Field, Morton County, Kans.; Colorado Interstate Gas Company.

G-10106; 3-15-56; F. William Carr et al., 609 Wilson Tower, Corpus Christi, Tex.; Spartan Field, Odem Area, San Patricio County, Tex.; Gas Gathering Company.

G-10107; 3-16-56; Mae Gas Company No. 2, Branchland, W. Va.; Reford Runyon Lease, Triadelphia District, Logan County, W. Va.; Hope Natural Gas Company.

G-10110; 3-16-56; Mrs. Annie Norton and Richard W. Norton, Jr., P. O. Box 1574, Shreveport, Louisiana, and John S. Ivy, Niels Esperson Building, Houston, Tex.; Rodessa Field, Caddo Parish, Louisiana, United Gas Pipe Line Company.

G-10117; 3-19-56; Amerada Petroleum Corporation, P. O. Box 2040, Tulsa 2, Okla.; Allison Unit, Blanco Field, LaPlata and Archuleta Counties, Colorado and San Juan County, N. Mex.; El Paso Natural Gas Company.

G-10118; 3-19-56; Three States Natural Gas Company, 17th floor Corrigan Tower, Dallas 1, Tex.; Jalmat Gas Field, Lea County, N. Mex.; Permian Basin Pipeline Company.

G-10125; 3-20-56; Continental Oil Company, 1300 Main Street, Houston, Tex.; Each Chance Unit, Meyersville Field, DeWitt and Victoria Counties, Tex.; Texas Eastern Transmission Company, Assignee of Wilcox Trend Gathering System, Inc.

G-10131; 3-21-56; The Carter Oil Company, National Bank of Tulsa Building, Tulsa, Okla.; Greenwood Field, Morton and Stanton Counties, Kansas, and Baca County, Colo.; Colorado Interstate Gas Company.

G-10153; 3-25-56; Phillips Petroleum Company, Bartlesville, Okla.; Stevens B-1 Unit, Hugoton Field, Haskell County, Kans.; Colorado Interstate Gas Company.

G-10174; 3-29-56; Skelly Oil Company, Box 1850, Tulsa, Okla.; Donovan "B" Unit, Driftwood Field, Barber County, Kans.; Cities Service Gas Company.

G-10331; 4-30-56; Clyde Beymer, Jr., Lakin, Kans.; 25% interest; S9, T23S, R37W; Hugoton Field, Kearny County, Kans.; Colorado Interstate Gas Company.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, October 2, 1956, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 130 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 56-7115; Filed, Sept. 5, 1956; 8:46 a. m.]

[Docket No. G-10075]

WILCOX TREND GATHERING SYSTEM, INC.  
NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1956.

Take notice that the Wilcox Trend Gathering System, Inc. (Wilcox Trend), filed an application on March 9, 1956, for a certificate of public convenience and necessity to construct and operate certain facilities as hereinafter described, subject to the jurisdiction of the Com-



mission, and as more fully represented in its application which is on file with the Commission and open for public inspection.

Wilcox Trend seeks authorization to construct and operate approximately 1.69 miles of 6 $\frac{1}{2}$  inch O. D. natural gas transmission line paralleling a portion of its main pipe-line system in Goliad County, Texas.

Wilcox Trend states that it transports gas for and delivers gas to its parent, Texas Eastern Transmission Corporation. Its only other service is the transportation of so-called "wet" gas for and to the Goliad Corporation, a gasoline plant operator.

Wilcox Trend also states that, at present, it maintains a connection between its main 14-inch transmission line and its 6-inch Dial lateral line about 1.69 miles east of its existing Charco Compressor Station in Goliad County, Texas. At this connection, the Dial lateral would normally deliver about 25,000 Mcf per day into Wilcox Trend's main line to be commingled with the main stream. The gas from the Dial lateral is at 1050 psig at the connection with the main line. Under maximum operating conditions, however, gas in the main line flows at about 1190 psig at the Dial lateral connection, thus preventing entrance of the Dial line gas. To remedy this situation, Wilcox Trend alleges that it proposes to construct and operate 1.69 miles of 6-inch loop line from a point on the Dial line near the main-line connection westward to the Charco Compressor Station. Under maximum operating conditions, gas from the Dial line will flow westward through the proposed 6-inch loop to the suction line of the Charco Station, where the suction pressure is about 900 psig and the discharge pressure is about 1200 psig. In this way the gas in the Dial line will be compressed to 1200 psig along with other gas entering the Charco Station.

Wilcox Trend further alleges that the existing Dial connection with the main line will be maintained so that gas from the Dial line could flow directly into the main line without compression at other than maximum operating conditions when pressures allowed.

Wilcox Trend further states that the estimated capital cost of constructing and operating the proposed facilities is approximately \$29,544 to be obtained from its funds on hand and that it anticipates constructing and operating the facilities immediately upon certification from the Commission.

Wilcox Trend further alleges that no new or additional sales or services are involved in Applicant's proposal, nor will there be any change in Applicant's gas supply, system operations or rates as a result of the proposed construction.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and pro-

cedure, a hearing will be held on October 1, 1956, at 9:45 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of §§ 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 56-7116; Filed, Sept. 5, 1956;  
8:46 a. m.]WILCOX TREND GATHERING SYSTEM, INC.,  
ET AL.

[Docket No. G-10780 etc.]

NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 29, 1956.

In the matters of Wilcox Trend Gathering System, Inc., Docket No. G-10780; W. H. Appell, et al., Docket No. G-10371; and W. Earl Rowe, et al., Docket No. G-10280.

Take notice that on July 20, 1956, Wilcox Trend Gathering System, Inc. (Wilcox), filed at Docket No. G-10780 an application for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities as hereinafter described, subject to the jurisdiction of the Commission, and as more fully described in its application which is on file with the Commission and open for public inspection. Wilcox seeks authorization to construct and operate approximately 5 miles of 4-inch supply lateral pipeline to extend northerly from a point in the Dallas Husky Field, Goliad County, Texas to a point of connection with Wilcox's existing 4-inch lateral line in Goliad County, Texas; together with a meter station and appurtenant equipment. Wilcox states that these proposed facilities will receive gas produced in the Dallas Husky Field by Mark Edwin Andrews (Andrews), W. H. Appell, et al., (Appell) and W. Earl Rowe, et al. (Rowe), and the estimated total cost of the proposed facilities is approximately \$61,500, which is to be financed from company funds.

Andrews was authorized at Docket No. G-9847 to sell gas from the Dallas Husky Field to Texas Eastern Transmission Corporation (Texas Eastern), assignee of Wilcox.

On April 19, Rowe, and on May 9, 1956, Appell filed applications at Docket Nos. G-10280 and G-10371, respectively, for certificates of public convenience and necessity covering their sales of gas from the Dallas Husky Field to Texas Eastern, assignee of Wilcox for transportation in interstate commerce for resale.

Wilcox states that it will transport the gas received from the above independent producers for redelivery to Texas Eastern at Provident City, Texas.

Wilcox further states that Texas Eastern will transport such gas in interstate commerce for resale. It was authorized to build facilities to take gas from Wilcox in Docket No. G-1947.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 1, 1956, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 56-7117; Filed, Sept. 5, 1956;  
8:46 a. m.]

[Docket No. G-10270 etc.]

WILCOX TREND GATHERING SYSTEM, INC.,  
ET AL.NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 29, 1956.

In the matters of Wilcox Trend Gathering System, Inc., Docket No. G-10270; Durbin Bond & Company, Inc., Docket No. G-10018, and Kirkwood and Company, et al., Docket No. G-10181.

Take notice that on April 16, 1956, Wilcox Trend Gathering System, Inc. (Wilcox), filed at Docket No. G-10270 an application for a certificate of public convenience and necessity authorizing the construction and operation of certain



facilities as hereinafter described, subject to the jurisdiction of the Commission all as more fully represented in its application which is on file with the Commission and open for public inspection.

Wilcox seeks authorization to construct and operate approximately 17 miles of 6-inch supply lateral pipeline to extend northerly from a point in the Salem Field, Victoria County, Texas to a point of connection with its existing 16-inch main transmission line in Lavaca County, Texas; together with five meter stations and appurtenant equipment.

Wilcox states that these proposed facilities will receive gas produced in the Salem Field by Kirkwood & Company, et al. (Kirkwood), and Durbin Bond & Co., Inc. (Durbin).

Wilcox further states that the estimated total cost of all proposed facilities is \$357,000 and the cost is to be financed from company funds except that possibly \$100,000 of the cost may be obtained from bank loans or advances from Texas Eastern Transmission Corporation (Texas Eastern).

On February 29, 1956, Durbin, and on March 30, 1956, Kirkwood filed applications at Docket Nos. G-10018 and G-10181, respectively, for certificates of public convenience and necessity covering their sales of gas from the Salem Field, Victoria County, Texas, to Texas Eastern, assignee of Wilcox, for transportation in interstate commerce for resale.

Wilcox alleges that it will transport the gas received from Durbin and Kirkwood for redelivery to Texas Eastern at Provident City, Texas and that Texas Eastern will transport such gas in interstate commerce for resale.

Remaining recoverable dry gas reserves as of August 1, 1955, dedicated by Durbin and Kirkwood in the Salem Field to Texas Eastern are estimated by Texas Eastern in Docket No. G-9784 as totaling 11,328 MMcf @ 14.73 psia. The initial investment cost to Wilcox of \$357,000 for the proposed facilities calculates to a unit investment cost of 3.15¢ per Mcf of reserves, which unit cost is on the high side, however, Wilcox cites in its subject application that the proposed lateral will enable it to acquire additional gas supplies produced from other fields and producing horizons in this area. Because of the potential gas reserves that may become available to Wilcox by virtue of the proposed lateral which otherwise would not, the proposed project appears to be justified.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October

1, 1956, at 9:40 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 56-7118; Filed, Sept. 5, 1956;  
8:46 a. m.]

## GENERAL SERVICES ADMINISTRATION

### SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF CALIFORNIA ELECTRIC POWER CO. FOR AUTHORITY TO ADD A POWER FACTOR ADJUSTMENT CLAUSE TO ITS RATE SCHEDULES

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Application of California Electric Power Company for Authority to Add a Power Factor Adjustment Clause to its Rate Schedules, Application No. 37473, before the California Public Utilities Commission, is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration, and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective May 21, 1956.

Dated: August 29, 1956.

FRANKLIN G. FLOETE,  
Administrator.[F. R. Doc. 56-7149; Filed, Sept. 5, 1956;  
8:52 a. m.]

## OFFICE OF DEFENSE MOBILIZATION

GEORGE A. LAMB

### EMPLOYMENT WITHOUT COMPENSATION AND STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. George A. Lamb, Manager of Business Surveys, Pittsburgh Consolidation Coal Company, Pittsburgh, Pennsylvania, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Lamb's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMING,  
Director,  
Office of Defense Mobilization.

### Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Pittsburgh Consolidation Coal Company.

Dated: August 16, 1956.

GEORGE A. LAMB.

[F. R. Doc. 56-7129; Filed, Sept. 5, 1956;  
8:48 a. m.]

