

3. In § 17.47, paragraphs (a) (1) and (4) and (b) (4) are amended to read as follows:

§ 17.47 *Eligibility for hospital treatment or domiciliary care of persons discharged, released, or retired from active military or naval service.* * * *

(a) Hospital treatment for:

(1) Persons who served in the active military or naval forces during the period of World War I as defined in paragraphs I and IV Veterans Regulation 10, as amended (38 U. S. C. ch. 12) or in any war prior to the Spanish-American War; or during the Spanish-American War, Philippine Insurrection, or Boxer Rebellion from April 21, 1898, to July 4, 1902 (or to July 15, 1903, if the service was in Moro Province) or on or after December 7, 1941, and before January 1, 1947, including those who had active duty as a member of the Women's Army Auxiliary Corps, Women's Army Corps, Women's Reserve of the Navy and Marine Corps, and the Women's Reserve of the Coast Guard—when discharged or released under other than dishonorable conditions from a period of war service, and when suffering from an injury or disease incurred or aggravated in line of duty in that period of active military or naval service, and for which they are medically determined to be in need of hospital treatment.

(4) Persons included in paragraph V Part II, Veterans Regulation 1 (a) who, on or after December 7, 1941, and before January 1, 1947, or who on or after June 27, 1950, and prior to such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress, suffered an injury or disease in line of duty for which they are receiving disability compensation and for which they are in need of hospital treatment (Public Law 300, 78th Congress, Public Law 463, 83d Congress)

(b) Hospital treatment for: * * *

(4) Persons included in paragraph V Part II, Veterans Regulation 1 (a) who on or after August 27, 1940, and prior to December 7, 1941, suffered an injury or disease in line of duty for which they are receiving disability compensation and for which they are in need of hospital treatment (Public Law 300, 78th Congress, Public Law 463, 83d Congress)

4. In § 17.60, paragraph (a) (2) is amended to read as follows:

§ 17.60 *Outpatient treatment.* (a)

(2) Persons included in paragraph III, Part I, Veterans Regulation 1 (a) (June 6, 1933) and paragraph V Part II, Veterans Regulation 1 (a) who are in need of treatment for an injury or disease incurred in line of duty and for which they are receiving disability compensation (Public Law 300, 78th Congress, Public Law 463, 83d Congress).

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 1, 6, 48

Stat. 9, 301, 53 Stat. 652, as amended; 38 U. S. C. 706, 706a)

This regulation is effective October 20, 1954.

[SEAL] J. C. PALMER,
Acting Deputy Administrator.

[F. R. Doc. 54-8200; Filed, Oct. 18, 1954; 8:50 a. m.]

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III; LOAN GUARANTY MISCELLANEOUS AMENDMENTS

1. In § 36.4302, paragraphs (a) (b), and (c) are amended and paragraph (j) is deleted as follows:

§ 36.4302 *Computation of guaranties or insurance credits.* (a) For the purpose of computing guaranty in respect to a loan to a veteran, the following maxima cannot be exceeded:

(1) 501 (b) Loans: 60 percent of the original principal amount, or \$7,500, whichever is less.

(2) Real estate loans except 501 (b) loans: 50 percent of the original principal amount, or \$4,000, whichever is less.

(3) Non-real estate loans except 501 (b) loans: 50 percent of the original principal amount, or \$2,000, whichever is less.

(4) Combination real estate and non-real estate loans: 50 percent of the original principal amount, or \$4,000, whichever is less. On the real estate portion of the loan allow not to exceed 50 percent of such portion but not to exceed \$4,000. Subtract the amount of guaranty so allowed from \$4,000. If any guaranty entitlement remains available not to exceed one-half thereof may be allowed on the non-real estate portion of the loan, but the amount so allowed shall not exceed 50 percent of such portion. The aggregate amount of guaranty shall relate to the entire loan.

(b) An amount equal to 15 percent of the original principal amount of each insured loan shall be credited to the insurance account of the lender and shall be charged against the guaranty entitlement of the borrower: *Provided*, That no loan may be insured unless the borrower has sufficient entitlement remaining to permit such credit, and that the aggregate use of entitlement consequent on such insurance credit shall not exceed the maxima prescribed in section 500 (a) of the act.

