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Title 7—AGRICULTURE

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

PART 722—COTTON

Proclamation of Results of Marketing Quota Referendum for 1959 Crop of Upland Cotton

§ 722.204 Basis and purpose.

The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1959 crop of upland cotton. Under the provisions of the Agricultural Adjustment Act of 1958, as amended, the Secretary of Agriculture on September 29, 1958, proclaimed a national marketing quota for the 1959 crop of upland cotton (23 F.R. 7665), and on October 14, 1958, announced that a referendum would be held on December 15, 1958, to determine whether cotton farmers were in favor of or opposed to such quota (23 F.R. 8036). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, application of the notice and public procedure requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary.

§ 722.205 Proclamation of results of the marketing quota referendum for the 1959 crop of upland cotton.

In a referendum held on December 15, 1958, of farmers engaged in the production of the 1958 crop of upland cotton, 274,943 farmers voted. Of those voting, 253,590, or 92.2 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1959 crop of upland cotton, and 21,353, or 7.8 percent, opposed such quota. Therefore the national marketing quota of 12,167,000 bales proclaimed by the Secretary of Agriculture on September 29, 1958, for the 1959 crop of upland cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 342–345, 52 Stat. 56–58, as amended; 7 U.S.C. 1342–1345)

Done at Washington, D.C., this 7th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-257; Filed, Jan. 12, 1959; 8:45 a.m.]

PART 722—COTTON

Proclamation of Results of Marketing Quota Referendum for 1959 Crop of Extra Long Staple Cotton

§ 722.254 Basis and purpose.

The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1959 crop of extra long staple cotton. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture on October 13, 1958, proclaimed a national marketing quota for the 1959 crop of extra long staple cotton (23 F.R. 7986), and on November 4, 1958, announced that a referendum would be held on December 15, 1958, to determine whether extra long staple cotton farmers were in favor of or opposed to such quota (23 F.R. 8736). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, application of the notice and public procedure requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary.

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FEDERAL REGISTER

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§ 722.255 Proclamation of results of the marketing quota referendum for the 1959 crop of extra long staple cotton.

In a referendum held on December 15, 1958, of farmers engaged in the production of the 1958 crop of extra long staple cotton, 1,180 farmers voted. Of those voting, 1,044, or 88.5 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1959 crop of extra long staple cotton, and 136, or 11.5 percent, opposed such quota. Therefore the national marketing quota of 73,989 bales proclaimed by the Secretary of Agriculture on October 13, 1958, for the 1959 crop of extra long staple cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 342-345, 347, 52 Stat. 56-59, as amended; 7 U.S.C. 1342-1345, 1347)

Done at Washington, D.C., this 7th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-258; Filed, Jan. 12, 1959; 8:45 a.m.]

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Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. G]

PART 207—COLLECTION OF NONCASH ITEMS

Alaska

1. Effective January 3, 1959, footnote 1 to § 207.1 is amended to eliminate the word "Alaska," where it appears therein.

2. Effective January 3, 1959, § 207.51 is amended to eliminate the words "Alaska and" where they appear in the title and body of this section.

3. (a) These amendments make no change in substance but merely eliminate superfluous and inappropriate wording and recognize the fact that Alaska has become a State and is part of the Twelfth Federal Reserve District.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply secs. 13, 16, 38 Stat. 263, 265, as amended; 12 U.S.C. 248(o), 342, 360)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-269; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Alaska

1. Effective January 3, 1959, footnote 1 to paragraph (a) of § 208.1 is amended to eliminate the words "in Alaska or" where they appear therein.

2. (a) The purpose of this amendment is to eliminate reference to Alaska since banks organized under the general laws of such State may become members of the Federal Reserve System under section 9 of the Federal Reserve Act.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with these amendments for the reasons and good cause found, as stated in § 262.2(e) of the Board's rules of procedure (Part 262), and especially because such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply sec. 9, 38 Stat. 259, as amended, 49 Stat. 715, 64 Stat. 873; 12 U.S.C. 321–338, 486, 1814(b), 1816)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-267; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. J]

PART 210—CHECK CLEARING AND COLLECTION

Alaska

1. Effective January 3, 1959, footnote 1 to § 210.3 is amended to eliminate the word "Alaska," where it appears therein.

2. Effective January 3, 1959, § 210.51 is amended to eliminate the words "Alaska and" where they appear in the title and body of this section.