### SERGE B. JURENEV

### EMPLOYMENT WITHOUT COMPENSATION AND STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Serge B. Jurenev, Assistant to President and Chief Economist, Continental Oil Company, New York, New York, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Jurenev's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMING,  
Director,  
Office of Defense Mobilization.

### Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Continental Oil Company.

Dated: August 15, 1956.

SERGE B. JURENEV.

[F. R. Doc. 56-7130; Filed, Sept. 5, 1956;  
8:48 a. m.]



## CECIL L. BURRILL

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Cecil L. Burrill, Chief Economist, Standard Oil Company (New Jersey), New York, New York, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Burrill's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Standard Oil Company (New Jersey).  
Du Pont.

Dated: August 13, 1956.

CECIL L. BURRILL.

[F. R. Doc. 56-7131; Filed, Sept. 5, 1956;  
8:49 a. m.]

## WILFRED G. DONLEY

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Wilfred G. Donley, Economic Counsel, Standard Oil Company of California, San Francisco, California, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Donley's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Standard Oil Company of California.  
Contingent ownership of stock in connection with employee stock ownership plan.

Dated: August 20, 1956.

WILFRED G. DONLEY.

[F. R. Doc. 56-7132; Filed, Sept. 5, 1956;  
8:49 a. m.]

## MINOR S. JAMESON, JR.

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended,

notice is hereby given of the appointment of Mr. Minor S. Jameson, Jr., Assistant to the President, Independent Petroleum Association of America, Washington, D. C., as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Jameson's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Union Electric Company.  
Washington Gas Light Company.  
Target Petroleum.  
Standard Oil Company of California.  
Virginia Electric and Power Company.  
The Chesapeake and Ohio Railway Company.  
Northern States Power Company.  
American Tobacco Company.

Dated: August 13, 1956.

MINOR S. JAMESON, JR.

[F. R. Doc. 56-7133; Filed, Sept. 5, 1956;  
8:49 a. m.]

## RICHARD J. GONZALEZ

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Richard J. Gonzalez, Director and Treasurer, Humble Oil and Refining Company, Houston, Texas, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Gonzalez's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Humble Oil & Refining Company.  
Standard Oil Company (New Jersey).  
Pan American Sulphur Company.

Dated: August 13, 1956.

RICHARD J. GONZALEZ.

[F. R. Doc. 56-7134; Filed, Sept. 5, 1956;  
8:49 a. m.]

## RICHARD G. GETTELL

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as

amended, notice is hereby given of the appointment of Mr. Richard G. Gettell, Chief Foreign Economist, The Texas Company, New York, New York, as an Advisor to the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Gettell's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

California Eastern Aviation.  
Clary Corporation.  
Cavitron Corporation.  
Equity Corporation.  
Beech Aircraft.  
General Tire.  
Investors Planning Corporation.  
Hudson Motors (in liquidation).  
Wilshire Oil (in liquidation).  
The Texas Company.  
Atlantic Acceptance.  
Midwest Industrial Gas.  
Provo Gas.  
New Dickinson Mining.  
DeCoursey Brewes Mining.  
Kilembe Copper & Cobalt.  
Western DeCalt.  
Great Northern Gas.  
Cree Oil.  
Initiative Mining.  
Rio Tinto.  
Zotox.  
Bernstein Shipping.

Dated: August 13, 1956.

RICHARD G. GETTELL.

[F. R. Doc. 56-7135; Filed, Sept. 5, 1956;  
8:49 a. m.]

## CHARLES J. POTTER

EMPLOYMENT WITHOUT COMPENSATION AND  
STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Charles J. Potter, President, The Rochester and Pittsburgh Coal Company, Indiana, Pennsylvania, as a Member of the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Potter's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
Director,

Office of Defense Mobilization.

Appointee's Statement of Business  
Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended,

Rochester & Pittsburgh Coal Company—  
President and Director.



Kent Coal Mining Company—President and Director.  
 Lucerne Coke Company—President and Director.  
 United Eastern Coal Sales Corporation—Director.  
 Rochester & Pittsburgh Coal Company, Canada, Ltd.—Director.  
 Vitro Minerals Corporation—President and Director.  
 Leechburg Mining Company—Director.  
 Savings & Trust Company—Director.  
 Josephine Furnace & Coke Company—Treasurer and Director.  
 Southern Coal & Coke Company—Director.

## STOCKS

Mellon National Bank & Trust Company.  
 Savings & Trust Company.  
 American Telephone & Telegraph Company.  
 Westinghouse Electric Company.  
 Rochester & Pittsburgh Coal.  
 Truax-Traer Coal.  
 Westinghouse Air Brake.  
 Miami Copper.  
 Revere Copper & Brass.  
 Hill Top Bank.  
 Iron & Glass Bank.  
 Columbia Gas Company.  
 Basset Press.  
 Kwikset Locks.  
 West Tenn. Power.  
 Townsend Mfg. Co.  
 Bates Mfg. Company.  
 Taylor Aircraft.  
 Hearst Consolidated Publications.  
 North West Nitrogen.

Dated: August 20, 1956.

CHARLES J. POTTER.

[F. R. Doc. 56-7136; Filed, Sept. 5, 1956;  
 8:50 a. m.]

ROBERT N. WILKIN

## EMPLOYMENT WITHOUT COMPENSATION AND STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. Robert N. Wilkin, Judge, U. S. District Court of the District of Columbia, as a Member of the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Wilkin's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
 Director,  
 Office of Defense Mobilization.

## Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Citizens National Bank of New Philadelphia, Ohio.

Dated: August 20, 1956.

ROBERT N. WILKIN.

[F. R. Doc. 56-7137; Filed, Sept. 5, 1956;  
 8:50 a. m.]

JOHN E. WARREN

## EMPLOYMENT WITHOUT COMPENSATION AND STATEMENT OF BUSINESS INTERESTS

Pursuant to section 710 (b) of the Defense Production Act of 1950 as amended, notice is hereby given of the appointment of Mr. John E. Warren, Vice President, The First National City Bank of New York, New York, New York, as a Member of the Task Force, with the Presidential Advisory Committee on Energy Supplies and Resources Policy in the Office of Defense Mobilization. Mr. Warren's statement of his business interests is set forth below.

Dated: August 28, 1956.

ARTHUR S. FLEMMING,  
 Director,  
 Office of Defense Mobilization.

## Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

King Warren & Dye (Partnership).  
 American Smelting.  
 Burroughs.  
 Continental Oil.  
 Crown Zellerbach.  
 Dow Chemical.  
 First National City Bank of N. Y.  
 General Electric.  
 General Motors.  
 Johns Manville.  
 National Lead.  
 Phillips Petroleum.  
 Radio Corporation.  
 Sucony Mobil.  
 Sperry Rand.  
 Standard Oil of New Jersey.  
 Union Carbide.  
 U. S. Steel.  
 Cuban American Oil Company.  
 Pathfinder Petroleum (Canadian).  
 Scurry Rainbow.  
 Texas Pacific Coal & Oil.  
 Target Petroleum (Canadian).  
 Warner Bros. Pictures.

Dated: August 13, 1956.

JOHN E. WARREN.

[F. R. Doc. 56-7138; Filed, Sept. 5, 1956;  
 8:50 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3495]

HOME GAS CO. AND KEYSTONE GAS CO., INC.

MEMORANDUM OPINION AND ORDER AUTHORIZING ACQUISITION OF GAS PROPERTIES BY NON-UTILITY COMPANY AND DISMISSING APPLICATION OF PUBLIC-UTILITY COMPANY

AUGUST 30, 1956.

Home Gas Company ("Home") and The Keystone Gas Company, Inc. ("Keystone"), wholly-owned subsidiaries of The Columbia Gas System, Inc. ("Columbia"), a registered holding company, have filed a joint application and an amendment thereto pursuant to sections 9 and 10 of the Public Utility Holding

Company Act of 1935 ("act") requesting such authorizations or exemptions as may be appropriate under the act with respect to the following proposed transactions:

Pursuant to an option dated March 14, 1955, from Harley E. Crandall, Roy S. Crandall, and Lillian A. Wilkinson (doing business as Wayne Gas Company), all non-affiliates of Columbia, to Keystone and a partial assignment of said option from Keystone to Home, the applicants propose to acquire, subject to the necessary regulatory approvals, certain gas properties in the Wayne natural gas field, located in portions of Schuylers, Yates, and Steuben counties, New York, as follows:

Home will acquire, for a cash consideration of \$131,500 (with minor adjustment for property additions), the gas production facilities included within the optioned properties and also certain gas rights, leaseholds, and producing wells.

Keystone will acquire, for a cash consideration of \$16,500 (with minor adjustment for property additions), the natural gas distribution plant included within the optioned properties.

Home is engaged in the purchase, storage, and transportation of natural gas and the sale thereof at wholesale to various utility companies in the State of New York. Home states that its proposed property acquisitions will assist it in further developing its underground storage field and in meeting its market requirements.

Keystone is engaged in the purchase, distribution, and sale at retail of natural gas in the City of Olean and various other communities in the State of New York, and the additional distribution facilities which it proposes to acquire will merely expand its present service area.

Since the property which Keystone proposes to acquire has heretofore been used and will continue to be used in the transmission and distribution at retail of natural gas, and since the acquisition of such property by Keystone has been expressly authorized by the New York Public Service Commission, the acquisition thereof by Keystone is exempt from the jurisdiction of this Commission pursuant to section 9 (b) (1) of the act. Therefore as to Keystone the instant application must be dismissed.

Since the properties which Home proposes to acquire will not be used in the distribution at retail of natural gas and therefore are not utility assets, the exemption afforded by section 9 (b) (1) is not available to Home; and since such properties constitute an interest in a business within the meaning of section 9 (a) (1) of the act, Home's proposed acquisitions are subject to the jurisdiction of this Commission. It is immaterial that part of the properties was heretofore included within a public utility distribution system under the jurisdiction of the New York commission, and that such commission has approved the transfer thereof to Home.

The fees and expenses of Home in connection herewith are estimated at \$9,850, including legal fees of \$5,850.



Due notice was given of the filing of said application, and no hearing was requested or ordered by the Commission.

It appearing to the Commission, with respect to the application of Home, that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted, effective forthwith:

*It is ordered.* Pursuant to Rule U-23 and the applicable provisions of the act, that the application of Home be, and hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

*It is further ordered.* That the application of Keystone be, and hereby is, dismissed for lack of jurisdiction.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 56-7122; Filed, Sept. 5, 1956;  
8:47 a. m.]

[File No. 70-3505]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE OF PROPOSED TRANSFER BY PUBLIC-UTILITY SUBSIDIARY OF ITS TRANSMISSION FACILITIES TO ASSOCIATE COMPANY AS STEP IN SEPARATION OF SYSTEM'S DISTRIBUTION FACILITIES FROM ITS TRANSMISSION FACILITIES

AUGUST 30, 1956.