(c) Subject to the provisions of paragraph (g) of § 36.4303, the following formula shall govern the ascertainment of the amount of the guaranty or insurance entitlement which remains available to an eligible veteran after prior use of entitlement: Add to the amount of such entitlement previously used for realty, twice the amount previously used for non-realty purposes. Subtract this sum from \$4,000. The sum remaining is the amount available for the guaranty or insurance of a real estate loan other than a section 501 (b) loan and one-half of such sum is available for a non-real estate loan. For the purpose of ascertaining the amount of guaranty entitlement which remains available for a sec-

tion 501 (b) loan after prior use of entitlement, add to the amount of such entitlement previously used for realty, twice the amount previously used for non-realty purposes. Subtract this sum from \$7,500. The sum remaining is the amount of entitlement available for section 501 (b) purposes.

(j) [Deleted.]

2. In § 36.4312, the headnote and paragraph (a) are amended and a new paragraph (d) is added as follows:

§ 36.4312 *Allowable fees and charges.*

(a) Incident to the making of a guaranteed or insured loan no charge shall be made against, or paid by, the borrower except those expressly permitted under the schedule set forth in paragraph (d) of this section, and no loan shall be guaranteed or insured unless the lender certifies to the Administrator that it has not imposed and will not impose any charges or fees against the borrower in excess of those permissible under such schedule. Any charge which is proper to make against the borrower under the provisions of this paragraph may be paid out of the proceeds of the loan. Except as provided in the regulations concerning the guaranty or insurance of loans to veterans, no brokerage or service charge or their equivalent may be charged against the debtor or the proceeds of the loan either initially, periodically or otherwise.

(d) The following schedule of permissible fees and charges shall be applicable to all Veterans' Administration guaranteed or insured loans made on or after November 1, 1954, excepting loans made pursuant to a certificate of commitment issued by the Administrator prior to such date:

PART I—LOANS FOR THE PURCHASE, CONSTRUCTION, REPAIR, ALTERATION, OR IMPROVEMENT OF RESIDENTIAL PROPERTY (SEC. 501)

A. The veteran may pay reasonable and customary amounts for any of the following items:

(1) Fee of Veterans' Administration appraiser and of compliance inspectors designated by Veterans' Administration except appraisal fees incurred for the predetermination of reasonable value requested by others than veteran or lender.

(2) Recording fees and recording taxes or other charges incident to recordation.

(3) Credit report.

(4) That portion of taxes, assessments and other similar items for the current year chargeable to the borrower and his initial deposit (lump-sum payment) for the tax and insurance account.

(5) Hazard insurance required by § 36.4326.

(6) Survey, if required by lender or veteran.

(7) Title examination and title insurance, if any.

(8) Such other items as may be authorized in advance by the Deputy Administrator for Veterans Benefits as appropriate for inclusion under this subparagraph as proper local variances.

B. A lender may charge and the veteran may pay a flat charge not exceeding 1 percent of the amount of the loan, provided that such flat charge shall be in lieu of all other charges relating to costs of origination not expressly specified and allowed in this schedule.

C. In cases where a lender makes advances to a veteran during the progress of construc-

tion, alteration, improvement, or repair, either under a commitment (VA Form 4-1866) of the Veterans' Administration to issue a guaranty certificate or insurance credit upon completion, or where the lender would be entitled to guaranty or insurance on such advances when reported under automatic procedure, the lender may make a charge against the veteran of not exceeding 2 percent on advances so disbursed for its services in supervising the making of advances and the progress of construction. Such charge may be in addition to the 1 percent charge allowed under paragraph B above.

D. In alteration, improvement or repair loans, including supplemental loans made pursuant to § 36.4355, where no charge is permissible under the provisions of paragraph C above (i. e., in cases in which advances are not made during the progress of construction, alteration, improvement, or repair), the lender may charge and the veteran may pay a flat sum not exceeding 1 percent of the amount of the loan. Such charge may be in addition to the 1 percent allowed under paragraph B above.

