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FEDERAL REGISTER

OF THE UNITED STATES

1934

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Washington, Thursday, May 3, 1951

TITLE 6—AGRICULTURAL CREDIT**Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture****Subchapter C—Loans, Purchases, and Other Operations**

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Flaxseed]

PART 601—GRAINS AND RELATED COMMODITIES**SUBPART—1951-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM**

A price support program has been announced for the 1951 crop of flaxseed. The 1951 C. C. C. Grain Price Support Bulletin 1 (16 F. R. 1987), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951, is supplemented as follows:

Sec.	Purpose:
601.875	Availability of price support.
601.876	Eligible flaxseed.
601.877	Warehouse receipts.
601.878	Determination of quantity.
601.879	Determination of quality.
601.880	Maturity of loans.
601.881	Support rates.
601.882	Warehouse charges.
601.883	Settlement.
601.884	

AUTHORITY: Secs. 601.875 to 601.884 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421.

§ 601.875 Purpose. Sections 601.875 to 601.884 state additional specific requirements which, together with the general requirements contained in the 1951 C. C. C. Grain Price Support Bulletin 1 (16 F. R. 1987), apply to loans and purchase agreements under the 1951-Crop Flaxseed Price Support Program.

§ 601.876 Availability of price support—(a) Method of support. Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) Area. Farm-storage and warehouse-storage loans and purchase agreements will be available wherever flaxseed is grown in the continental United

States, except in Texas counties designated under the 1951 Texas Flaxseed Purchase Program (16 F. R. 3425). Farm-storage loans will not be available in areas where the PMA State committee determines that flaxseed cannot be safely stored on the farm.

(c) Where to apply. Application for price support should be made at the office of the PMA county committee which keeps the farm-program records for the farm.

(d) When to apply. Loans and purchase agreements will be available from the time of harvest through October 31, 1951, in Arizona, California, and in the Texas counties not designated under the 1951 Texas Flaxseed Purchase Program, and from the time of harvest through January 31, 1952, in all other States; the applicable documents must be signed by the producer and delivered to the county committee not later than such final dates.

(e) Eligible producer. An eligible producer shall be an individual, partnership, association, corporation, or other legal entity producing flaxseed in 1951 as landowner, landlord, tenant or sharecropper.

§ 601.877 Eligible flaxseed. Eligible flaxseed must meet the following requirements:

(a) The flaxseed must have been produced in the continental United States (excluding the Texas counties designated under the 1951 Texas Flaxseed Purchase Program) in 1951 by an eligible producer.

(b) The beneficial interest in the flaxseed must be in the producer tendering the flaxseed for loan or for delivery under a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the flaxseed was harvested.

(c) The flaxseed must grade No. 1 or No. 2. Flaxseed which contains more than 30 percent damage or more than 11 percent moisture or which is musty, sour, heating, hot, or which has any commercially objectionable odor, or which is otherwise of low quality, shall not be eligible.

(d) If offered as security for a farm-storage loan, the flaxseed must have been stored in the bin or granary at

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quota the items which he procures (or for which he procures constituent materials or components) without use of a rating.

SEC. 9. Excess of quota prohibited. An exporter for whom an export MRO quota is established under section 6 of this direction may not place orders in May and June 1951 for MRO items for export, or for materials or components to be incorporated in MRO items for export, which are chargeable against his quota, having an aggregate export sales value (f. a. s.) in excess of the amount of his quota. Orders for replacement of inventory are to be treated in the same way as orders for items for direct export or as orders for materials or components to be incorporated in items for direct export.

SEC. 10. Exports requiring validated license. No person may use the DO-97 rating to procure any item (or materials or components for any item) requiring a validated license for its export unless such person has been granted and then holds an unexpired validated license for its export issued by the Office of International Trade.

SEC. 11. Relation to other NPA regulations. NPA Reg. 2, which sets forth the basic rules of the priorities system, governs the use and extendability of the DO-97 rating assigned by this direction. In general, when an exporter applies the DO-97 rating to an order pursuant to this direction, his supplier may extend the rating to secure the item rated or the materials and components needed for its manufacture. The DO-97 rating may not be extended, however, to secure materials included in List A of NPA Reg. 2 nor the materials included in Table I of NPA Reg. 4. Nothing in this direction shall be construed as relieving any person from the obligation of complying with such limitations on acquisition or use of materials or such other provisions as may be contained in any applicable regulation or order of the NPA or with any order of any other competent authority.