In the matter of The Columbia Gas System, Inc., Central Kentucky Natural Gas Company, Kentucky Gas Transmission Corporation, File No. 70-3505.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company, Central Kentucky Natural Gas Company ("Central Kentucky"), a wholly-owned subsidiary of Columbia, and Kentucky Gas Transmission Corporation ("Transmission"), a newly formed Delaware corporation, which upon consummation of the proposed transactions will also be a wholly-owned subsidiary of Columbia, have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6 (b), 9, 10, and 12 thereof and Rules U-42 and U-43 thereunder as applicable to the proposed transactions, which are summarized as follows:

Columbia and its subsidiaries have evolved a program of corporate simplification designed, among other things, to minimize the problems of rate regulation, the objective being to realign the System properties in such manner that all production, storage and transmission properties used in wholesale operations and subject to the jurisdiction of the Federal Power Commission will eventually be owned by a single operating company, and the retail distribution facilities in each State will be owned by a single company subject to the appropriate State commission. The instant filing covers one step in this program.

Central Kentucky is engaged in the purchase, storage, transmission and sale of natural gas within the State of Kentucky. The company will retain only those assets and properties used for the retail distribution of natural gas within said State; and it will transfer to Transmission its assets and properties used in wholesale operations for the transmission and storage of natural gas, together with the reserves, liabilities and obligations applicable thereto, and a sufficient amount of cash (presently estimated at \$300,000) for Transmission's working capital requirements. The properties will be transferred at original cost less applicable reserves.

In payment for the assets and properties transferred, Transmission will issue and deliver to Central Kentucky 4,000 shares of its \$25 par value Common Stock, having a book value of \$8,269,021, and Installment Promissory Notes in the aggregate amount of \$8,270,000, as of December 31, 1955.

Central Kentucky will deliver to Columbia the Installment Promissory Notes received from Transmission in prepayment of an equal principal amount of Central Kentucky's notes now held by Columbia. The notes to be issued by Transmission will have, to the extent practicable, the same terms as the notes of Central Kentucky which are to be repaid. Central Kentucky will also deliver to Columbia the common stock received from Transmission, and in consideration therefor Columbia will surrender for retirement common shares of Central Kentucky having an equal aggregate book value.

Upon consummation of the transfer by Central Kentucky of the facilities used in its wholesale operations, Transmission will become the principal supplier of natural gas to Central Kentucky, receiving the bulk of its supply from United Fuel Gas Company ("United Fuel"), a wholly-owned subsidiary of Columbia which at present is supplying Central Kentucky directly.

The Federal Power Commission has jurisdiction over the proposed acquisition and operation of certificated facilities by Transmission, the proposed abandonment of service through such facilities by Central Kentucky, the proposed abandonment by United Fuel of service to Central Kentucky, the proposed sale and delivery of natural gas by United Fuel to Transmission in lieu of its existing service to Central Kentucky, and the proposed sale of natural gas by Transmission to Central Kentucky after consummation of the transactions. The companies have filed a joint application with the Federal Power Commission seeking its approval of said proposals.

The Public Service Commission of Kentucky has authorized the consummation of the proposed transactions in so far as they affect Central Kentucky.

The fees and expenses to be incurred by the several companies in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than September 17, 1956, at 5:30 p. m., 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, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 56-7121; Filed, Sept. 5, 1956;  
8:47 a. m.]

## UNITED STATES TARIFF COMMISSION

### DRIED FIGS

#### REPORT OF THE PRESIDENT

AUGUST 30, 1956.

The Tariff Commission today submitted a report to the President on the developments in the trade in dried figs during the marketing year beginning July 1, 1955. This report was made pursuant to paragraph 1 of Executive Order 10401 of October 14, 1952 (17 F. R. 9125), which prescribes procedures for periodic review of "escape clause" modifications or withdrawals of trade-agreement concessions. The tariff concession granted on dried figs in the General Agreement on Tariffs and Trade was modified under the "escape clause" procedure and the import duty increased from 2½ cents per pound to 4½ cents per pound, effective August 30, 1952 (Proc. No. 2986; 17 F. R. 7567). The present report is the fourth report with respect to this matter under Executive Order 10401.

The Commission advised the President that the conditions of competition with respect to the trade in imported and domestically produced dried figs do not appear to have so changed during the 1955 marketing year as to warrant the institution of a formal investigation under the provisions of paragraph 2 of Executive Order 10401. Such a formal investigation is a prerequisite to any action to restore in whole or in part a trade-agreement concession which had been modified or withdrawn under the "escape clause" procedure.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Address requests to the United States Tariff Commission, Eighth and E Streets NW., Washington 25, D. C.

[SEAL] DONN N. BENT,  
Secretary.

[F. R. Doc. 56-7123; Filed, Sept. 5, 1956;  
8:47 a. m.]



# INTERSTATE COMMERCE COMMISSION

[Notice 128]

## MOTOR CARRIER APPLICATIONS

AUGUST 31, 1956.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the *FEDERAL REGISTER* and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the form of affidavits. Any interested person not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the *FEDERAL REGISTER*. Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of Motor Carrier properties sought to be acquired in an application under section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the *FEDERAL REGISTER*. If a protest is received prior to action being taken, it will be considered.

### APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 665 Sub 52, filed July 30, 1956, MISSOURI-ARKANSAS TRANSPORTATION COMPANY, 1505 Maiden Lane, Joplin, Mo. For authority to operate as a common carrier, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Mound Valley, Kans., and Muskogee, Okla., from Mound Valley over Kansas Highway 96 to junction of U. S. Highway 169, thence over U. S. Highway 169 to junction of U. S. Highway 60, thence over U. S. Highway 60 to junction of U. S. Highway 69, thence over U. S. Highway 69 to Muskogee, and return over the same route, serving the intermediate point of Nowata, Okla., (2) between junction of U. S. Highways 60 and 69 and Vinita, Okla., from junction of U. S. Highways 60 and 69 over U. S. Highway 60 to Vinita, and return over

the same route, serving the junction of the two highways for purpose of joinder only. Applicant is authorized to conduct operations in Arkansas, Kansas, Missouri and Oklahoma.

No. MC 2900 Sub 86, filed August 22, 1956, GREAT SOUTHERN TRUCKING COMPANY, 1863 Clarkson St., P. O. Box 2408, Jacksonville 3, Fla. For authority to operate as a common carrier, transporting: *General commodities, including Class A and B explosives*, but excluding commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Simpsonville, S. C., as an off-route point in connection with applicant's authorized regular route operations to and from Greenville, S. C. Applicant is authorized to conduct operations in Alabama, Georgia, North Carolina, South Carolina, Florida and Tennessee.

No. MC 3252 Sub 14, filed August 3, 1956, PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine. For authority to operate as a common carrier, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, between Portland, South Portland, and Clayton Lake, Maine, on the one hand, and, on the other, the port of entry on the International Boundary line of the United States and Canada, at or near Jackman, Maine. Applicant is authorized to conduct operations in Maine, Massachusetts, New Hampshire, and Rhode Island.

No. MC 4405 Sub 279, filed July 5, 1956, DEALERS TRANSIT, INC., 12601 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. For authority to operate as a common carrier, over irregular routes, transporting: (1) *Trailers, semi-trailers, trailer and semi-trailer chassis*, other than those designed to be drawn by passenger automobiles, in initial movements, in truckaway and driveaway service, from the site of the Fruehauf Trailer Company manufacturing plant located in San Bernardino County, Calif., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin and Wyoming. (2) *Tractors*, other than farm tractors, in secondary driveaway movements, only when drawing trailers moving in initial driveaway movements, from the site of the Fruehauf Trailer Company manufacturing plant located in San Bernardino County, Calif., to points in Arizona, Nevada and Oregon.

NOTE: Applicant states the site location is within the Vina Vista-Ontario area but is in the rural country and that the exact description of the Fruehauf property is that it extends between Haven Avenue on the West and Milliken Avenue on the East and the San Bernardino Freeway on the North and the Southern Pacific Railroad on the South, all of which is within San Bernardino County, Calif.

No. MC 20824 Sub 12, filed August 13, 1956, COMMERCIAL MOTOR FREIGHT, INC., of Indiana, 111 East McCarty Street, Indianapolis, Ind. Applicant's representative: Cowan and Smith, 512 Illinois Building, Indianapolis 4, Ind. For authority to operate as a common carrier, over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Dayton, Ohio, and the intersection of U. S. Highway 40 and U. S. Highway 25, at or near Vandalia, Ohio, over U. S. Highway 25, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Richmond, Ind., and Columbus, Ohio, over U. S. Highway 40; and between Eaton, Ohio, and Springfield, Ohio, over U. S. Highway 35 and Ohio Highway 4. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky and Ohio.

No. MC 24379 Sub 21, filed June 20, 1956, LONG TRANSPORTATION COMPANY, a corporation, 3755 Central Avenue, Detroit, Mich. Applicant's representative: Edward G. Bazelon and Jack Goodman, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a common carrier, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in New Jersey, on the one hand, and, on the other, points which carrier is authorized to serve on its regular route operations (including off-route points) west of the Pennsylvania-New Jersey State line, with joinder of the irregular route authority proposed and the regular route authority at Harrisburg, Pa. Applicant is authorized to conduct irregular route operations in Ohio, New Jersey, and New York, and regular route operations in Illinois, Indiana, Michigan, New Jersey, New York, Ohio, and Pennsylvania.

NOTE: By the instant application, applicant states it seeks authority to operate between points authorized to it west of the New Jersey-Pennsylvania State line, on the one hand, and, on the other, points in New Jersey, without the necessity in each instance of operating through Newark or a point in New Jersey located within the New York Commercial Zone.

No. MC 28439 Sub 68, filed August 15, 1956, DAILY MOTOR EXPRESS, INC., Pitt & Penn Streets, Carlisle, Pa. Applicant's representative: James E. Wilson, Continental Building, 14th Street at K Northwest, Washington 5, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Fabricated aluminum articles*, from Harrisburg, Pa., and points within 10 miles thereof, to points in the United States.

No. MC 30837 Sub 207, filed August 20, 1956, KENOSHA AUTO TRANSPORT CORPORATION, 4519 - 76th St., Kenosha, Wis. For authority to operate as a common carrier, over irregular routes,



transporting: *Tension wire stringers*, from Santa Clara, Calif., to points in the United States.

No. MC 30867 Sub 66, filed August 20, 1956, CENTRAL FREIGHT LINES, INC., 303 South 12th Street, Waco, Tex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class 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 Dallas, Tex., and Fort Worth, Tex., over Texas Highway 183, serving all intermediate points including all filling stations, stores, and other businesses located on said route, coordinating this service with applicant's existing authority. Applicant is authorized to conduct operations in Texas.

No. MC 30867 Sub 67, filed August 20, 1956, CENTRAL FREIGHT LINES, INC., 303 South 12th Street, Waco, Tex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class 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 Houston, Tex., and Port Arthur, Tex., over new Texas Highway 73 via Anahuac, serving no new or additional points, coordinating this service with applicant's existing authority. Applicant is authorized to operate over a portion of Texas Highway 73 in No. MC 30867 Sub 54 which would be duplicated by the applied-for authority. Applicant is authorized to operate in Texas.