PART II—LOANS FOR THE PURCHASE, CONSTRUCTION, REPAIR, ALTERATION OR IMPROVEMENT OF FARM OR BUSINESS REALTY (SECS. 502 AND 503)

In the case of farm or business real estate loans a lender may charge and the veteran may pay those charges or fees which are permitted in Part I above for real estate home loans.

PART III—NON-REAL ESTATE LOANS FOR FARM OR BUSINESS PURPOSES (SECS. 502 AND 503)

On non-real estate farm or business loans the lender may charge and the borrower may pay any reasonable costs or expenses normally charged to a purchaser or lienor under local lending customs.

PART IV—LOANS TO REFINANCE DELINQUENT INDEBTEDNESS (SEC. 507)

In refinancing any delinquent indebtedness secured by a lien on real estate the lender may charge and the borrower may pay any of those items allowed under paragraph A and paragraph B of Part I hereof.

In refinancing delinquent indebtedness not secured by a lien on real estate those charges allowed under Part III hereof may be made by the lender and paid by the borrower.

PART V

The fees and charges permitted under Parts I through IV of this schedule are maximums and are not intended to preclude a lender from making alternative charges against the veteran which are not specifically authorized in the schedule provided the imposition of such alternative charges would not result in an aggregate charge or payment in excess of the prescribed maximum.

3. Section 36.4348 is revised to read as follows:

§ 36.4348 *Purchase, construction, alteration, improvement or repair loans made under section 501 (b)* Loans for the purchase, construction, alteration, improvement or repair of residential property shall be ineligible for guaranty or insurance under section 501 (b) of the act if made in combination with a section 502 or section 503 loan or which include the purchase, construction, alteration, improvement or repair of property containing any business unit, nor is a loan to refinance delinquent indebtedness pursuant to section 507 of the act eligible under section 501 (b) thereof.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation is effective November 1, 1954.

[SEAL] R. C. FABLE, Jr.,
Assistant Deputy Administrator

[F. R. Doc. 54-8198; Filed, Oct. 18, 1954;
8:49 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

**Subchapter P—Manning of Vessels
[CGFR 54-43]**

PART 157—MANNING REQUIREMENTS

ENFORCEMENT OF OFFICERS' COMPETENCY CERTIFICATES CONVENTION, 1936

New regulations designated 46 CFR Subpart 157.18, containing §§ 157.18-1 to 157.18-15, inclusive, regarding enforcement of the Officers' Competency Certificates Convention, 1936, were promulgated by the Commandant, United States Coast Guard, on December 15, 1953, and published in the FEDERAL REGISTER dated December 19, 1953 (18 F. R. 8582) which became effective on and after January 18, 1954. These regulations required that every master or person in charge of a vessel subject to R. S. 4438a, as amended (46 U. S. C. 224a) or the Officers' Competency Certificates Convention, 1936, shall file with the Collector of Customs a complete list of the officers employed aboard the vessel upon application for final clearance for a foreign port or for an application for a permit to touch and trade.

Article 5 of the Officers' Competency Certificates Convention, 1936, sets forth provisions for enforcement. The regulations in 46 CFR 157.18-1 to 157.18-15 established procedures considered necessary for enforcement of this Convention on vessels of the United States subject to the provisions of R. S. 4438a and vessels of other countries which have ratified the Convention. The application of these regulations to vessels of other countries which have ratified the Officers' Competency Certificates Convention, 1936, is no longer necessary because such countries have adequate measures to enforce the Convention insofar as vessels registered in their territories are concerned. Therefore, the Coast Guard will no longer require the master or person in charge of a foreign vessel subject to the Officers' Competency Certificates Convention to file with the Collector of Customs a complete list of officers employed aboard the vessel. If the United States Coast Guard or the Collector of Customs shall otherwise find a breach of this Convention in connection with any foreign vessel which is registered in the territory of another member which has also ratified this Convention, the United States Coast Guard or the Collector of Customs will communicate with the consul of the member country in accordance with paragraph 3 of Article 5 of this Convention.