SEC. 12. Records to be kept. Each person for whom an approved MRO quota is established pursuant to section 6 of this direction must make and preserve for 2 years accurate and complete records showing all orders, receipts, and shipments of MRO for export during May and June 1951, regardless of whether rated or not, and all other relevant data, in sufficient detail to permit an audit that determines for each transaction that the provisions of this direction have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records disclose the above data and supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals. All records required by this direction shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

SEC. 13. Applications for adjustment or exception. Any person affected by

any provision of this direction may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this direction, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be submitted in writing, in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 14. Communications. All communications concerning this direction shall be addressed to the Office of International Trade, Washington 25, D. C., Ref: Dir. 2 to NPA Reg. 4.

SEC. 15. Violations. Any person who wilfully violates any provision of this direction or who wilfully conceals a material fact or furnishes false information in the course of operation under this direction is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

SEC. 16. Expiration. This direction expires June 30, 1951. After that date no DO-97 rating may be applied by any person to secure MRO items for export (or their constituent materials or components) under the authority of this direction. It is contemplated, however, that a new procedure for procurement of MRO items for export, applicable after June 30, 1951, will be announced well in advance of that date.

NOTE: All reporting and record-keeping requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 USC 139-139F).

This direction shall take effect on May 1, 1951.

NATIONAL PRODUCTION
AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-5188; Filed, May 1, 1951;
4:55 p. m.]

Chapter XI—Defense Electric Power Administration, Department of the Interior

[DEPA Order EO-1, as Amended April 13, 1951,
Amendment 1]

EO-1—PLANT ADDITIONS: INFORMATION TO BE FILED

This amendment to DEPA Order EO-1, as amended April 13, 1951, is found nec-

essary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

Paragraph (a) of section 3 is hereby amended by adding a new subparagraph (5), reading as follows:

(5) Form DEPA 4-S, "Electricity Utility Statement of Minor Requirements of Steel". This form shall be filed not later than May 21, 1951.

(Sec. 704, Pub. Law 774, 81st Cong.)

This amendment shall take effect on May 3, 1951.

KEN G. WHITAKER,
Acting Administrator,
Defense Electric Power Administration.

[F. R. Doc. 51-5225; Filed May 2, 1951;
11:06 a. m.]

TITLE 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

Chapter III—Government Patents Board

[Admin. Order 5]

PART 300—ADMINISTRATION OF A UNIFORM PATENT POLICY WITH RESPECT TO THE DOMESTIC RIGHTS IN INVENTIONS MADE BY GOVERNMENT EMPLOYEES

APRIL 26, 1951.

This part supersedes the former Part 300, 15 F. R. 6124.

Sec.	
300.1	Purpose.
300.2	Authority.
300.3	Scope.
300.4	Definitions.
300.5	Determination of invention.
300.6	Determination of rights in and to inventions.
300.7	Appeals by employees.
300.8	Patent protection.
300.9	Report forms.
300.10	Liaison.
300.11	Dissemination of order.

AUTHORITY: §§ 300.1 to 300.11 issued under sec. 4, E. O. 10096, Jan. 23, 1950, 15 F. R. 391.

§ 300.1 Purpose. The purpose of this part is to provide for the administration of a uniform patent policy for the Government with respect to the domestic rights in inventions made by Government employees and to prescribe rules and regulations for implementing and effectuating such policy.

§ 300.2 Authority. Authority for the administration of a uniform patent policy is provided in Executive Order 10096, dated January 23, 1950 (15 F. R. 389).

§ 300.3 Scope. This part applies to any invention made by a Government employee on or after January 23, 1950, and to any action taken with respect thereto.

§ 300.4 Definitions. (a) The term "Government agency", as used in this part, means any Executive department or independent establishment of the Executive branch of the Government (including any independent regulatory

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commission or board, any corporation wholly owned by the United States, and the Smithsonian Institutions), but does not include the Atomic Energy Commission.

(b) The term "Government employee", as used in this part, means any officer or employee, civilian or military, of any Government agency, including any part-time consultant or part-time employee except as may otherwise be provided for by agency regulation approved by the Chairman.

(c) The term "invention", as used in this part, means any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the patent laws of the United States.

(d) The term "Chairman", as used in this part, means the Chairman of the Government Patents Board.

§ 300.5 Determination of invention. Each Government agency will determine whether the results of research, development, or other activity within the agency constitute invention within the purview of Executive Order 10096.

§ 300.6 Determination of rights in and to inventions. (a) Subject to review by the Chairman as provided for in this part, each Government agency will determine the respective rights of the Government and of the inventor in and to any invention made by a Government employee while under the administrative jurisdiction of such agency.

(b) The following rules shall be applied in determining the respective rights of the Government and of the inventor in and to any invention that is subject to the provisions of this part:

(1) The Government shall obtain the entire domestic right, title and interest in and to all inventions made by any Government employee (i) during working hours, or (ii) with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time or services of other Government employees on official duty, or (iii) which bear a direct relation to or are made in consequence of the official duties of the inventor.

(2) In any case where the contribution of the Government, as measured by any one or more of the criteria set forth in subparagraph (1) of this paragraph, to the invention is insufficient equitably to justify a requirement of assignment to the Government of the entire domestic right, title, and interest in and to such invention, or in any case where the Government has insufficient interest in an invention to obtain the entire domestic right, title, and interest therein (although the Government could obtain same under subparagraph (1) of this paragraph), the Government agency concerned, subject to the approval of the Chairman, shall leave title to such invention in the employee, subject, however, to the reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes, such reservation, in the terms thereof, to appear, where prac-

ticable, in any patent, domestic or foreign, which may issue on such invention.

(3) In applying the provisions of subparagraphs (1) and (2) of this paragraph to the facts and circumstances relating to the making of any particular invention, it shall be presumed that an invention made by an employee who is employed or assigned (i) to invent or improve or perfect any art, machine, manufacture, or composition of matter, (ii) to conduct or perform research, development work, or both, (iii) to supervise, direct, coordinate, or review Government financed or conducted research, development work, or both, or (iv) to act in a liaison capacity among governmental or non-governmental agencies or individuals engaged in such work, falls within the provisions of subparagraph (1) of this paragraph, and it shall be presumed that any invention made by any other employee falls within the provisions of subparagraph (2) of this paragraph. Either presumption may be rebutted by the facts or circumstances attendant upon the conditions under which any particular invention is made and, notwithstanding the foregoing, shall not preclude a determination that the invention falls within the provisions of subparagraph (4) of this paragraph.

(4) In any case wherein the Government neither (i) obtains the entire domestic right, title and interest in and to an invention pursuant to the provisions of subparagraph (1) of this paragraph nor (ii) reserves a nonexclusive, irrevocable, royalty-free license in the invention, with power to grant licenses for all governmental purposes, pursuant to the provisions of subparagraph (2) of this paragraph, the Government shall leave the entire right, title and interest in and to the invention in the Government employee, subject to law.

(c) In the event that a Government agency determines, pursuant to subparagraph (2) or subparagraph (4) of paragraph (b) of this section, that title to an invention will be left with an employee, the agency shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon making such determination, the following information concerning the invention:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of inventor and his employment status; and

(3) Statement of agency determination and reasons therefor.

The report in a case falling within the provisions of subparagraph (2) of paragraph (b) of this section shall be made after the expiration of the period prescribed in § 300.7 for the taking of an appeal, or it may be made prior to the expiration of such period if the employee acquiesces in the agency determination. The Chairman thereupon shall review the determination of the Government agency, and his decision respecting the matter shall be final, subject to the right of the inventor to submit to the Chairman within 30 days (or such longer period as the Chairman may, for good cause, fix in any case) after receiving

notice of such decision, a petition for the reconsideration of the decision if it gives to the Government greater rights than the agency determination. A copy of any such petition must also be filed by the inventor with the employing agency within the prescribed period.

§ 300.7 Appeals by employees. (a) Any Government employee who is aggrieved by an agency determination pursuant to subparagraph (1) or subparagraph (2) of paragraph (b) of § 300.6 may obtain a review of the agency determination by filing, within 30 days (or such longer period as the Chairman may, for good cause, fix in any case) after receiving notice of such determination, a written appeal with the Chairman and a copy of the appeal with the Government agency.

(b) In the event of the filing of an appeal pursuant to paragraph (a) of this section, the Government agency which made the determination shall, subject to considerations of national security, or public health, safety, or welfare, furnish the Chairman in writing, promptly upon the filing of the appeal, the following information concerning the invention involved in the appeal:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of the inventor and his employment status, including a detailed statement of his official duties and responsibilities at the time of making the invention; and

(3) Detailed statement of the nature of the dispute or controversy, together with copies of the agency determination, of any briefs or written arguments that may have been filed, of any statements or other evidence that may have been considered by the agency, and of other relevant material.

(c) The decision of the Chairman upon any appeal taken pursuant to this section shall be final.

§ 300.8 Patent protection. (a) A Government agency, upon determining that an invention coming within the scope of subparagraph (1) or subparagraph (2) of paragraph (b) of § 300.6 has been made, shall thereupon determine whether patent protection will be sought in the United States by the agency for such invention. A controversy over the respective rights of the Government and of the inventor in any case shall not delay the taking of the actions provided for in this section. In cases coming within the scope of subparagraph (2) of paragraph (b) of § 300.6, agency action looking toward such patent protection shall be contingent upon the consent of the inventor.

(b) Where there is a dispute as to whether subparagraph (1) or subparagraph (2) of paragraph (b) of § 300.6 applies in determining the respective rights of the Government and of an employee in and to any invention, the agency will determine whether patent protection will be sought in the United States pending the Chairman's decision on the dispute, and, if it decides that an application for patent should be filed, will take such rights as are specified in subparagraph (2) of paragraph (b) of

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§ 300.6, but this shall be without prejudice to acquiring the rights specified in subparagraph (1) of that paragraph should the Chairman so decide.

(c) Where an agency has determined to leave title to an invention with an employee under subparagraph (2) of paragraph (b) of § 300.6, the agency will, upon the filing of an application for patent and pending review of the determination by the Chairman, take the rights specified in that subparagraph without prejudice to the subsequent acquisition by the Government of the rights specified in subparagraph (1) of that paragraph should the Chairman so decide.

(d) In the event that patent protection is sought by an agency for an invention made by a Government employee, the agency shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon the filing of an application for patent, the following information concerning the invention:

(1) Brief description of the invention;

(2) Name of the inventor and his employment status; and

(3) Serial number, title of invention, and date on which the application was filed.

(e) In the event that a Government agency determines that an application for patent will not be filed on an invention made under the circumstances specified in subparagraph (1) of paragraph (b) of § 300.6, giving the United States the right to title thereto, the agency shall, subject to considerations of national security, or public health, safety, or welfare, report to the Chairman, promptly upon making such determination, the following information concerning the invention:

(1) Description of the invention in sufficient detail to permit a satisfactory review;

(2) Name of the inventor and his employment status; and

(3) Statement of agency determination and reasons therefor. The Chairman may, if he determines that the interest of the Government so requires and subject to considerations of national security, or public health, safety, or welfare, cause an application for patent to be filed or cause the invention to be fully disclosed by publication thereof: *Provided, however*, That no application for patent respecting any variety of plant invented by an employee of the Department of Agriculture shall be filed without the approval of the Secretary of Agriculture.

(f) Whenever a patent hereafter issues on an invention made by a Government employee, in respect to which the Government has any right, title, or interest, including a license, the Government agency concerned shall, promptly

upon the issuance of the patent, furnish to the Chairman:

(1) An abstract of the invention;

(2) Name of the inventor and his employment status;

(3) A copy of the patent; and

(4) Statement of the nature and extent of the right, title, or interest of the Government in the invention.

§ 300.9 *Report forms.* The Chairman will prescribe the forms to be used by Government agencies in submitting the reports specified in this part.

§ 300.10 *Liaison.* Each Government agency shall designate a liaison officer at the agency level to deal with the Office of the Chairman: *Provided, however*, That the Departments of the Army, the Navy, and the Air Force may each designate a liaison officer.

§ 300.11 *Dissemination of this part.* Each Government agency shall make appropriate arrangements for the dissemination to its employees of the provisions of this part.

Administrative Order No. 1, dated September 6, 1950, is superseded by the provisions of this part, which shall remain in effect until further notice.

ARCHIE M. PALMER,
Chairman.

Approved: April 26, 1951.

HARRY S. TRUMAN,
President.

[F. R. Doc. 51-5137; Filed, May 2, 1951;
8:54 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 856]

PART 95—CAR SERVICE

INCLUSION OF SATURDAYS IN COMPUTING DEMURRAGE ON ALL FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of April A. D. 1951:

It appearing, that railroad freight cars are being delayed unduly in loading and unloading; or while held for orders, surrender of order bill of lading, payment of freight charges; reconsignment, diversion, reshipment, inspection, or forwarding directions; or while held for any other purpose of consignee, consignor or owner, causing a shortage of equipment and impeding and diminishing the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency requiring immediate action to promote National Defense and car service in the interest of the public and the commerce of the people exists in

all sections of the country: It is ordered, that:

§ 95.856 *Saturdays to be included in computing demurrage on all freight cars.*
(a) Each common carrier by railroad subject to the Interstate Commerce Act shall include all Saturdays when computing demurrage on all freight cars whether or not they are subject to monthly average agreement or any other regular settlement period.

(b) Application: The provisions of this section shall apply to intrastate, interstate and foreign commerce, including commerce with insular possessions and the territories of Alaska and Hawaii.

(c) Cars exempted: This section shall not apply to the free time on cars loaded with import, coastwise, or intercoastal traffic at ports, and to the free time on unloading box cars containing export, coastwise, or intercoastal traffic at ports.

(d) Regulations suspended; announcement required: The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter), announcing such suspension.

(e) Effective date: This section shall become effective at 7:00 a. m., May 1, 1951.

(f) Expiration date: This section shall expire at 7:00 a. m., October 15, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this order vacates and supersedes Service Order No. 856, and that a copy of this order and direction shall be served upon the railroad regulatory body of each State and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and all other carriers by railroad; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 51-5123; Filed, May 2, 1951;
8:51 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Accounts

[Dept. Circ. 870, Rev. Apr. 20, 1943, 1951, 50th Supp.]

TRANSCONTINENTAL INSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

APRIL 27, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the act of Congress approved July 30, 1947 (6 U. S. C. secs. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of \$483,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL]

E. H. FOLEY,

Acting Secretary of the Treasury.

[F. R. Doc. 51-5122; Filed, May 2, 1951; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF OPENING OF LAND TO ENTRY UNDER THE SMALL TRACT ACT

APRIL 27, 1951.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management under § 2.21 of Order No. 427, approved by the Secretary of the Interior, August 16, 1950 (15 F. R. 5641), the following described public lands embracing approximately 7 acres as well as other public lands in the Fairbanks, Alaska land district were classified by Alaska Small Tract Classification Order 39 dated April 16, 1951 as chiefly valuable for lease and sale for cabin sites under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C., sec. 682a), as amended, to become effective for filing under the act after due notice by publication:

FAIRBANKS, MERIDIAN

T. 5 S., R. 4 E.

Sec. 22: Lot 1, that portion which would be if described in terms of normal subdivision: $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ north of Salcha River, and $SE\frac{1}{2}NE\frac{1}{4}$ north of Salcha River (embraced in petition for classification and offer to lease under the Small Tract Act, of Robert B. Haight, Fairbanks 08439, containing approximately 2 acres).

Sec. 23: $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$ (embraced in the petition for classification and offer to lease of Edgar S. Philleo Fairbanks 08438, containing 5 acres).

Small Tract Classification Order No. 39, being made pursuant to the petitions for classification above listed, the applicants are accorded a preference right to

a lease for a cabin site, a type for which the land subject thereunder has been classified (43 CFR 257.6). The Manager may proceed to process the applications in accordance with the regulations (43 CFR, Part 257) and the procedure contained in Part 181 of the Bureau of Land Management Manual, Order No. 323, August 3, 1948. As for the remainder of the lands classified by Alaska Small Tract Classification Order No. 39 this notice of opening of land to entry shall not change the status of the land or permit the leasing thereof under the Small Tract Act of June 1, 1938, cited above until it is so provided by a notice to be given by publication subject to the preference right of veterans of World War II accorded by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 279), and other qualified persons entitled to credit for service under the said act.

Lessees under the Small Tract Act of June 1, 1938, will be required within the life of the lease to construct upon the leased land to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances are presentable, substantial and appropriate for the use which the lease is issued before favorable consideration will be given for purchase of the tract. The leases will be for a period of three years at an annual rental of \$5.00. Applicants will be required to pay in advance a filing fee of \$10.00 and the annual rental charge for the entire lease period. The leases will contain an option to purchase the tract at or after the date the approved supplemental plat of survey is officially filed but not sooner than one year from the effective date of the leases provided the terms and conditions of the leases have been met.

All wells and sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease: *Provided, however*, That if said tract abuts upon any stream, lake or other body of fresh water no well or sewage disposal facility shall be placed within 100 feet of such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendation of the Alaska Territorial Department of Health.

The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width on each side of the tract or as shown on the classification maps on file in the Land Office, Fairbanks, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State, or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-5081; Filed, May 2, 1951; 8:45 a. m.]

ALASKA

SHORE SPACE RESTORATION NO. 461

APRIL 27, 1951.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, § 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

A tract of land located on Favorite Channel, Alaska, identified as Lot 10, U. S. Survey 3051 containing approximately 60 acre (home site application and petition for shorespace restoration of Wellman Holbrook Anchorage 016480).

A tract of land located on Auke Lake, Alaska, identified as Lot R, U. S. Survey 2391 containing approximately 4.23 acres (home site application of William H. Ryan Anchorage 017540).

A tract of land located on Clover Passage, Alaska, identified as Lot 5, U. S. Survey 2806 containing approximately 4.23 acres (home site application and petition for shorespace restoration of William Francis Stiven Anchorage 015058).

A tract of land located on Clover Passage, Alaska, identified as Lot 8, U. S. Survey 2806 comprising approximately 4.83 acres (home site application and petition for shorespace restoration of Bert E. Black Anchorage 016887).

A tract of land located on Tongass Narrows, Alaska identified as Lot 23, U. S. Survey 2604 containing approximately 3.29 acres (home site application and petition for shorespace restoration of Harvey W. Christilaw Anchorage 015243).

A tract of land located on Tongass Narrows, Alaska identified as Lot 7, U. S. Survey 2804 containing approximately 4.64 acres (home site settlement claim of Clarence Charles Ashton Anchorage 018018).

A tract of land located on Clover Passage, Alaska identified as Lot I, U. S. Survey 2554 containing approximately 4.18 acres (home site application and petition for shorespace restoration of Harriman Theodore McKinstry Anchorage 015460).

A tract of land located on Tongass Narrows, Alaska identified as Lot 33, U. S. Survey 2604 containing 2.69 acres (home site application and petition for shorespace restoration of Charles F. Winscott Anchorage 010624).

A tract of land located on Orca Inlet, Alaska identified as Lot 2, U. S. Survey 2762 containing 3.63 acres (home site application of Paul S. DuVal Anchorage 015057).

A tract of land located on Clover Passage, Alaska identified as Lot T, U. S. Survey 2554 containing 2.23 acres (home site application and petition for shorespace restoration of Edward H. McLean Anchorage 016742).

A tract of land located on Auke Bay, Alaska identified as Lot 14B, U. S. Survey 2672 containing .32 acre (home site application and petition for shorespace restoration of William D. Schoeppe Anchorage 016762).

A tract of land located on Auke Bay, Alaska identified as Lot 2, U. S. Survey 2909 comprising .69 acre (home site application of George Francis Cantillon Anchorage 016739).

A tract of land located on Tongass Narrows, Alaska identified as Lot 27, U. S. Survey