3. (a) These amendments make no change in substance but merely eliminate superfluous and inappropriate wording and recognize the fact that Alaska has become a State and is part of the Twelfth Federal Reserve District.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply secs. 13, 16, 38 Stat. 263, 265, as amended; 12 U.S.C. 248(o), 342, 360)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-268; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. U]

PART 221—LOANS BY BANKS FOR PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

Alaska

1. Effective January 3, 1959, paragraph (i) of § 221.2 is amended by changing the figure "48" to "49" where it appears therein.

2. (a) The purpose of this amendment is to make this part applicable to all banks in Alaska.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w. Interpret or apply secs. 3, 7, 17, 48 Stat. 882, 886, 897; 15 U.S.C. 78c, 78g, 78q)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-270; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. Y]

PART 222—BANK HOLDING COMPANIES

Loans of "Federal Funds" Between Banks in Same Holding Company System

§ 222.110 Loans of "Federal funds" between banks in same holding company system.

(a) The question has been asked whether "sales" of Federal funds, at current rates of interest, between bank subsidiaries of a holding company would constitute loans or extensions of credit within the purview of section 6(a)(4) of the Bank Holding Company Act, which forbids a bank "to make any loan, discount or extension of credit to a bank holding company of which it is a subsidiary or to any other subsidiary of such bank holding company."

(b) For many years the Federal Reserve System and other bank supervisory authorities have regarded such inter-bank transfers of Federal Reserve credit as loans (see 1930 Fed. Res. Bulletin 81), and the Board finds no reason to infer that these transactions have a different status under the Holding Company Act. Accordingly, in the Board's opinion, a sale of Federal funds would constitute a prohibited "loan" or "extension of credit" under section 6(a)(4).

(c) It is also the Board's view that sales of Federal funds are not exempted from the prohibitions of section 6(a) by the following provision of the last paragraph of that subsection:

> Noninterest-bearing deposits to the credit of a bank shall not be deemed to be a loan or advance to the bank of deposit * * *.

The 1930 ruling, cited above, clearly indicates that funds so transferred are not deposits in the "purchasing" bank. Accordingly, the quoted exception would not exempt Federal-funds transactions even if such transactions were on a noninterest-bearing basis.

(Sec. 5(b), 70 Stat. 137; 12 U.S.C. 1844)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-271; Filed, Jan. 12, 1959; 8:47 a.m.]

FCHP00756

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Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Dockets No. 6701 etc.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Sperry Rand Corp. et al.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Price discrimination under 2(a): § 13.715 *Charges and price differentials;* [*Discriminating in price under section 2, Clayton Act, as amended*]—Payment for services or facilities for processing or sale under 2(d): § 13.825 *Allowances for services or facilities.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist orders, Sperry Rand Corporation, New York, N.Y., Docket 6701; Schick Incorporated et al., Lancaster, Pa., Docket 6892; North American Philips Company, Inc., New York, N. Y., Docket 6900; November 3, 1958]

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Furnishing services or facilities for processing, handling, etc., under 2(e): § 13.835 *"Demonstrators."*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist orders, Schick Incorporated et al., Lancaster, Pa., Docket 6892, and North American Philips Company, Inc., New York, N.Y., Docket 6900, November 3, 1958]

Subpart—*Maintaining resale prices:* § 13.1110 *Maintaining resale prices.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist orders, Sperry Rand Corporation, New York, N. Y., Docket 6701, and Schick Incorporated et al., Lancaster, Pa., Docket 6892, November 3, 1958]

Subpart—*Advertising falsely or misleadingly:* §13.75 *Free goods or services.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Schick Incorporated et al., Lancaster, Pa., Docket 6892, November 3, 1958]

In the Matter of Sperry Rand Corporation Docket No. 6701; Schick Incorporated et al., Docket No. 6892; North American Philips Company, Inc., Docket No. 6900

These proceedings were heard by hearing examiners on complaints of the Commission charging three major sellers of electric shavers in the United States with discriminating in price by selling their shavers to some purchasers at higher prices than those charged competitors and with making advertising allowances in varying amounts to some customers but not to others; charging two respondents with furnishing demonstrators to certain retail customers but not to others; charging two with fixing and maintaining minimum resale prices for customers with whom they themselves competed at wholesale and retail sale; and charging one with representing falsely that the purchaser of a man's shaver would receive a lady's shaver free.

Taking simultaneous action, the Commission on November 3 modified and adopted as modified separate initial decisions by the hearing examiners based on consent orders.

Allegations in Count I of all three complaints, charging violations of section 2(a) of the Clayton Act by reason of the fact that customers of respondents' wholesaler-purchasers were purchasers of respondents, were dismissed.

The orders to cease and desist ordered respondents in all three cases, their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products, in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, to forthwith cease and desist from:

Discriminating, directly or indirectly, in the price of such products of like grade and quality by selling to any purchaser at net prices higher than the net prices charged any other purchaser competing in fact with such unfavored purchaser in the resale and distribution of such products; and from

Making or contracting to make, to or for the benefit of any customer acquiring respondents' electric shavers and related products from respondents, from wholesalers, or from any other source, any payment of anything of value as compensation or in consideration for any advertising or other services or facilities furnished by or through such customer, in connection with the handling, resale, or offering for resale of such products manufactured, sold, or offered for sale by respondents, unless such payment or consideration is made available on proportionally equal terms to all other such customers competing in fact with such favored customers in the resale or distribution of such products;

It is further ordered, That respondents Schick Incorporated and North American Philips Company, Inc., their officers, representatives, agents and employees, directly or through any corporate or other device in the course of their business in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from discriminating among competing purchasers:

By contracting to furnish, or furnishing, or by contributing to the furnishing of demonstrator services, or any other services or facilities connected with the handling, resale, or offering for resale of respondents' electric shavers and related products, to any purchaser acquiring such products from respondents, from wholesalers, or from any other source, unless such services or facilities are accorded on proportionally equal terms to all other such purchasers who compete in fact with such favored purchasers in the resale or distribution of such products;

It is further ordered, That respondents Sperry Rand Corporation and Schick Incorporated, their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Fixing, establishing or maintaining by, or in accordance with the terms or conditions of, any contract, agreement or understanding, the prices, terms or conditions of sale at which their electric shavers or related products produced, distributed, or sold, directly or indirectly by respondents, are to be resold by any wholesaler or retailer when such products are being sold or offered for sale in competition with any branch, retail or service store, establishment, or business owned or controlled, by any means or method, by respondents;

It is further ordered, That respondents Schick Incorporated and Schick Service, Inc., their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "free", or any other word or words of similar import or meaning, in advertising or in other offers to the public, to designate or describe any electric shaver or related products:

(1) When all of the conditions, obligations or other prerequisites to the receipt and retention of the "free" article of merchandise are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the advertisement or offer might be misunderstood; or

(2) When, with respect to the article of merchandise required to be purchased in order to obtain the "free" article, the offerer either (a) increases the ordinary and usual price; or (b) reduces the quality; or (c) reduces the quantity or size of such article of merchandise.

By "Decision of the Commission", etc., in all three cases, reports of compliance were required as follows:

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order contained in the said initial decision, as modified.

Issued: November 3, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-256; Filed, Jan. 12, 1959; 8:45 a.m.]

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Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Exemption of Small Holding Company Systems; Postponement of Rescission

The Securities and Exchange Commission today announced that postponement from December 31, 1958, to June 30, 1959, of the effective date for the rescission of § 250.9 (Rule 9) promulgated under the Public Utility Holding Company Act of 1935 ("Act"), which rule affords a basis for claiming exemption from all provisions of the Act by small holding company systems.

This further extension of the exemption provided by § 250.9 (Rule 9) is granted at the request of a few small holding companies which, by reason of special problems, find it impossible to complete their reorganization programs within the time heretofore provided.

(Sec. 20, 49 Stat. 833; 15 U.S.C. 79t)

By the Commission.

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

DECEMBER 22, 1958.

[F.R. Doc. 59-278; Filed, Jan. 12, 1959; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

Annual Reports of Persons Furnishing Cars or Protective Services

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 29th day of December A.D. 1958.

It appearing, that the matter of annual reports of persons furnishing cars or protective service being under further consideration and the changes to be effectuated by this order being minor changes in the data to be furnished, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 120.70 of the order of November 27, 1957, in the matter of Annual Report Form B-1, be, and it is hereby, modified and amended with respect to annual reports for the year ended December 31, 1958, and subsequent years, to read as shown below.

It is further ordered, That § 120.70, be, and it is hereby, modified and amended to read as follows:

§ 120.70 Annual reports of persons furnishing cars or protective service and owning 1,000 cars or more.

Commencing with the year ended December 31, 1958, and for subsequent years thereafter, until further order, all persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, within the scope of section 20, Part I of the Interstate Commerce Act, and owning 1,000 cars or more, are required to file annual reports in accordance with Annual Report Form B-1 (Persons Furnishing Cars or Protective Service), which is attached to and made a part of this section.[1] Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the one to which it relates.