It is hereby found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act (5 U. S. C.

1003) is not necessary because the amendments set forth in this document are relaxations from prior requirements applicable to foreign vessels and that notice and public procedure thereon are contrary to the public interest.

The requirements for vessels of the United States subject to the provisions of R. S. 4438a, as amended (46 U. S. C. 224a) have not been changed and are necessary to carry out the obligations imposed upon the United States as a signatory member to the Officers' Competency Certificates Convention.

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) to promulgate rules and regulations in accordance with the statutes cited with the regulations below, the following amendments to §§ 157.18-1 to 157.18-15, inclusive, are prescribed which shall become effective on and after the date of publication of this document in the FEDERAL REGISTER:

SUBPART 157.18—OFFICERS' COMPETENCY CERTIFICATES CONVENTION, 1936

Sec.

- 157.18-1 Vessels subject to requirements of this subpart.
- 157.18-5 Detention of vessel.
- 157.18-10 Right of appeal.
- 157.18-15 Filing lists of officers with Collector of Customs.

AUTHORITY: §§ 157.18-1 to 157.18-15 issued under R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4438a, as amended; 46 U. S. C. 224a; E. O. 10402, 17 F. R. 9917; 3 CFR, 1952 Supp.

§ 157.18-1 *Vessels subject to requirements of this subpart.* (a) Paragraph (1) of R. S. 4438a, as amended (46 U. S. C. 224a) states:

(1) That the Officers' Competency Certificates Convention, 1936 (International Labor Organization Draft Convention Numbered 59, "concerning the minimum requirement of professional capacity for masters and officers on board merchant ships"), as ratified by the President on September 1, 1938, with understandings appended, and this section shall apply to all vessels, however propelled, navigating on the high seas, which are registered, enrolled and licensed, or licensed under the laws of the United States, whether permanently, temporarily, or provisionally, including yachts enrolled and licensed, or licensed, with the exception of—

- (a) Ships of war;
- (b) Government vessels, or vessels in the service of a public authority, which are not engaged in trade;
- (c) Wooden ships of primitive build, such as dhows and junks;
- (d) Unrigged vessels;
- (e) All vessels of less than two hundred gross tons.

(b) All vessels of the United States subject to R. S. 4438a, as amended (46 U. S. C. 224a) are subject to the requirements of this subpart.

§ 157.18-5 *Detention of vessel.* (a) The Collector of Customs, or the Coast Guard District Commander, by written order served upon the master or person in charge of a vessel, may detain any vessel of the United States which he has reason to believe is not in compliance with the requirements of R. S. 4438a, as amended (46 U. S. C. 224a), until he is

satisfied that all officers employed aboard such vessel, who are required to be licensed by the Coast Guard, are in possession of the required licenses. If a vessel is detained by a written order of a Coast Guard District Commander, he should give immediate notice of such detention to the Collector of Customs from whose port the vessel will either clear or secure a permit to touch and trade in order that clearance or the issuance of a permit to touch and trade may be withheld.

§ 157.18-10 *Right of appeal.* Whenever a vessel is detained, the master may appeal, within five days to the Commandant, U. S. Coast Guard, who may, after investigation, affirm, set aside, or modify the order of detention.

§ 157.18-15 *Filing lists of officers with Collector of Customs.* The master of any vessel of the United States subject to the provisions of R. S. 4438a, as amended (46 U. S. C. 224a), shall, upon application for final clearance for for-

eign port or upon application for a permit to touch and trade, file with the Collector of Customs a complete list of the officers employed aboard the vessel and the Coast Guard serial number and description of license held by each officer.

[SEAL] A. C. RICHMOND,
Dated: October 12, 1954.
*Vice Admiral, U. S. Coast Guard,
Commandant.*

[F. R. Doc. 54-8102; Filed, Oct. 18, 1954;
8:48 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. E-6570]

BLACK HILLS POWER AND LIGHT CO.