No. MC 30897 Sub 9, filed July 18, 1956, CONSOLIDATED FREIGHT COMPANY, a corporation, 100 Carroll Street, Saginaw, Mich. Applicant's representative: Robert A. Sullivan, 2606 Guardian Building, Detroit 26, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Toledo, Ohio, and the site of the plant of Chrysler Corporation at or near Twinsburg, Summit County, Ohio, and (2) serving the site of the plant of Chrysler Corporation at or near Twinsburg, Summit County, Ohio, as an off-route point in connection with applicant's authorized regular route operations between Lansing, Mich., and Toledo, Ohio. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, and Ohio.

No. MC 31323 Sub 7, filed August 20, 1956, T. L. MYDLAND, 1401 Jefferson Highway (P. O. Box 10086, Jefferson Branch), New Orleans, La. Applicant's representative: Robert A. Ainsworth, Jr., National Bank of Commerce Building, New Orleans 12, La. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Food*, and *such merchandise*, as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection

therewith, *equipment, materials and supplies* used in the conduct of all such houses, and *empty containers and such incidental facilities* (not specified) used in transporting the commodities specified in this application, between New Orleans, La., and the commercial zone thereof, on the one hand, and, on the other, Fort Walton Beach, Fla., and points within 10 miles thereof.

NOTE: Applicant states the proposed transportation will be under individual contracts or agreements with persons who operate retail stores.

No. MC 35494 Sub 30, filed August 20, 1956, VIKING FREIGHT COMPANY, a Corporation, 614 South Sixth Street, St. Louis 2, Mo. Applicant's representative: La Tourette & Rebman, Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class 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 junction U. S. Highways 66 and 75 at or near Sapulpa, Okla., and Dallas, Tex., over U. S. Highway 75, serving no intermediate points, as an alternate route for operating convenience and joinder purposes only.

NOTE: Applicant states authority applied for herein is for the purpose of removing restriction presently contained in MC 35494 Sub 27. Applicant is authorized to conduct operations in Illinois, Kentucky, Missouri, Ohio, Oklahoma, Tennessee and Texas.

No. MC 43475 Sub 49, filed August 14, 1956, GLENDENNING MOTORWAYS, INC., 820 Hampden Avenue, St. Paul 14, Minn. Applicant's representative: James E. Wilson, Continental Building, Fourteenth at "K" Northwest, Washington 5, D. C. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Fargo, N. Dak., and Minot, N. Dak., over U. S. Highway 52, serving no intermediate points, but serving the Jet Air Base near Minot, N. Dak., and points within fifteen (15) miles of Minot as off-route points; and (2) between Grand Forks, N. Dak., and Minot, N. Dak., over U. S. Highway 2, serving no intermediate points, but serving the Jet Air Base near Minot, N. Dak., and points within fifteen (15) miles of Minot as off-route points. Applicant is authorized to conduct operations in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE: MC 43475 Sub 40 is directly related to MC-F 6368, published August 22, 1956 on page 6322 of the FEDERAL REGISTER.

No. MC 45656 Sub 7, filed August 21, 1956, ANDERSON TRUCK LINE, INC., 115 Powell Avenue, Lenoir, N. C. Applicant's representative: A. W. Flynn, Jr., 201-204 Jefferson Building, Greensboro, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *New furniture*, from Cleveland, Crossville, Athens, Greenville, Morris-

town and Loudon, Tenn. and Toccoa, Ga., to Lenoir, N. C. and points within five miles thereof. Applicant is authorized to conduct operations in North Carolina, Virginia, Georgia, South Carolina, Tennessee, Maryland and the District of Columbia.

No. MC 52405 Sub 3, filed August 16, 1956, SCOTT BROS., INCORPORATED, 1000 South Broad Street, Philadelphia 46, Pa. Applicant's representative: Gilbert Nurick, Commerce Building, P. O. Box 432, Harrisburg, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Aluminum and aluminum articles*, from Jersey City, to points in that part of New York and Connecticut within 90 miles of Jersey City, N. J.

NOTE: Applicant states under Permit No. MC 52405 Sub 1, it is authorized to transport *steel products*, over irregular routes, from Jersey City, N. J., to points in that part of New York and Connecticut within 90 miles of Jersey City, and the purpose of this application is to include aluminum and aluminum articles within the authorized area under the existing Permit No. MC 52405 Sub 1.

No. MC 59952 Sub 4, filed August 15, 1956, THE J. M. BARBE CO., a corporation, 470 South Street, S. E., Warren, Ohio. Applicant's representative: J. J. Kuhner, 736 Society for Savings Building, Cleveland 14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Compressed gas*, (oxygen), in bulk, in shipper-owned tube trailers, from Midland, Pa., to Warren, Ohio, and *shipper-owned tube trailers*, from Warren, Ohio, to Midland, Pa.

No. MC 66562 Sub 1307, filed August 20, 1956, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd St., New York 17, N. Y. Applicant's representative: James E. Thomas, Railway Express Agency, Incorporated, Suite 1220 The Citizens & Southern National Bank Bldg., Atlanta 3, Ga. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities, including Class A and B explosives*, moving in express service, between Dothan, Ala., and Panama City, Fla.; from Dothan over U. S. Highway 231 to Panama City, and return over the same route, serving no intermediate or off-route points. RESTRICTIONS: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service. Shipments transported by said carrier shall be limited to those moving on a through bill of lading or express receipt covering, in addition to a motor carrier movement, an immediately prior or immediately subsequent movement by rail or air, except as to shipments originating at or consigned to Dothan, Ala. Such further specific conditions as the Commission in the future may find it necessary to invoke in order to restrict carrier's operations to service which is auxiliary to or supplemental of express service. Applicant is authorized to conduct operations throughout the United States.

No. MC 95649 Sub 1, filed August 8, 1956, NED A. BEEMAN, Laceyville, Pa. Applicant's representative: Paul H. Price, 609 Scranton Lackawanna Trust Build-



ing, Scranton, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Manufactured barn cleaners, slab saws, log cleaners and stone cutters* (requiring stake body trucks, gross weight 26,000 pounds), from Laceyville, Pa., to points in Pennsylvania, Ohio, New York, New Jersey, Maryland, Delaware, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont and Maine.

No. MC 96461 Sub 1, filed August 22, 1956, E. G. MENELAUS, doing business as BLOCKTON OIL CO., Blockton, Iowa. Applicant's representative: Stephen Robinson, 1020 Savings & Loan Building, Des Moines 9, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid petroleum gas*, in bulk, in tank vehicles, from Paola, Kans., to points in that part of Iowa bounded on the north by Iowa Highway 92, and on the east by U. S. Highway 69, serving points on the portions of the highways specified.

No. MC 104340 Sub 126, filed August 21, 1956, LEAMAN TRANSPORTATION COMPANY, INC., 520 E. Lancaster Avenue, Downingtown, Pa. Applicant's representative: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Dutchess County, N. Y., to point in Connecticut and Massachusetts. Applicant is authorized to conduct operations in Ohio, Pennsylvania, New York, Connecticut, Massachusetts, Virginia, West Virginia, and Maryland.

No. MC 105632, filed August 20, 1956, CENTRAL OF GEORGIA MOTOR TRANSPORT COMPANY, a corporation, 227 W. Broad St., Savannah, Ga. Applicant's representative: Walter C. Scott, Jr., P. O. Box 642, Savannah, Ga. *Petition for reopening and modification of the report and order of April 24, 1950 and reissuance of certificate dated May 31, 1956 which supersedes certificate dated December 6, 1950, and authorizes operations, among other, as a common carrier in the transportation of general commodities over regular routes between Albany, Ga., and Hartford, Ala., serving the intermediate points of Holt, Bermuda, Leary, Williamsburg, Commissary Hill, Arlington, Blakely, and Hilton, Ga., and Columbus, Webb, Smyrna, Dothan, Malvern and Slocumb, Ala., and the off-route point of Taylor, Ala., as described on page 3 of Certificate dated May 31, 1956, in service auxiliary to, or supplemental of, rail service of the Central of Georgia Railway and its rail subsidiaries, so as to eliminate that portion of the restrictions applicable to service between Albany, Ga., and Dothan, Alabama, described on page 5 of said certificate, namely, that shipments transported by said carrier between the points shall be limited to those moving under a through bill of lading covering, in addition to movement by said carrier, an immediately prior or immediately subsequent movement by rail.*

No. MC 106644 Sub 31, filed August 2, 1956, (Amended), published August 29, 1956 on Page 6528, SUPERIOR TRUCK-

ING COMPANY, INC., 520 Bedford Place, N. E. Atlanta, Ga. Applicant's representative: Reuben G. Crimm, Eight-O-Five Peachtree Street Building, Atlanta 8, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Commodities requiring special equipment*, between points in Wisconsin, on the one hand, and, on the other, points in Tennessee and Georgia. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

Note: Applicant has contract carrier irregular route authority in Permit No. MC 104724, dated May 25, 1954—Section 210 (dual operations) may be involved.

No. MC 107162 Sub 4, filed August 9, 1956, BERNHART H. JOHNSON, 529 Harding Street, Iron Mountain, Mich. Applicant's representative: John T. Porter, 708 First National Bank Building, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Lime* (not in bulk), from Rockwood (Manitowoc County), Wis., to points in the Upper Peninsula of Michigan, (2) *Utility poles*, treated with preservatives, from Chicago, Ill., to points in the Upper Peninsula of Michigan, (3) *Quarried stone*, from points within 10 miles of DePere and Fond Du Lac, Wis., to points in the Upper Peninsula of Michigan, and (4) *Slab wood*, from Slinger, Wis., to Iron Mountain-Kingsford, Mich., and (5) *Rough and semi-finished lumber*, from Slinger, Wis., to Menominee, Mich. Applicant is authorized to conduct operations in Michigan and Wisconsin.

No. MC 107403 Sub 220, filed August 23, 1956, E. BROOKE MATLACK, INC., 33rd and Arch Streets, Philadelphia 4, Pa. Applicant's representative: Paul F. Barnes, 811-19 Lewis Tower Building, Philadelphia 2, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum oil additives*, in bulk, in tank vehicles, from Bristol, Pa., to points in Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Virginia.

No. MC 107496 Sub 83, filed August 22, 1956, RUAN TRANSPORT CORPORATION, 408 S. E. 30th St., Des Moines 4, Iowa. Applicant's representative: Rex H. Fowler, 510 Central National Bldg., Des Moines 9, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum*, in tank vehicles, between points in Illinois and Indiana within 125 miles of Chicago, Ill., including Chicago; *petroleum products*, in bulk, in tank vehicles, (1) from Lockport, Ill. to Stevens Point, Wis.; (2) between points in Illinois and Indiana within 125 miles of Chicago, Ill., including Chicago; (3) from Lockport and Lemont, Ill., and East Chicago, Ind., to points in Illinois north of U. S. Highway 50 other than Chicago, Ill., and those within 125 miles of Chicago, those in Iowa east of U. S. Highway 69, those in Indiana north of a line beginning at Vincennes and extending along Indiana Highway 67 to junction of Indiana High-

way 54, thence along Indiana Highway 54 to junction of Indiana Highway 45, thence along Indiana Highway 45 to Bloomington, and thence along Indiana Highway 46 to the Indiana-Ohio State line, other than points in Indiana within 125 miles of Chicago, Ill.; those in Michigan south and west of a line beginning at Lake Michigan, and extending along an unnumbered highway via North Muskegon to junction of U. S. Highway 31, thence along U. S. Highway 31 to Muskegon, thence along Michigan Highway 46 to Saint Louis, thence along U. S. Highway 27 to Lansing, thence along U. S. Highway 127 to junction of U. S. Highway 223, and thence along U. S. Highway 223 to the Michigan-Ohio State line; and those in Wisconsin east and south of a line beginning at the Wisconsin-Illinois State line and extending along Wisconsin Highway 69 to junction of U. S. Highway 151, thence along U. S. Highway 151 through Madison to Fond du Lac, and thence along Wisconsin Highway 23 to Sheboygan, including points on the indicated portions of the highways specified; *rejected petroleum products containers*, from points in the destination territory specified in (2) and (3) above to Lockport and Lemont, Ill., and East Chicago, Ind.; *petroleum and petroleum products*, in bulk, in tank vehicles, (1) from points in the Chicago commercial zone, in Illinois, as defined by the Commission in Chicago, Ill., Commercial Zone, 1. M. C. C. 673, to points in that part of Wisconsin located on, east, and south of a line beginning at the Wisconsin-Illinois State line and extending along Wisconsin Highway 69 to junction U. S. Highway 151, thence along U. S. Highway 151 through Madison, Wis., to Fond du Lac, Wis., and on and south of Wisconsin Highway 23; (2) from Niles, Mich., and points within five miles thereof, to points in Indiana on and north of a line commencing at the junction of the Illinois-Indiana State line and U. S. Highway 24, thence along U. S. Highway 24 through Logansport, Peru, and Wabash to Huntington, thence along U. S. Highway 224 through Decatur to the Indiana-Ohio State line; *liquid petroleum asphalt*, in bulk, in tank vehicles, from Lockport, Ill., to points in Lafayette, Iowa, Richland, Sauk, Juneau, Adams, Marquette, Waushara, Green Lake, Calumet, Winnebago, Manitowish, Wood, Brown, Portage, Waupaca, Outagamie, Kewaunee, Marathon, Shawano, Oconto, and Door Counties, Wis., and those in that part of Green, Dane, Columbia, Dodge, Fond du Lac, and Sheboygan Counties, Wis., west and north of a line beginning at the Wisconsin-Illinois State line, and extending along Wisconsin Highway 69 to junction U. S. Highway 151, thence along U. S. Highway 151 through Madison to Fond du Lac, and thence along Wisconsin Highway 23 to Sheboygan, Wis., subject to the condition that the carrier shall not light or keep lighted open-flame burners attached to any vehicle used in such transportation except, and only when such vehicle is at rest and off the highway. Applicant is authorized to conduct operations in Iowa, Illinois, Wisconsin, Minnesota, Missouri, Nebraska, South Dakota, and North Dakota.



NOTE: Applicant herein is transferee in proceedings in No. MC-P 6373, published this issue, and by this application seeks common carrier certificates in lieu of applicable portions of Permit No. MC 52949 and in lieu of ePermits No. MC 52949 Sub 7, MC 52949 Sub 10, MC 52949 Sub 12, and MC 52949 Sub 13. This application will be processed concurrently with No. MC-P 6373.

No. MC 108298 Sub 22, filed August 23, 1956, **ELLIS TRUCKING CO., INC.**, 430 Kentucky Ave., Indianapolis, Ind. Applicant's representative: Harry E. Yockey, Morris Plan Bldg., Suite 806, 108 E. Washington St., Indianapolis 4, Ind. For authority to operate as a common carrier, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the new supply depot of General Motors Corporation located approximately six (6) miles southwest of Flint, Mich., on Michigan Highway 78 near West Bristol and Miller Roads in Flint Township, Otterburn, Mich., as an intermediate and off-route point in connection with applicant's authorized regular route operations to and from Flint, Mich. Applicant is authorized to conduct operations in Michigan, Ohio, Indiana and Illinois.

No. MC 110923 Sub 1, filed August 16, 1956, **ALBERT LIVEK**, doing business as **AL LIVEK'S TRUCKING SERVICE**, 808 Harrison Street, Kewanee, Ill. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: *Agricultural machinery, implements and parts*, as defined by the Commission, from Kewanee, Ill., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia and West Virginia. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Missouri, Nebraska and Wisconsin.

No. MC 110940 Sub 13, filed July 30, 1956, **ROBINS TRANSFER COMPANY, INC.**, P. O. Box 36, Powderly Station, Birmingham, Ala. Applicant's representative: Bennett T. Waites, Jr., 531-34 Frank Nelson Building, Birmingham 3, Ala. For authority to operate as a common carrier, over irregular routes, transporting: *Oils, fats, and greases, and products* (cotton seed oil, soya bean oil, peanut oil, cotton seed foots, soya bean foots, and vegetable oil foots), and *blends thereof* (cotton seed oil and soya bean oil), in bulk, in tank vehicles, except petroleum and petroleum products, (1) from points in Alabama, Tennessee, and South Carolina, to Macon, Ga., and (2) from Macon, Ga., to points in Alabama, Delaware, Florida, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return.

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NOTE: Duplication with present authority to be eliminated.

No. MC 111159 Sub 31, filed August 20, 1956, **MILLER PETROLEUM TRANSPORTERS, LTD.**, a corporation, P. O. Box 1123, Jackson, Miss. Applicant's representative: Phineas Stevens, Suite 900 Milner Building, P. O. Box 141, Jackson, Miss. For authority to operate as a common carrier, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Woodstock, Tenn. to points in Alabama, Arkansas, Kentucky, Louisiana, Missouri and Mississippi. Applicant is authorized to conduct operations in Mississippi, Alabama, Arkansas, Georgia, Louisiana, Tennessee, and Florida.

No. MC 111320 Sub 26, filed August 22, 1956, **CURTIS KEAL TRANSPORT COMPANY, INC.**, East 54th Street and Cleveland Shoreway, Cleveland 14, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. For authority to operate as a common carrier, over irregular routes, transporting: *Carryall or Low Boy Trailers*, by towaway method, between Camp Hill, Pa., and points in the United States.

No. MC 111472 Sub 37, filed August 17, 1956, **DIAMOND TRANSPORTATION SYSTEM, INC.**, 1919 Hamilton, Racine, Wis. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison 3, Wis. For authority to operate as a contract carrier, over irregular routes, transporting: *Tractors*, with or without attachments (intended to embrace tractors which may have general utility use, and which are not necessarily limited to farm tractors), from Racine, Wis., to points in Iowa, Illinois, Indiana, Kansas, Minnesota, Michigan, Missouri, North Dakota, Ohio, Nebraska and South Dakota. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, Wisconsin and Wyoming.

NOTE: In Certificate No. MC 111472 Sub 4 applicant is authorized to transport among other things, *farm tractors and farm machinery*, set up, over irregular routes, from Racine, Wis., to points in Iowa, Illinois, Indiana, Minnesota, Michigan, Missouri, North Dakota, South Dakota, and Nebraska. In Certificate No. MC 111472 Sub 8, applicant is authorized to transport *farm machinery*, over irregular routes, from Racine, Wis., to points in Kansas and Ohio. Duplication of the applied-for authority with present authority should be eliminated.

No. MC 111545 Sub 19, (Correction) filed August 7, 1956, published August 22, 1956, on page 6320, **HOME TRANSPORTATION COMPANY, INC.**, 334 South Four Lane Highway, Route 3, Marietta, Ga. Applicant's representative: Allan Watkins, Grant Building, Atlanta 3, Ga.

No. MC 111968 Sub 2, filed August 17, 1956, **BUFORD P. McCORD**, doing business as **McCORD TRANSFER**, 2711

Nolensville Road, Nashville, Tenn. Applicant's representative: Charles H. Hudson, Jr., 407 Broadway Bank Building, Nashville, Tenn. For authority to operate as a common carrier, over irregular routes, transporting: *Structural steel, and commodities* the transportation of which because of their size or weight require the use of special equipment and of parts thereof when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment, between points in Illinois, on the one hand, and, on the other, points in Kentucky, Tennessee, North Carolina, South Carolina, Virginia, and West Virginia. Applicant is authorized to conduct operations in Alabama, Arkansas, Georgia, Kentucky, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

No. MC 112324 Sub 1, filed August 16, 1956, **P. TOSCANO & SONS MOVING CO., INC.**, 2049 Utica Avenue, Brooklyn, N. Y. Applicant's representative: Morris Honig, 150 Broadway, New York 38, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Household goods* as defined by the Commission, (1) from points in New York, New Jersey, Connecticut and Pennsylvania lying within 100 miles of New York, N. Y., to New York, N. Y., and (2) between New York, N. Y., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania and Connecticut lying beyond 100 miles from New York, N. Y. Applicant is authorized in Certificate No. MC 112324 to transport *household goods* as defined by the Commission, over irregular routes, from points in the New York, N. Y., Commercial Zone as defined by the Commission, to those points in Connecticut, New Jersey, New York, and Pennsylvania which are within 100 miles of New York, N. Y.

NOTE: Applicant states no duplicating authority is sought and that the purpose of this application is to round out applicant's present one way authority to portions of the four states named and also to procure return authority.

No. MC 112822 Sub 2, filed January 17, 1955, *reopened for further hearing*, **EARL BRAY, INC.**, Linwood and North St., P. O. Box 910, Cushing, Okla. Applicant's representative: Erle W. Francis, Veterans of Foreign Wars Bldg., 214 W. Sixth St., Topeka, Kans. For authority to operate as a common carrier, over irregular routes, transporting: *Paraffine wax and petroleum wax, and petrolatum and petrolatum products, including petrolatum jelly*, not prepared or represented as a remedy medicine or lubricant for the human body, in bulk, in insulated tanks, and *petroleum lubricating oil*, in bulk, in tank trucks, from Ponca City, Okla., and all points within 20 miles thereof, to all points in Arkansas, Illinois, Iowa, Kentucky, Minnesota, Missouri, Nebraska and Tennessee, and *damaged shipments* on return.

NOTE: This proceeding is reopened for further hearing at a time and place to be hereafter fixed, solely with respect to the



question of whether the public convenience and necessity require the proposed service in the transportation of paraffin wax and petroleum lubricating oil.

No. MC 113861 Sub 10, filed August 13, 1956, W. H. WOOTEN AND J. H. PARKER, doing business as W. H. WOOTEN TRANSPORTS, 153 Gaston Ave., Memphis, Tenn. Applicant's representatives: Richard D. Gleaves, War Memorial Bldg., Nashville, Tenn., and Louis I. Dailey, 2111 Sterick Bldg., Nashville, Tenn. For authority to operate as a common carrier, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Alabama, Mississippi, Arkansas, Missouri and Kentucky, and *empty containers or other such incidental facilities* (not specified), on return.

No. MC 113861 Sub 11, filed August 13, 1956, W. H. WOOTEN AND J. H. PARKER, doing business as W. H. WOOTEN TRANSPORTS, 153 Gaston Ave., Memphis, Tenn. Applicant's representatives: Richard D. Gleaves, War Memorial Bldg., Nashville, Tenn., and Louis I. Dailey, 2111 Sterick Bldg., Nashville, Tenn. For authority to operate as a common carrier, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from Jackson and Humboldt, Tenn., to points in Alabama, Mississippi, Arkansas, Missouri and Kentucky, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, on return.

No. MC 114091 Sub 13, filed August 14, 1956, DIRECT TRANSPORT COMPANY OF KENTUCKY, INC., 3601 South 7th Street Road, Louisville, Ky. Applicant's representative: Ollie L. Merchant, 712 Louisville Trust Bldg., Louisville 2, Ky. For authority to operate as a common carrier, over irregular routes, transporting: *Petroleum and Petroleum products*, in bulk, in tank vehicles, as defined in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209 (1) from Dayton, Ohio, to Louisville, Ky., and (2) from Marcus Hook, Pa., to Dayton, Ohio, and Louisville, Ky. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Tennessee, and Kentucky.

No. MC 114614 Sub 3, filed August 21, 1956, T. T. BROOKS, doing business as T. T. BROOKS TRUCKING CO., 112 Chitwood Avenue, N. E., Fort Payne, Ala. Applicant's representative: Dale C. Dillon, 1825 Jefferson Place, N. W., Washington 6, D. C. For authority to operate as a contract carrier, over irregular routes, transporting: *Such commodities*, as are manufactured, processed, or dealt in by rubber or rubber products manufacturers, including supplies incidental to the conduct of such businesses, (1) from Akron, Ohio, to Lawrenceburg, and Pulaski, Tenn.; and (2) from Pulaski, Tenn., to Akron, Ohio. Applicant is authorized to conduct operations in Alabama, Georgia, Mississippi, Ohio and Tennessee.

No. MC 116060, filed June 18, 1956, D. L. STIPE, 415 East 9th Street, North Little Rock, Ark. Applicant's representative: Willis V. Lewis, 112 West 2nd Street, Little Rock, Ark. For authority

to operate as a contract carrier, over irregular routes, transporting: *Shields steel burial vaults*, wrapped in light paper, and *steel and wood caskets or coffins*, in boxes or wooden crates, (1) over U. S. Highway 167 from Little Rock, Ark., to Alexandria, La., (2) over U. S. Highway 65 from Sedalia, Mo., to Natchez, Miss., (3) over U. S. Highway 70 from Durant, Okla., to Nashville, Tenn., (4) over U. S. Highway 67 from Dallas, Tex., to Festus, Mo., (5) over U. S. Highway 64 from Tulsa, Okla., to Fayetteville, Tenn., (6) over U. S. Highway 72 to junction Alabama Highway 20, thence over Alabama Highway 20 (also over U. S. Highway 72 to junction Alabama Highway 31), from Memphis, Tenn., to Decatur, Ala., (7) over U. S. Highway 79 from Palestine, Tex., to Clarksville, Tenn., (8) over U. S. Highway 71 from Nevada, Mo., to Alexandria, La., (9) over U. S. Highway 59 from Texarkana, Ark., to Corrigan, Tex., (10) over U. S. Highway 69 from Woodville, Tex., to Fort Scott, Kans., (11) over U. S. Highway 63 from Rolla, Mo., to West Memphis, Ark., (12) over U. S. Highway 169 from Iola, Kans., to Tulsa, Okla., (13) over U. S. Highway 66 from Rolla, Mo., to Oklahoma City, Okla., (14) over U. S. Highway 75 to junction U. S. Highway 169, at Collinsville, Okla., thence over U. S. Highway 169 from Atoka, Okla., to Humboldt, Kans., (15) over U. S. Highway 60 from Ponca City, Okla., to Morganfield, Ky., (16) over U. S. Highway 51 from Hammond, La., to Carbondale, Ill., (17) over U. S. Highway 82 from Gainesville, Tex., to Tuscaloosa, Ala., (18) over U. S. Highway 61 from Festus, Mo., to Natchez, Miss., (19) over Tennessee Highway 13 to the Tennessee-Alabama State line, thence over Alabama Highway 34 from Clarksville, Tenn., to Tuscumbia, Ala., (20) over U. S. Highway 59 from Salinas, Okla., to Ottawa, Kans., and (21) over U. S. Highway 62 from Oklahoma City, Okla., to New Madrid, Mo. *Damaged shipments* of the commodities specified in this application from the above-specified destination points to the above-designated origin points.

NOTE: Applicant states the transportation service is to be performed for Jack Barnes, doing business as Barnes Steel Vault Co., 1601 East 9th Street, Little Rock, Ark.

No. MC 116120, filed July 24, 1956, JAMES LUTHER DRAFFEN, doing business as DRAFFEN TRUCK LINES, Calvert City, Ky. Applicant's representative: John C. Lovett, Lovett Bldg., Benton, Ky. For authority to operate as a contract carrier, over regular routes, transporting: *Chemicals*, as more fully described in the application, (a) from Calvert City, Ky., to St. Louis, Mo: from Calvert City over Kentucky Highway 95 to junction with U. S. Highway 62, thence over U. S. Highway 62 to Reidland, Ky., thence over U. S. Highways 62 and 68 to Paducah, Ky., thence over U. S. Highway 45 to Vienna, Ill., thence over Illinois Highway 146 to Ware, Ill., thence over Illinois Highway 3 to East St. Louis, Ill., and thence over U. S. Highway 50 to St. Louis (b) Calvert City, Ky., to Nashville, Tenn.: from Calvert City over Kentucky Highway 95 to junction with U. S. Highway 68, thence over U. S. Highway 68 to

Hopkinsville, Ky., and thence over U. S. Alternate Highway 41 to Nashville and (c) from Calvert City, Ky., to Memphis, Tenn.: from Calvert City over Kentucky Highway 95 to junction with U. S. Highway 68, thence over U. S. Highway 68 to junction with U. S. Highway 641, thence over U. S. Highway 641 to Paris, Tenn., and thence over U. S. Highway 79 to Memphis, serving no intermediate or off-route points on the above-specified routes. *Empty containers or other such incidental facilities* used in transporting the commodities specified, on return.

No. MC 116134, Sub 1, filed August 8, 1956, H. & M. TRUCKING CO., INC., 2135 Queens Chapel Road, N. E. Washington, D. C. Applicant's representatives: John C. Bradley and Homer S. Carpenter, 618 Perpetual Building, 1111 "E" Street, N. W., Washington 4, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *New furniture*, and *gas and electrical appliances*, including, but not limited to, *refrigerators*, *T. V. sets*, *radios*, *kitchen equipment*, *phonographs*, *stoves*, *washers*, *dryers*, *garbage disposals*, *freezers*, *hot water heaters*, *ironers*, *air conditioners*, *dehumidifiers*, *clocks*, *fans*, *kitchen cabinets*, and *lawn mowers*, between points in the Washington, D. C. Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in Loudoun, Fauquier, Fairfax, Arlington, Prince William, and Stafford Counties, Va., and points in Charles, Saint Marys, Prince Georges, Calvert, Anne Arundel, Montgomery, Howard, Frederick, Carroll, and Baltimore Counties, Md. **RESTRICTION:** Restricted to traffic originating at or destined to residences or homes.

No. MC 116142, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and *empty containers*, and *other such incidental facilities* (not specified) used in transporting beverages; and *advertising material and premiums*, between Cumberland, Md., and points in New Jersey.

No. MC 116142 Sub 1, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and *such incidental facilities* (not specified) used in transporting beverages; *advertising material and premiums*, from Baltimore, Md., and its commercial zone, as defined by the Commission, to points in New York and Pennsylvania, and *empty containers or other such incidental facilities* used in transporting the commodities, on return.

No. MC 116142 Sub 2, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For



authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and such incidental facilities (not specified) used in transporting beverages; *advertising material and premiums*, from Natick, Mass., and points within 25 miles thereof to points in New Jersey, and empty containers or other such incidental facilities (not specified) used in transporting the Commodities, on return.

No. MC 116142 Sub 3, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bank Bldg., Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and such incidental facilities (not specified) used in transporting beverages; *advertising material and premiums*, from Newark, N. J., and its Commercial Zone, as defined by the Commission, to points in Ohio, and empty containers, or other such incidental facilities (not specified), on return.

No. MC 116142 Sub 4, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and empty containers or other such incidental facilities (not specified) used in transporting beverages; *advertising material and premiums*, (1) between Lebanon, Pa., and its commercial zone, as defined by the Commission, and Newark, N. J., and its commercial zone, as defined by the Commission, and between Jersey City and Newark, N. J., and their commercial zones, as defined by the Commission, on the one hand, and, on the other, points in New Jersey.

No. MC 116142 Sub 5, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and such incidental facilities (not specified) used in transporting beverages; *advertising material and premiums*, from Natick, Mass., and its Commercial Zone, as defined by the Commission, to Dover and Wilmington, Del., and Harrisburg, Pa., and points in Pennsylvania on and east of a line drawn north and south from the New York-Pennsylvania State line to the Maryland-Pennsylvania state line through Altoona, Pa., and empty containers or other such incidental facilities (not specified) used in transporting the Commodities, on return.

No. MC 116142 Sub 6, filed August 2, 1956, BEVERAGE TRANSPORTATION INC., 615 Broadstreet Bank Building, Trenton, N. J. Applicant's representative: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Beverages*, in containers, and such inci-

dental facilities (not specified) used in transporting beverages; *advertising material and premiums*, from Trenton, N. J., and points within 15 miles thereof to points in West Virginia and Ohio, and empty containers, or other such incidental facilities (not specified), on return.

No. MC 116148, filed August 6, 1956, HARRY D. WOLF, Box 52, New Bloomfield, Pa. Applicant's representative: Andrew Wilson Green, 603 North Front Street, Harrisburg, Pa. For authority to operate as a common carrier, over irregular routes, transporting: *Prefabricated knocked-down homes*, and component parts thereof, and materials and supplies, incidental to the assemblage thereof, from McDonough, N. Y. to points in Florida, Georgia, South Carolina, North Carolina, Virginia, District of Columbia and Maryland.

No. MC 116149, filed August 7, 1956, GEORGE CAMERON AND RICHARD OLSKI, doing business as SP-DEE WHOLESALE FLOWER SERVICE, 25 Compton Avenue, West Keansburg, N. J. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N. J. For authority to operate as a common carrier, over irregular routes, transporting: *Such commodities, as are used or dealt in by florists and floral supply houses, including but not limited to wrapping paper, tinsels, vases, flower pots, ornaments and ornamentalations, cases and display cases, and horticultural commodities*, when transported on a vehicle on which non-exempt commodities are transported for compensation at the same time, between New York, N. Y., on the one hand, and, on the other, points in Union, Middlesex, Monmouth, Ocean and Somerset Counties, N. J.

No. MC 116161, filed August 13, 1956, LESLIE C. TESCH, 405 South Market Street, Brenham, Tex. Applicant's representative: Albert G. Walker, 202 Capital National Bank Building, Austin, Tex. For authority to operate as a contract carrier, over irregular routes, transporting: *Malt beverage*, in containers, from St. Louis, Mo., East St. Louis, Ill., and Belleville, Ill., to points in Washington, Brazos, Milam, Williamson, Bell, Falls, Burleson, Travis, McLennan and Harris Counties, Texas, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, on return.

No. MC 116162, filed August 13, 1956, I. D. WALKER AND E. F. MIXSON, doing business as I. D. WALKER AND SONS, P. O. Box 772, Belle Glade, Fla. Applicant's representative: John T. Bond, 1392 Northwest 36th Street, Miami 40, Fla. For authority to operate as a common carrier, over irregular routes, transporting: (1) *Raw and semi-fabricated aluminum and aluminum products* (as more fully described in the application), and (2) *glass and glass products* (as more fully described in the application), between points in the United States, on the one hand, and, on the other, points in Florida.

No. MC 116164, filed August 16, 1956, ARROW TRANSPORTATION, a Corporation, 831 East Broadway, Des Moines, Iowa. Applicant's representative: William A. Landau, 1307 East Wal-

nut Street, Des Moines 16, Iowa. For authority to operate as a contract carrier, over irregular routes, transporting: *Pipe, pipe arches, and pipe sections*, plain or bituminous coated, *corrugated metal flumes, corrugated or plain metal sheets, curved sectional multi-plates, welded or wrought iron, water control headgates and highway guard rails*, from Des Moines, Iowa, to points in Kansas, Missouri, Nebraska and South Dakota.

No. MC 116166, filed August 16, 1956, FLUSHING TRUCKING CORP., 131-33 Avery Avenue, Flushing 55, N. Y. Applicant's representative: Dwyer W. Shugrue, 12 East 41st Street, New York 17, N. Y. For authority to operate as a contract carrier, over irregular routes, transporting: *Steel office equipment* (such as desks, chairs, filing cabinets, shelving, coat valets), uncrated, from Avery Avenue, Flushing, N. Y., to shippers' customers at points in Massachusetts, Connecticut, New York, New Jersey and Pennsylvania.

No. MC 116136, (Correction) filed July 27, 1956, published August 29, 1956, on page 6531, AACON AUTO DELIVERY, INC., 1 Beekman St., New York, N. Y. Applicant's representative: Herbert Burstein, 135 Broadway, New York 6, N. Y. Applicant's correct name is AACON AUTO DELIVERY SERVICE, INC.

No. MC 116170, filed August 1956, SIOUX FREIGHTWAYS, INC., P. O. Box 533, Sioux Falls, S. Dak. Applicant's representative: H. Lauren Lewis, Wilson Terminal Building, P. O. Box 707, Sioux Falls, S. Dak. For authority to operate as a common carrier, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packing houses*, as defined by the Commission, from Austin, Minn., Fort Dodge and Sioux City, Iowa, Omaha and Fremont, Nebr., and Mitchell, S. Dak., to Bristol, Tenn., and points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, Indiana, Ohio, and the District of Columbia.

No. MC 116174, filed August 22, 1956, FINIS CHAFEN, doing business as CHAFEN BODY WORKS, 1015 South 10th Street, St. Joseph, Mo. Applicant's representative: Richard D. Duncan, 1012 Baltimore Building, Kansas City 5, Mo. For authority to operate as a common carrier, over irregular routes, transporting: *Vehicles*, (damaged, disabled or wrecked) from points in Illinois, Iowa, Kansas, Missouri, Nebraska and Oklahoma to St. Joseph, Mo., for repair in applicant's body shop.

No. MC 116180, filed August 23, 1956, PAUL R. McLAUGHLIN, doing business as McLAUGHLIN TRUCKING CO., Darlington Highway, Florence, S. C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S. C. For authority to operate as a common carrier, over irregular routes, transporting: *Lumber, poles, posts and cross ties*, rough, treated and dressed, from Darlington and Florence Counties, S. C., to points in Delaware, District of Columbia, Florida, Georgia, Kentucky, Maryland, New Jer-



sey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia.

No. MC 116183, filed August 9, 1956, BERNHART G. JOHNSON, 529 Harding Street, Iron Mountain, Mich. Applicant's representative: John T. Porter, 708 First National Bank Building, Madison 3, Wis. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Cinder blocks, concrete blocks, and brick*, from Green Bay, Wis., to points in the Upper Peninsula of Michigan. Applicant is authorized to perform common carrier irregular route operations to transport under Certificate No. MC 107162, *Lumber, logs, evergreens, pulpwood and wooden posts, piling and spars*, from points in the Upper Peninsula of Michigan to points in Wisconsin, and under Certificate No. MC 107162 Sub 2, *dry asphalt and black topping material*, in bulk, from points in Marathon County, Wis., to points in the Upper Peninsula of Michigan, and *Lumber*, from Eagle River, Wis., and points in Wisconsin within 50 miles of Eagle River, to points in the Upper Peninsula of Michigan.

NOTE: Section 210, dual operations may be involved.

#### APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 2353 Sub 5, filed August 10, 1956, MONUMENTAL MOTOR TOURS, INC., 3319 Pulaski Highway, Baltimore 24, Md. Applicant's representative: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage, and express, mail, and newspapers*, in the same vehicle with passengers, in seasonal operations during the period between May 15 and September 15, inclusive, of each year, between Baltimore, Md., and Cape May, N. J., as follows: from Baltimore over U. S. Highway 40 to Malaga, N. J., thence over New Jersey Highway 47 to Millville, N. J., thence over New Jersey Highway 49 to Tuckahoe, N. J., thence over New Jersey Highway 50 to junction U. S. Highway 9 at Seville, N. J., thence over connecting road to the Garden State Parkway Interchange, thence over the Garden State Parkway to junction New Jersey Highway 585, thence over New Jersey Highway 585 to junction U. S. Highway 9, thence over U. S. Highway 9 to Cape May, and return over the same route, serving all intermediate points, restricted to traffic moving between Baltimore and intermediate points on the route in Maryland, on the one hand, and, on the other, Cape May, N. J., and intermediate points on the route in New Jersey. Applicant is authorized to conduct irregular route operations in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and regular route operations in Delaware, Maryland, and New Jersey.

NOTE: Applicant states that the authority herein requested will be tacked with authority concurrently sought for a regular route between Baltimore, Md., and Washington, D. C., over U. S. Highways 40 and 29 and Maryland Highways 196 and 97. Applicant further states that no duplicating authority is sought.

No. MC 2353 Sub 6, filed August 10, 1956, MONUMENTAL MOTOR TOURS, INC., 3319 Pulaski Highway, Baltimore 24, Md. Applicant's representative: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage, and express, mail, and newspapers*, in the same vehicle with passengers, between Baltimore, Md., and Washington, D. C., as follows: from Baltimore over U. S. Highway 40 to junction U. S. Highway 29, thence over U. S. Highway 29 to junction Maryland Highway 196 (also designated U. S. Highway 29), thence over Maryland Highway 196 (also designated U. S. Highway 29) to junction U. S. Highway 29, near White Oak, Md., thence over U. S. Highway 29 to junction Maryland Highway 97, thence over Maryland Highway 97 to Washington, and return over the same route, serving all intermediate points, except no passengers will be transported between Washington, D. C., on the one hand, and, on the other, points in Maryland along Maryland Highway 97 and U. S. Highway 29 to the intersection of U. S. Highway 29 and Maryland Highway 196 near White Oak, Md. Applicant is authorized to conduct irregular route operations in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and regular route operations in Delaware, Maryland, and New Jersey.

NOTE: Applicant states that the authority herein requested will be tacked with applicant's authorized regular route operations in Certificate No. MC 2353 Sub 2, dated July 21, 1955, and with the authority concurrently requested between Baltimore, Md., and Cape May, N. J., via Wildwood, N. J., and other intermediate points. Applicant further states that no duplicating authority is sought.

No. MC 108219 Sub 3, filed August 20, 1956, GREY GOOSE BUS LINES, LIMITED, Union Bus Depot, Winnipeg, Manitoba, Canada. Applicant's representative: Alan Foss, First National Bank Bldg., Fargo, N. D. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between the international boundary line between the United States and Canada at or near Pine Creek, Minn., and International Falls, Minn., from the International boundary line between the United States and Canada at or near Pine Creek over Minnesota Highway 89 to Fox, thence over U. S. Highway 11 to International Falls, and return over

the same route, serving all intermediate points.

NOTE: Applicant states that the purpose of this application is to remove the restriction in MC 108219 and that no duplicate authority is sought. Applicant is authorized to conduct operations in Minnesota, North Dakota, Montana, Illinois, Indiana, Iowa, Kansas, Michigan, Nebraska, Ohio, Oklahoma, South Dakota, Wisconsin and Wyoming.

No. MC 116096, filed July 11, 1956, LOREN C. BALL AND BARBARA JANE YOUNG, doing business as L. C. BALL TOURS, 5 W. Fourth St., Williamsport, Pa. Applicant's representative: O. William Vanderlin, 433 Market St., Williamsport, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special service expense-paid tours beginning and ending at Williamsport, Pa., and points within one hundred (100) miles of Williamsport and extending to points in the United States.

NOTE: Loren C. Ball, doing business as L. C. Ball, Tours, holds License No. MC 12372 authorizing operations as a broker in arranging transportation of passengers and their baggage between Williamsport, Pa., and points within 50 miles thereof, on the one hand, and, on the other, points in the United States. By application assigned No. MC 12649, published this issue, Loren C. Ball and Barbara Jane Ball seek a license in arranging for transportation of passengers and their baggage between all points in the United States.

No. MC 116157, filed August 10, 1956, FRED SHANHOLTZ, doing business as MIDDLE RIVER BUS COMPANY, 2037 Tred Avon Road, Baltimore 21, Md. Applicant's representative: John N. Maguire, 825 Eastern Avenue, Essex 21, Md. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers in charter operations, beginning and ending at Essex, Baltimore County, Md., and extending to points in New York, Delaware, New Jersey, Pennsylvania, District of Columbia, Virginia and West Virginia.

#### APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12649, filed July 20, 1956, LOREN C. BALL AND BARBARA JANE BALL, doing business as L. C. BALL TOURS, 431 Market St., Williamsport, Pa. Applicant's representative: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For a license (BMC 5) authorizing operations as a broker at Williamsport, Pa., in arranging for transportation in interstate or foreign commerce by motor vehicle of *passengers and their baggage* between all points in the United States. Loren C. Ball, doing business as L. C. Ball Tours, is authorized by License No. MC 12372 to arrange transportation by motor vehicle of *passengers and their baggage* between Williamsport, Pa., and points within 50 miles thereof, on the one hand, and, on the other, points in the United States.

#### APPLICATIONS UNDER SECTIONS 5 AND 210 (a) (b)

No. MC-F 5940, published in the March 16, 1955, issue of the FEDERAL REGISTER on



page 1601. Application filed August 22, 1956, for temporary authority under section 210a (b).

No. MC-F 6322, published in the July 11, 1956, issue of the *FEDERAL REGISTER* on page 5155. Application filed August 27, 1956, for temporary authority under section 210a (b).

No. MC-F 6373. Authority sought for purchase by RUAN TRANSPORT CORPORATION, 408 S. E. 30th Street, Des Moines, Iowa, of a portion of the operating rights and certain property of JAMES A. HANNAH, INC., P. O. Box 89, Lemont, Ill., and for acquisition by JOHN RUAN, also of Des Moines, of control of such rights and property through the purchase. Applicants' representative: Rex H. Fowler, 510 Central National Bldg., Des Moines, Iowa. Operating rights sought to be transferred: *Petroleum*, in tank trucks, as a *contract carrier* over irregular routes, between points in Illinois and Indiana within 125 miles of Chicago, Ill., including Chicago; *petroleum*, in bulk, in tank trucks, from points in the Chicago Commercial Zone in Illinois, as defined by the Commission, to certain points in Wisconsin, and from Niles, Mich., and points within five miles thereof, to certain points in Indiana; *petroleum products*, in bulk, in tank trucks, between points in Illinois and Indiana within 125 miles of Chicago, Ill., including Chicago, from Lockport and Lemont, Ill., and East Chicago, Ind., to certain points in Illinois, Iowa, Indiana, Michigan, and Wisconsin, from points in the Chicago Commercial Zone in Illinois, as defined by the Commission, to certain points in Wisconsin, from Lockport, Ill., to Stevens Point, Wis., and from Niles, Mich., and points within five miles thereof, to certain points in Indiana; *liquid petroleum asphalt*, from Lockport, Ill., to certain points in Wisconsin. Vendee is authorized to operate as a *common carrier* in Iowa, Illinois, Wisconsin, Minnesota, Missouri, Nebraska, Kansas, North Dakota, and South Dakota. Application has not been filed for temporary authority under section 210a (b).

Note: MC 107496 Sub 83 is a matter directly related.

No. MC-F 6375. Authority sought for purchase by McLEAN TRUCKING COMPANY, P. O. Box 213, Winston-Salem, N. C., of the operating rights of MEREDITH & HITCHCOCK, INC., 134th Street & 12th Avenue, New York, N. Y. Applicant's representative: David G. Macdonald, 1625 K Street, N. W., Washington 6, D. C. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over irregular routes, between New York, N. Y., and points in Bergen, Essex, Hudson, Passaic, and Union Counties, N. J., on the one hand, and, on the other, East Port Chester, Glanville, Greenwich, and Stamford, Conn., and points in Dutchess, Orange, Ulster, Putnam and Westchester Counties, N. Y. Vendee is authorized to operate as a *common carrier* in Connecticut, Delaware, Georgia, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia and the District

of Columbia. Application has been filed for temporary authority under section 210a (b). By supplemental application M. C. BENTON, JR. and PAUL P. DAVIS, both of Winston-Salem, seek authority as persons in control of vendee to control MEREDITH & HITCHCOCK, INC., as a result of the purchase.

No. MC-F 6376. Authority sought for purchase by CONSOLIDATED FREIGHTWAYS, INC., 2029 N. W. Quimby Street, Portland, Oreg., of the operating rights and property of HARRY F. MARTIN and ANTON J. MARTIN, doing business as MARTIN TRANSFER COMPANY, 1152 - 12th Avenue, Longview, Wash. Applicants' representative: Donald A. Schafer, 803 Public Service Bldg., Portland 4, Oreg. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Longview, Wash., and Portland, Oreg., and between Longview, Wash., and junction U. S. Highway 830 and Washington Highway 12-B, serving certain intermediate and off-route points; *household goods*, as defined by the Commission, over irregular routes, between points in Cowlitz and Wahkiakum Counties, Wash., on the one hand, and, on the other, points in Oregon; *cryolite* and *carbno electrodes* with stub, in bulk, in dump trucks, between Longview, Wash., on the one hand, and, on the other, Troutdale, Oreg., and points within three miles thereof; *groceries*, *forest products*, *stevedoring gear*, *agricultural commodities*, *machinery*, *building materials*, *logging camp equipment* and *machinery*, *pot linings*, *pot lining materials*, and *materials used in the manufacture of plastics*, from, to and between points and areas, varying with the commodity transported, in Washington and Oregon. Vendee is authorized to operate as a *common carrier* in Oregon, Washington, Idaho, California, Nevada, Minnesota, North Dakota, Montana, Utah, Wisconsin, Illinois, Wyoming and Iowa. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6379. Authority sought for purchase by KANSAS CITY-ATCHISON-OMAHA BUS LINES, INC., 5628 Wolcott Drive, Wolcott (mail address Bethel), Kans., of a portion of the operating rights and certain property of MISSOURI PACIFIC TRANSPORTATION COMPANY, 1600 Missouri Pacific Bldg., St. Louis, Mo., and for acquisition by C. F. DAWKINS and BERNITA M. DAWKINS, both of Wolcott, Kans., of control of such rights and property through the purchase. Applicants' representative: Erle W. Francis, 214 West Sixth Street, Topeka, Kans. Operating rights sought to be transferred: *Passengers and their baggage*, and *express, mail and newspapers* in the same vehicle with passengers, as a *common carrier* over regular routes between Kansas City, Mo., and Omaha, Nebr., and between St. Joseph, Mo., and Topeka, Kans., serving all intermediate points. Vendee is not a carrier, but is affiliated with C. F. DAWKINS and BERNITA M. DAWKINS, doing business as KANSAS CITY-ATCHISON BUS LINE, Bethel, Kans.,

which is authorized to conduct temporary authority operations in Missouri and Kansas. Application has been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 56-7119; Filed, Sept. 5, 1956; 8:47 a. m.]

[No. MC-C-2001]

# REDUCED CLASS AND COMMODITY RATES MIDDLE ATLANTIC TERRITORY

## FIRST SUPPLEMENTAL ORDER

At a session of the Interstate Commerce Commission, Board of Suspension, held at its office in Washington, D. C., on the 24th day of August A. D. 1956.

In the original order in this proceeding, the Commission, Board of Suspension, upon its own motion, entered upon an investigation concerning certain class and commodity rates, and charges, and the rules, regulations and practices affecting such rates and charges, applicable on interstate or foreign commerce, between points in the New York, N. Y., and northern New Jersey area, on the one hand, and points in Pennsylvania on the other, as set forth in schedules of Middle Atlantic Conference, Agent, named therein, and comparable class and commodity rates published in schedules of Hudson Transportation Company, and the Association of Interstate Motor Carriers, Agent;

It appearing, that the following publications and effective supplements thereto contain class and commodity rates which are similar to, or are in addition to, the rates covered by the original order in this proceeding:

Hudson Transportation Co.: MF-I. C. C. No. 4 (except portions included in original order).

Hudson Transportation Company: MF-I. C. C. No. 6 (except portions contained in original order).

Association of Interstate Motor Carriers, Agent: MF-I. C. C. No. 13 (except portions contained in original order. Applies only from and to points named in the foregoing tariffs of Hudson Transportation Company).

The following publications insofar as they contain class and commodity rates applying between the points named in the foregoing tariffs of Hudson Transportation Company:

Middle Atlantic Conference, Agent: MF-I. C. C. No. A-590; MF-I. C. C. No. A-760.

Harry Hall doing business as Hall's Fast Motor Freight: MF-I. C. C. No. 6.

Jones Trucking Co.: MF-I. C. C. No. 2.

Metropolitan Motor Carriers Conference, Inc., Agent: MF-I. C. C. No. 24.

Paul W. Hively, doing business as Miller's Motor Freight Service: MF-I. C. C. No. 12.

Richards Freight Lines, Inc.: MF-I. C. C. No. 2.

Frank Saita and Benjamin Saita, Jr., doing business as Saita Brothers: MF-I. C. C. No. 8.

Anna Smulovitz, doing business as Smulovitz Bros., MF-I. C. C. No. 11.

Martin P. Voyton, Clem W. Voyton and Charles M. Voyton, a partnership, doing



business as Voyton Brothers: MF-I. G. C. No. 8.

It further appearing, that upon consideration of the tariff schedules shown in the foregoing, there is reason to institute an investigation to determine whether they result in rates and charges, rules or regulations and practices that are unjust and unreasonable in violation of the Interstate Commerce Act; and good cause appearing therefor:

*It is ordered*, That this investigation be, and it is hereby, broadened, upon the Commission's own motion, into and concerning the lawfulness of the rates, charges, rules, regulations and practices contained in schedules designated herein, or as the same may be amended or reissued, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant.

*It is further ordered*, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said rates, charges, rules, regulations and practices under the Interstate Commerce Act.

*It is further ordered*, That a copy of this order be served on the respondents' attorneys in fact, and the individual carriers, who filed the schedules containing the rates under investigation herein; and that further notice of this proceeding be given to the respondents, and that notice be given to the general public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

*And it is further ordered*, That this matter be assigned for hearing at a time and place to be hereafter fixed.

By the Commission, Board of Suspension.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 56-7120; Filed, Sept. 5, 1956;  
8:47 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

[Vesting Order 17789, Amdt.]

CARL CONRADI

In re: Bonds owned by Carl Conradi, also known as Karl Conradi and as Carlo Conradi; F-28-20012.

Vesting Order 17789, dated May 4, 1951, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and

Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Conradi, also known as Karl Conradi and as Carlo Conradi, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by one (1) Chicago, Milwaukee, St. Paul and Pacific Railroad Company 5 percent Convertible Adjustment Mortgage Gold Bond, Series A, of \$1,000.00 face value, in bearer form bearing the number M18269 and evidenced by coupons attached to or detached from said bond and due on or after April 1, 1931, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bond and coupons,

b. Those certain debts or other obligations, matured or unmatured, evidenced by one (1) The Central Pacific Railway Company First Refunding 4 percent Mortgage Gold Bond, of \$1,000.00 face value, in bearer form bearing the number 80487 and evidenced by coupons attached to or detached from said bond and due on or after February 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bond and coupons, and

c. Those certain debts or other obligations, matured or unmatured, evidenced by one (1) The Atchison, Topeka and Santa Fe Railway Company 4 percent General Mortgage Bond, of \$1,000.00 face value, in bearer form bearing the number M34564 and evidenced by coupons attached to or detached from said bond and due on or after April 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bond and coupons,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Carl Conradi, also known as Karl Conradi and as Carlo Conradi, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 31, 1956.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 56-7142; Filed, Sept. 5, 1956;  
8:50 a. m.]

[Vesting Order 18262, Amdt.]

ELISABETH ALBRECHT ET AL.

In re: Securities owned by Mrs. Elisabeth Albrecht and others; F-28-4377, D-28-11147-E-1.

Vesting Order 18262, dated August 1, 1951 is hereby amended as follows and not otherwise:

By deleting subparagraph 11 of said Vesting Order 18262, and substituting therefor the following:

11. That certain debt or other obligation, matured or unmatured, evidenced by one (1) St. Louis Southwestern Railway Company, Second Mortgage 4 percent Gold Bond of \$500 face value, due 1939, bearing the number 36, and evidenced by coupons attached to or detached from said bond and due on or after January 1, 1936, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights, in to and under said bond,

All other provisions of said Vesting Order 18262 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on August 30, 1956.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 56-7143; Filed, Sept. 5, 1956;  
8:51 a. m.]



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