And it is further ordered, That a copy of this order and of Annual Report Form B-1 shall be served on every person subject to the terms of such order, and that notice thereof shall be given to the general public by posting a copy thereof in the office of the Secretary of the Commission in Washington, D.C., and by filing a copy thereof with the Director, Federal Register Division.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U.S.C. 12, 904. Interpret or apply sec. 20, 24 Stat. 386, as amended, 54 Stat. 944, 49 U.S.C. 20, 913)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 59-275; Filed, Jan. 12, 1959; 8:48 a.m.]

[1] Filed as part of original document.

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 2009]

PART 192—OIL AND GAS LEASING

Miscellaneous Amendments

On pages 5735-5736 of the FEDERAL REGISTER of July 30, 1958, there was published a notice of proposed rule making of proposed amendments of §§ 192.3, 192.4, and 192.42 of the regulations applicable to oil and gas leasing. Interested parties were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments.

After careful consideration of the comments received, the proposed amendments, with certain changes as set forth below, are hereby adopted to take effect 30 days from publication hereof in the FEDERAL REGISTER.

FRED A. SEATON, *Secretary of the Interior.*

JANUARY 8, 1959.

1. Paragraphs (a) and (c) of § 192.3 are amended to read as follows, and new paragraphs (d) and (e) are added thereto:

§ 192.3 Acreage limitations.

(a) No person, association, or corporation, except as in the act provided, may hold more than 46,080 acres in any one State, or more than 100,000 acres in Alaska, whether directly through the ownership of leases or interests in leases and applications, or offers therefor or indirectly as a member of an association or associations, or as a stockholder of a corporation or corporations, holding leases or interests therein and applications or offers therefor. Leases or offers or applications for leases committed to any unit or cooperative plan approved or prescribed by the Secretary of the Interior shall not be included in computing accountable acreage. Leases or offers or applications for leases subject to an operating, drilling, or development contract approved by the Secretary of the Interior pursuant to section 17(b) of the act, other than communitization agreements, shall be excepted in determining the accountable acreage of the lessees or operators. Where, as the result of the termination or contraction of a unit or cooperative plan, or the elimination of a lease from an operating, drilling, or development plan, a party holds or controls excess accountable acreage, such party shall have 30 days from such termination or contraction or elimination in which to reduce his holdings to the prescribed limitation and to file proof of such reduction in the proper land office.

* * * * *

(c) No lease will be issued and no transfer or operating agreement will be approved until it has been shown that the offeror, transferee, or operator is entitled to hold the acreage or obtain the operating rights.

(d) At any time upon request by the authorized officer of the Bureau of Land Management, the record title holder of any lease or a lease operator or a lease offeror may be required to file in the appropriate land office a statement, showing as of a specified date the serial number and the date of each lease of which he is the record holder, or under which he holds operating rights, and each application or offer for lease held or filed by him in the particular State setting forth the acreage covered thereby, and the nature, extent and acreage interest, including royalty interests held by him in any oil and gas lease of which the reporting party is not the lessee of record, whether by corporate stock ownership, interest in unincorporated associations and partnerships, or in any other manner.

(e) (1) If any person holding or controlling only leases or interests in leases is found to hold accountable acreage in violation of the provisions of this section and of the act, the last lease or leases or interest or interests acquired by him which created the excess acreage holding shall be cancelled or forfeited in their entirety, even though only part of the acreage in the lease or interest constitutes excess holding, unless it can be shown to the satisfaction of the Director of the Bureau of Land Management that the holding or control of the excess acreage is not the result of negligence or willful intent, in which event the lease or leases shall be cancelled only to the extent of the excess acreage.

(2) If any person holding or controlling leases or interests in leases only, or applications or offers for leases only, or both leases or interest in leases and ap-

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plications or offers, below the acreage limitation provided in this section, files an application or offer, or a group of applications or offers (filed simultaneously), which causes him to exceed the acreage limitation, the application or offer, or group of applications or offers, causing the excess holding, will be rejected in its entirety.

(3) If any person holding or controlling both leases or interests in leases and applications or offers for leases, or only applications or offers for leases below the acreage limitation provided in this section, acquires a lease or leases, or interests therein, which cause him to exceed the acreage limitation, his most recently filed application or offer, or applications or offers, then containing acreage in excess of the limitation provided in this section will be rejected in its or their entirety. For the purpose of this subparagraph, time of filing shall be determined by the time of filing marked on the application or offer or, if the same time is marked on two or more applications or offers, by the serial number of the applications or offers.

(4) The provisions of this paragraph shall not limit any action which the Department may take with respect to excess acreage holdings in cases not otherwise covered by this paragraph.

§ 192.4 [Amendment]

2. Paragraphs (a) and (e) of § 192.4 are amended to read as follows:

(a) Acreage held under a nonrenewable option, valid only for three years or such longer period as may be authorized by the Secretary, shall not be chargeable under § 192.3, but no optionee may hold options on leases or offers to lease at any one time for more than 200,000 acres in any one State.

* * * * *

(e) Each optionee must file in the appropriate land office within 90 days after June 30 and December 31 of each year duplicate statements under oath, showing as of the prior June 30 and December 31, respectively (1) name of optioner and serial number of lease, application or offer for lease subject to option; (2) date and expiration date of each option; (3) number of acres covered by each option, and (4) aggregate number of options held in each State, and total acreage thereof. Options statements covering lands in the State of California shall be filed in the land office at Sacramento, California, and statements covering lands in Alaska shall be filed in the land office at Anchorage, Alaska.

§ 192.42 [Amendment]

3. Subparagraph (3) of paragraph (e) of § 192.42 is amended and subdivided to read as follows:

(e) Each offer, when first filed, shall be accompanied by:

* * * * *

(3) (i) Except in a case where an officer of a corporation signs an offer on behalf of the corporation (as to which see paragraph (f) of this section), evidence of the authority of the attorney in fact or agent to sign the offer and lease, if the offer is signed by such attorney or agent on behalf of the offeror.

(ii) If such offeror is an individual, a statement over the offeror's signature setting forth the offeror's citizenship and whether the offeror's direct and indirect interests in oil and gas leases, applications, and offers therefor, exceed 46,080 chargeable acres in the same State, or exceed 100,000 acres in Alaska.

(iii) A signed statement by the offeror that he is the sole party in interest in the offer and the lease, if issued; if not he shall set forth the names and the nature and extent of the interest therein of the other interested parties, the nature of the agreement between them, if oral, and a copy of such agreement, if written. Such statement must be signed by all of the interested parties including the offeror, and all interested parties must furnish evidence of their qualifications to hold such lease interests. Such statement must be filed not later than 15 days after the filing of the lease offer.

(Sec. 32, 41 Stat. 450; 30 U.S.C. 189)

[F.R. Doc. 59-334; Filed, Jan. 9, 1959; 4:24 p.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1772]

[BLM 046239]

MISSISSIPPI

Reserving Lands Within National Forests for Use of Forest Service, Department of Agriculture, for Research Purposes

By virtue of the authority vested in the President by the Act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the De Soto National Forest, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor the disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, in connection with research projects being conducted in furtherance of the Act of May 22, 1928 (45 Stat. 699; 16 U.S.C. 581, 581a-581k) as amended:

ST. STEPHENS MERIDIAN

DE SOTO NATIONAL FOREST

Harrison Experimental Forest

T. 5 S., R. 11 W.,
Sec. 1, NE¼NW¼.

The area described contains 40 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 7, 1959.

[F.R. Doc. 59-272; Filed, Jan. 12, 1958; 8:47 a.m.]

[Public Land Order 1773]

[80096]

ARIZONA

Revoking Executive Order of December 16, 1882, Which Reserved Lands for Moqui (or Hopi) Reservation

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

The Executive Order of December 16, 1882, withdrawing from settlement or sale and setting apart the following-described tract of country in Arizona for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior might see fit to settle therein, is hereby revoked:

Beginning on the one hundred and tenth degree of longitude west of Greenwich, at a point 36°30′ north; thence due west to the one hundred and eleventh degree of longitude west; thence due south to a point of longitude 35°30′ north; thence due east to the one hundred and tenth degree of longitude west; thence due north to place of beginning.

The lands were declared by the act of July 22, 1958 (72 Stat. 402), to be held by the United States in trust for the Hopi Indians and such other Indians, if any, as theretofore had been settled thereon by the Secretary of the Interior pursuant to the Executive Order of December 16, 1882.

This order, therefore, has no effect upon the lands involved in the withdrawal of December 16, 1882, other than as an administrative measure to clear the records of such withdrawal.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 6, 1959.

[F.R. Doc. 59-273; Filed, Jan. 12, 1959; 8:47 a.m.]

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