NOTICE OF ORDER AUTHORIZING ACQUISITION AND MERGER OR CONSOLIDATION OF FACILITIES AND ISSUANCE OF SECURITIES

OCTOBER 13, 1954.

Notice is hereby given that on October 8, 1954, the Federal Power Commission issued its order adopted October 6, 1954, authorizing acquisition and merger or consolidation of facilities and issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8184; Filed, Oct. 18, 1954;
8:47 a. m.]

[Docket No. E-6581]

SIERRA PACIFIC POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF COMMON STOCK

OCTOBER 13, 1954.

Notice is hereby given that on October 8, 1954, the Federal Power Commission issued its order adopted October 6, 1954, authorizing issuance of common stock in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8185; Filed, Oct. 18, 1954;
8:47 a. m.]

[Docket No. G-2298]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF FINDINGS AND ORDER

OCTOBER 13, 1954.

Notice is hereby given that on October 7, 1954, the Federal Power Commission issued its order adopted October 5, 1954, issuing certificate of public convenience and necessity and authorizing abandonment of facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8186; Filed, Oct. 18, 1954;
8:47 a. m.]

[Docket Nos. G-2432, G-2449]

SOUTH JERSEY GAS CO.

NOTICE OF FINDINGS AND ORDER

OCTOBER 13, 1954.

Notice is hereby given that on October 8, 1954, the Federal Power Commission issued its order adopted October 5, 1954, in the above-entitled matter, declaring exemption from the provisions of the Natural Gas Act, and dismissing proceeding in Docket No. G-2449.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8187; Filed, Oct. 18, 1954;
8:47 a. m.]

[Docket No. G-2528]

UNITED FUEL GAS CO.

NOTICE OF FINDINGS AND ORDER

OCTOBER 13, 1954.

Notice is hereby given that on October 8, 1954, the Federal Power Commission issued its order adopted October 5, 1954, issuing a certificate of public convenience and necessity and authorizing and approving abandonment of facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8188; Filed, Oct. 18, 1954;
8:48 a. m.]

E-6340]

DEPARTMENT OF INTERIOR, SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF ORDER EXTENDING DATE OF CONFIRMATION AND APPROVAL OF RATE SCHEDULES

OCTOBER 13, 1954.

Notice is hereby given that on September 30, 1954, the Federal Power Commission issued its order adopted September 29, 1954, extending to December 31, 1954, confirmation and approval of rate schedules in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-8189; Filed, Oct. 18, 1954;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-875]

HAMILTON MANAGEMENT CORP. AND HAMILTON TRUST SHARES

NOTICE OF FILING OF APPLICATION FOR APPROVAL OF FEE

OCTOBER 13, 1954.

Notice is hereby given that an application and an amendment thereto for an order pursuant to section 26 (a) (2) (C) of the Investment Company Act of 1940 ("act") has been filed by Hamilton Management Corporation ("Management") a Delaware corporation and the depositor of and principal underwriter for Hamilton Trust Shares ("Trust") a common-law trust organized under Colorado law and a registered unit investment trust under the act. The application requests the issuance of an order prescribing a fee of \$31,638.69 as reasonable compensation to Management for its performance of certain bookkeeping and other administrative services for Trust and approving the payment of such fee to Management subject to certain conditions, including the immediate assignment and transfer of the amount allowed to the City National Bank and Trust Company of Kansas City, Missouri ("City National"), the present custodian and trustee of Trust, in settlement of all claims which might be asserted by said trustee as a result of certain transactions by Management in the years 1949, 1950, and 1951.

Section 26 (a) (2) (C) of the act makes it unlawful for a principal underwriter or depositor of a unit investment trust to sell securities of that trust unless the trust indenture pursuant to which the securities are issued provides that no payment to the depositor or principal underwriter for such trust shall be allowed the trustee as an expense, except for the payment to such person "of a fee, not exceeding such reasonable amount as the Commission may prescribe as compensation for performing bookkeeping and other administrative services, of a character normally performed by the trustee or custodian itself."

The application as amended discloses the following facts: