

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 2 1934 NUMBER 58

Washington, Friday, March 26, 1937

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

ESTABLISHING MUD LAKE MIGRATORY WATERFOWL REFUGE

Minnesota

By virtue of and pursuant to the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the lands acquired or to be acquired by the United States in the following-described area, comprising approximately 55,170 acres in Marshall County, Minnesota, be, and they are hereby, reserved and set apart for the use of the Department of Agriculture, subject to valid existing rights, as a refuge and breeding ground for migratory birds and other wildlife; *Provided*, that any private lands within the area described shall become a part of the refuge hereby established upon the acquisition of title thereto or lease thereof by the United States:

FIFTH PRINCIPAL MERIDIAN

- T. 157 N., R. 40 W.,
sec. 19, lots 1, 2, 3, and 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
secs. 30 and 31.
- T. 156 N., R. 40 W.,
sec. 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
sec. 6, lots 2 to 7, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
secs. 7 and 8;
sec. 9, NW $\frac{1}{4}$;
sec. 18, N $\frac{1}{2}$.
- T. 157 N., R. 41 W.,
secs. 15 to 23, inclusive; sec. 24, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
secs. 25 to 36, inclusive.
- T. 156 N., R. 41 W., all.
- T. 157 N., R. 42 W.,
sec. 13, all;
sec. 14, S $\frac{1}{2}$ S $\frac{1}{2}$;
secs. 23 to 26, inclusive, and secs. 35 and 36.
- T. 156 N., R. 42 W.,
secs. 1 to 3, and secs. 10 to 15, inclusive;
sec. 16, lot 4;
sec. 21, lots 5 to 8, inclusive, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
secs. 22 to 27, inclusive;
sec. 28, lots 3 to 6, inclusive, NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 29, lot 3;
sec. 32, lots 5 to 9, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
secs. 33 to 36, inclusive.
- T. 155 N., R. 42 W.,
sec. 1, lots 1 to 3, and lots 5 to 16, inclusive, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 2, lots 5, 6, 11, 12, 13, 14, 15, and 16, E $\frac{1}{2}$ SW $\frac{1}{4}$, and
W $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 3, lots 6 to 11, inclusive, and lot 13.

This refuge shall be known as the Mud Lake Migratory Waterfowl Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 23, 1937.

[No. 7583]

[F. R. Doc. 37-845; Filed, March 24, 1937; 2:36 p. m.]

EXECUTIVE ORDER

DESIGNATING AJO, ARIZONA, AS A CUSTOMS PORT OF ENTRY

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2), I hereby designate the customs station of Ajo, Arizona, a customs port of entry in Customs Collection District No. 26 (Arizona), with headquarters at Nogales, Arizona, effective thirty days from the date of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 24, 1937.

[No. 7584]

[F. R. Doc. 37-857; Filed, March 25, 1937; 11:47 a. m.]

EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 6473 OF DECEMBER 4, 1933, WITHDRAWING PUBLIC LANDS

Wyoming

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Order No. 6473 of December 4, 1933, withdrawing, together with other lands, the public lands in the following-described townships in Wyoming, pending a resurvey, is hereby revoked as to said townships:

SIXTH PRINCIPAL MERIDIAN

Tps. 14 and 15 N., R. 97 W.

This order shall become effective upon the date of the official filing of the plats of the resurvey of said townships.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 24, 1937.

[No. 7585]

[F. R. Doc. 37-856; Filed, March 25, 1937; 11:47 a. m.]

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

(T. D. 4730)

EFFECTIVE PERIOD OF CARRIERS TAXING ACT EXTENDED

REGULATIONS 93, AMENDED

To Collectors of Internal Revenue and Others Concerned:
Public Resolution No. 9, Seventy-fifth Congress, approved February 27, 1937, entitled "Joint Resolution To amend the Act entitled 'An Act to levy an excise tax upon carriers and



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an income tax upon their employees, and for other purposes", approved August 29, 1935"¹ provides as follows:

That section 12 of the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935, is amended by striking out "February 28, 1937" and inserting in lieu thereof "June 30, 1938".

To give effect to the foregoing provision of law, Regulations 93, approved March 11, 1936² are amended as follows:

(1) Article 1 (a) is amended by inserting after the parenthetical phrase therein, the words "as amended by Public Resolution No. 9, Seventy-fifth Congress, approved February 27, 1937".

(2) Articles 201, 301, 402, 501 and 609 are amended by striking out "February 28, 1937" wherever appearing therein and by inserting in lieu thereof "June 30, 1938".

(3) Article 401 is amended to read as follows:

ART. 401. *Quarterly returns of employees' tax and carriers' tax.*— For the period beginning March 2, 1936, and ending May 31, 1936, and for each subsequent period of three calendar months ending on August 31, November 30, the last day of February, and May 31, each carrier shall prepare a return, in quadruplicate, on the prescribed form.

(4) The first sentence of the first paragraph of article 504 is amended to read as follows:

For the period beginning March 2, 1936, and ending May 31, 1936, and for each subsequent period of three calendar months ending on August 31, November 30, the last day of February, and May 31, each representative shall prepare a return, in quadruplicate, on the prescribed form.

(5) The following is inserted immediately preceding article 609:

Public Resolution No. 9,
Seventy-fifth Congress
Approved February 27, 1937.

That section 12 of the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935, is amended by striking out "February 28, 1937" and inserting in lieu thereof "June 30, 1938."

This Treasurer Decision is prescribed under the authority contained in section 1101 of the Revenue Act of 1926, made applicable by section 8 (c) of the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", as amended.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 22, 1937.

ROSWELL MAGILL,
Acting Secretary of the Treasury.

[F. R. Doc. 37-844; Filed, March 24, 1937; 2:33 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 5]

Owyhee project—Oregon-Idaho

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES*

MARCH 10, 1937.

Announcement is hereby made that water will be furnished during the irrigation season of 1937 (from April 15, to October 15, inclusive) for the irrigation of project lands, herein-after described, upon a water rental basis, at rates and upon terms following:

For privately-owned lands in the Owyhee Irrigation District under the Kingman and Mitchell Butte laterals, and under the North Canal in the following sections:

¹ 49 Stat. 974.

² 1 F. R. 17.

* Act of June 17, 1902, 32 Stat., 388, as amended or supplemented.

Sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and N $\frac{1}{2}$ Sec. 22, Township 21 South, Range 46 East;

Sections 1, 2, 3, E $\frac{1}{2}$ of 4, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 33, and 34, Township 20 South, Range 46 East, W. M.;

Sections 33, 34, and 35, Township 19 South, Range 46 East, W. M.;

A minimum charge of one dollar (\$1.00) per acre for each irrigable acre whether irrigated or not, payable by the district in advance of delivery of water, for which amount two and six-sevenths (2 $\frac{6}{7}$) acre-feet of water per acre will be furnished. Thirty-five cents (\$0.35) per acre-foot will be charged for any additional water furnished to any tract or farm unit in excess of two and six-sevenths acre-feet per irrigable acre, payable by the district December 1, 1937.

For other lands under the North Canal in the Owyhee Irrigation District:

A minimum charge of \$1.00 per acre for the lands actually irrigated for two and six-sevenths acre-feet per acre per annum and payable by the district in advance of delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the district December 1, 1937.

Water for the Owyhee Irrigation District will be delivered and measured at the nearest tap and weir to the individual farm.

For lands in the Kingman Colony Irrigation District:

A minimum charge of \$1.00 per irrigable acre for two and six-sevenths acre-feet per acre per annum, payable by the district for each irrigable acre contained therein, in advance of the delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the district on December 1, 1937.

Water for the Kingman Colony Irrigation District will be measured and considered to be furnished to the district where delivered into the canal system of the district.

For lands in the Advancement Irrigation District:

A minimum charge of \$1.00 per irrigable acre for two and six-sevenths acre-feet per acre per annum, payable by the district for each irrigable acre contained therein, in advance of the delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the district on December 1, 1937.

Water for the Advancement Irrigation District to be measured at the outlets of the North and South Advancement pumps.

For lands in the Ontario-Nyssa Irrigation District:

A minimum charge of three thousand one hundred fifty dollars (\$3,150) for nine thousand (9,000) acre-feet of water, payable by the district in advance of delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the district on December 1, 1937.

Water for the Ontario-Nyssa Irrigation District will be delivered and measured into the Ontario-Nyssa canal at the head and at a feeder near the oil well and at other points mutually agreed on by the district and the Reclamation Bureau.

For lands in the Gem Irrigation District:

For old lands in the district, a minimum charge of three thousand five hundred dollars (\$3,500) for ten thousand (10,000) acre-feet, payable by the district in advance of delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the district on December 1, 1937.

For new lands in the district, water may be furnished if and when available, depending on the progress of construction;

Thirty-five cents (\$0.35) per acre-foot for water furnished, payable by the district when ordered, with a minimum payment of ten dollars (\$10.00).

Water for the old lands of the Gem Irrigation District will be delivered into the A canal at the head and at the feeder near Jump Creek and measured at these points.

Water for the new lands will be delivered and measured at the nearest tap and weir to the individual farms.

For lands in the Payette-Oregon Slope, Bench and Crystal Irrigation Districts:

A minimum charge of one dollar (\$1.00) per irrigable acre for two and six-sevenths (2 $\frac{6}{7}$) acre-feet per acre per annum, payable by the respective districts for each irrigable acre contained therein in advance of delivery of water. Thirty-five cents (\$0.35) per acre-foot for any additional water furnished, payable by the respective districts on December 1, 1937.

Water for the Payette-Oregon Slope, Bench and Crystal Irrigation Districts will be delivered and measured at the nearest tap and weir to the individual farms.

In determining the amount of water delivered on which rental charges will be based, in the case of the Kingman Colony, Advancement, Ontario-Nyssa, and the old lands of the Gem Irrigation District, deduction of ten percent (10%) will be made from the amounts measured at points of delivery to the respective districts as an allowance for losses in the district canals.

Applications for water on the basis of this public notice will be received at the office of the United States Bureau of Reclamation at Boise, Idaho, P. O. Box 937, and payments shall be made to that office.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 37-853; Filed, March 25, 1937; 9:32 a. m.]

General Land Office.

AIR NAVIGATION SITE WITHDRAWAL NO. 3 REDUCED

NEVADA

MARCH 15, 1937.

Under and pursuant to section 4 of the act of May 24, 1928 (45 Stat. 728), departmental order of July 24, 1928, withdrawing certain public lands in Nevada for use by the Department of Commerce as air navigation sites, is hereby revoked in so far as it affects the following-described land which is within Nevada Grazing District No. 1:

NEVADA

Mt. Diablo Meridian

T. 35 N., R. 68 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 16, 40 acres.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 37-855; Filed, March 25, 1937; 10:14 a. m.]

STOCK DRIVEWAY WITHDRAWALS NOS. 9 AND 52, REDUCED

NEW MEXICO

MARCH 18, 1937.

Departmental orders of February 28 and December 9, 1918, and June 7, 1923, as modified, which withdrew certain lands in New Mexico as Stock Driveways Nos. 9 and 52, under section 10 of the act of December 29, 1916 (39 Stat. 862), as amended by the act of January 29, 1929 (45 Stat. 1144), are hereby revoked in so far as they affect the following-described lands, which are within New Mexico Grazing Districts Nos. 3 and 6, established July 11 and April 8, 1935, respectively:

NEW MEXICO PRINCIPAL MERIDIAN

T. 10 S., R. 4 W., NW $\frac{1}{4}$ sec. 3, W $\frac{1}{2}$ secs. 10 and 15, E $\frac{1}{2}$ sec. 21, NW $\frac{1}{4}$ sec. 22, E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 28, S $\frac{1}{2}$ of secs. 29 and 30;

T. 10 S., R. 5 W., S $\frac{1}{2}$ sec. 25, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 26, SE $\frac{1}{4}$ sec. 33, N $\frac{1}{2}$ and SW $\frac{1}{4}$ sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ sec. 35;

T. 11 S., R. 5 W., N $\frac{1}{2}$ or N $\frac{1}{2}$ of secs. 4 and 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 6;

T. 14 S., R. 24 E., S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 21, S $\frac{1}{2}$ N $\frac{1}{2}$ of secs. 22, 23 and 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$ sec. 29, and N $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 30;
 T. 14 S., R. 25 E., S $\frac{1}{2}$ N $\frac{1}{2}$ of secs. 19 and 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 26, sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$ of secs. 35 and 36;
 T. 10 S., R. 30 E., secs. 13, 23, 24 and 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ sec. 26, secs. 27, 34 and 35;
 T. 11 S., R. 30 E., secs. 1, 12, 13, 24 and 25;
 T. 15 S., R. 30 E., E $\frac{1}{2}$ sec. 1, secs. 10, 11, 12 and 15, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$ of secs. 22 and 27, secs. 28, 29 and 30;
 T. 6 S., R. 31 E., SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ sec. 7, NW $\frac{1}{4}$ and S $\frac{1}{2}$ sec. 18, sec. 19, W $\frac{1}{2}$ sec. 20, secs. 29 and 30, and W $\frac{1}{2}$ sec. 31;
 T. 7 S., R. 31 E., secs. 6 and 7, N $\frac{1}{2}$ sec. 18, secs. 30 and 31;
 T. 8 S., R. 31 E., sec. 5, N $\frac{1}{2}$ sec. 6, secs. 8 and 17, N $\frac{1}{2}$ and SE $\frac{1}{4}$ sec. 20, secs. 29, 30 and 31;
 T. 9 S., R. 31 E., secs. 5, 6, 7 and 8, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 17, secs. 18 and 19, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$ sec. 20, secs. 28, 29, 30 and 33;
 T. 10 S., R. 31 E., secs. 4, 5, 7, 8, 9, 17, 18 and 19;
 T. 11 S., R. 31 E., W $\frac{1}{2}$ of secs. 6, 7, 18 and 19, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 29, secs. 30 and 31;
 T. 12 S., R. 31 E., secs. 6, 7 and 8, W $\frac{1}{2}$ sec. 9, secs. 17, 18, 20, 21, 28, 29 and 33;
 T. 13 S., R. 31 E., sec. 4, SE $\frac{1}{4}$ sec. 8, sec. 9, E $\frac{1}{2}$ sec. 17, NE $\frac{1}{4}$ sec. 20, secs. 21, 28 and 33;
 T. 14 S., R. 31 E., sec. 4, SE $\frac{1}{4}$ sec. 8, sec. 9, NE $\frac{1}{4}$ and W $\frac{1}{2}$ sec. 17, N $\frac{1}{2}$ and SW $\frac{1}{4}$ sec. 19, NW $\frac{1}{4}$ sec. 20, W $\frac{1}{2}$ of secs. 30 and 31;
 T. 15 S., R. 31 E., NW $\frac{1}{4}$ sec. 6;
 Aggregating 60,394.15 acres.

T. A. WALTERS,
 First Assistant Secretary.

[F. R. Doc. 37-854; Filed, March 25, 1937; 10:14 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Adjustment Administration.

ECR—B-101—Johnson County, Tennessee Issued March 24, 1937
 1937 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN 101—JOHNSON COUNTY, TENNESSEE

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said Act for 1937, in accordance with the provisions of this East Central Region Bulletin 101—Johnson County, Tennessee, and such modifications or other provisions as may hereafter be made.

The 1937 Agricultural Conservation Program has been developed in accordance with the provisions of sections 8, 15, and 16 of the Soil Conservation and Domestic Allotment Act, but the payment of any benefits pursuant to the provisions of this bulletin is contingent upon such appropriation, if any, as the Congress of the United States may hereafter make for such purpose, and the amounts of such payments will be finally determined by such appropriation and the extent of participation in the program. The rates of payment and the general farm allowance set forth herein are computed upon the basis of an appropriation of \$500,000,000 for the 1937 program for the Nation and 85 percent participation by farmers. The payments calculated in accordance with the provisions of part I of this Bulletin 101 may be increased or decreased depending upon the extent of participation in the East Central Region, but any such variation will not be in excess of 10 percent.

Part I. Rates and Conditions of Payment

Payment will be made in connection with the utilization in 1937 of the land on any farm in Johnson County, Tennessee, in the amounts and subject to the conditions hereinafter set forth.

SECTION 1. Payment for Diversion from Tobacco Soil-Depleting Bases.—Payment will be made, at the rate of 5 cents per pound of the base yield per acre of tobacco for the farm, for each acre (or fraction thereof rounded to the nearest tenth of an acre) diverted from the tobacco soil-depleting base, not in excess of 25 percent of such base. Such diver-

sion shall be in conjunction with the carrying out of the farming program established for the farm in accordance with Section 3 below.

SECTION 2. General Farm Allowance.—The general farm allowance is the maximum payment which can be earned for carrying out the farming program established for the farm. This allowance will be \$1.00 for each acre of cropland in the farm, *provided that* in no event will the general farm allowance for any farm be less than \$20.00.

SECTION 3. Establishment of Farming Program.—A farming program will be established for the farm for 1937, upon submission by the operator and approval by the County Committee acting under the supervision and direction of the East Central Division. Such program will include the following:

(a) Growing an acreage of tobacco not in excess of the tobacco soil-depleting base for the farm. (If the 1937 acreage of tobacco on the farm is less than the tobacco soil-depleting base, the provisions of Section 1 above will be applicable.)

(b) Growing an acreage of general soil-depleting crops not in excess of the general soil-depleting base for the farm.

(c) Growing not less than the minimum acreage of soil-conserving crops specified for the farm.

(d) Carrying out such of the soil-building practices listed in section 4 below as are specified for the farm.

The specified minimum acreage of soil-conserving crops and the specified soil-building practices will be recommended by the operator and the County Committee and shall be such as will best tend to meet the needs of the farm for soil restoration and conservation and prevention of erosion, taking into consideration the past production of crops, the size of the farm, type of soil, topography, and farming practices.

SECTION 4. Soil-Building Practices.—Any of the soil-building practices listed in this section 4 carried out by such methods and with such kinds and quantities of seeds, trees, and other materials as conform to good farming practice may be specified as a soil-building practice in the farming program.

(a) *Seeding Legumes or Perennial Grasses.*—Seeding approved seeds of any of the following crops: Alfalfa, red clover, mammoth clover, sericea, bluegrass, Austrian winter peas, vetch; crimson clover, alsike clover, sweet clover, annual lespedeza, orchard grass, white clover, redtop, timothy, or any mixture of grasses or legumes listed in this subsection (a).

(b) *Growing Green Manure and Cover Crops.*—Plowing or discing under as green manure any of the crops named in this subsection (b) after the crop has attained a normal growth of at least two months, or leaving on the land any of these crops grown in 1937: soybeans, velvet beans, cowpeas, crimson clover, Austrian winter peas, vetch, rye, barley, wheat, buckwheat, Italian ryegrass, oats, small grain mixtures, Sudan grass, millet, or sorghum, plowed or discing under; lespedeza, soybeans, velvet beans, or cowpeas, not grazed or pastured, when all of the forage is left on the land.

(c) *Planting Forest Trees.*—Planting forest trees, including post-producing species.

(d) *Improving Stands of Forest Trees.*—Improving the stand of forest trees by thinning or pruning trees on woodland from which grazing is excluded, to develop approximately 100 potential timber trees of desirable species, well distributed over an acre of woodland.

(e) *Improving Land by the Use of Ground Limestone.*—Applying not less than 1,000 pounds per acre of ground limestone or its equivalent¹ on cropland or non-crop pasture land, or not less than 500 pounds per acre, if the applica-

¹Equivalent quantities of other materials may be substituted for ground limestone *provided that* the quantities of other materials so substituted contain not less than the quantities, by weight, of calcium or magnesium oxide contained in the quantities of ground limestone specified. For purposes of this section 4 (e) 100 pounds of ground oyster shell, 70 pounds of hydrated lime, or 50 pounds of burned lime, shall be considered, respectively, to be equivalent to 100 pounds of ground limestone.

tion is made by drilling with the seed of any legume or perennial grass listed in subsection (a) of this section 4.

(f) *Improving Land by Use of Superphosphate.*—Applying not less than 100 pounds per acre of 16 percent superphosphate or its equivalent,² on any permanent pasture or in connection with seeding or maintaining any legume or perennial grass listed in subsection (a) of this section 4, or in connection with any green manure crop plowed or disced under as provided in subsection (b) of this section 4.

If the superphosphate is to be applied in connection with a legume or perennial grass listed in subsection (a) of this section 4 seeded in connection with a soil-depleting crop, only one-half the number of pounds so applied will be considered as being used in carrying out this practice.

In connection with this practice the Agricultural Adjustment Administration will make available at Sheffield, Alabama, a supply of triple superphosphate (approximately 43 percent available P₂O₅) which, within the limit of such supply, may, upon request filed at the County Office, be obtained for application on the farm in accordance with the foregoing provisions of this subsection (f). If triple superphosphate is so obtained, deduction will be made, from any payments which otherwise would be made with respect to the farm, as provided in subsection (h) of section 5 of this Part I.

(g) *Control of Erosion by Terracing.*—Terracing cropland or non-crop pasture land which the County Committee finds is in need of terracing, with a sufficient amount of properly constructed terrace to give adequate protection against erosion.

SECTION 5. *Payment for Carrying Out Farming Program.*—The payment for carrying out the farming program established for the farm will be the general farm allowance, except that if the farming program is only partially carried out the payments which otherwise would be made with respect to the farm will be decreased by one dollar for each point by which the County Committee, acting under the supervision of the East Central Division, finds that the farming program has not been carried out in accordance with good farming practice; *provided*, however, that such deduction shall first be made from the payment for carrying out the farming program. Any soil-building practice (except that involving the use of triple superphosphate) which has been carried out with labor, seed, or other materials furnished in whole or in part by any State or Federal agency shall be treated as if it had not been carried out. For the purpose of determining the number of points for which deductions will be made each of the following items shall have the value in points shown therefor:

(a) Each acre (or fraction thereof rounded to the nearest tenth of an acre) of tobacco in excess of the base tobacco acreage for the farm: 50 points.

(b) Each acre (rounded to the nearest whole acre) of general soil-depleting crops in excess of the general soil-depleting base for the farm: 8 points; *provided* that no deduction will be made for general soil-depleting crops in excess of the base if such crops are required for home consumption on the farm or if the County Committee finds that such crops are grown in order to replace a shortage of feed crops on the farm caused by drouth, flood, or other unfavorable weather conditions in 1936 or 1937.

(c) Each acre (rounded to the nearest whole acre) by which the acreage of soil-conserving crops on the farm in 1937 falls below the specified minimum acreage of soil-conserving crops: 3 points.

(d) Each acre (rounded to the nearest whole acre) on which the seeding of legumes or perennial grasses, or the growing of green manure crops or cover crops, was specified

² Equivalent quantities of other materials may be substituted for 16 percent superphosphate *provided* that the quantities of other materials so substituted contain not less than the quantities, by weight, of phosphoric acid contained in 16 percent superphosphate, except that if ground rock phosphate is substituted the quantity of ground rock phosphate so substituted shall be not less than 1½ times the quantity of 16 percent superphosphate.

as a soil-building practice but on which such practice was not carried out: 2 points.

(e) Each acre on which the planting of forest trees was specified as a soil-building practice but on which such practice was not carried out: 5 points.

(f) Each acre on which the improvement of the stand of forest trees was specified as a soil-building practice but on which such practice was not carried out: 2 points.

(g) Each ton of ground limestone (rounded to the nearest ton), each 250 pounds of 16 percent superphosphate (rounded to the nearest 250 pounds), or their respective equivalents, or each 400 feet of terrace (rounded to the nearest 400 feet), specified as a soil-building practice but which was not carried out: 1½ points.

(h) Each 100 pounds of triple superphosphate obtained through the Agricultural Adjustment Administration in accordance with subsection (f) of section 4: 1½ points.

SECTION 6. *Association Expenses.*—There shall be deducted pro rata from the payments made to members of the Johnson County Agricultural Conservation Association all or such part, as the Secretary may prescribe, of the estimated administrative expenses incurred or to be incurred by such association in cooperating in carrying out the Soil Conservation and Domestic Allotment Act.

There shall be credited to the Johnson County Agricultural Conservation Association for the payment of administrative expenses the sum of \$2.00 per application for that number of applications submitted by members of the association under which it is estimated by the Agricultural Adjustment Administration the total payment (prior to deduction of any administrative expenses) will be \$20.00 or less.

There shall also be credited to the Johnson County Agricultural Conservation Association for the payment of administrative expenses the amount, estimated by the Agricultural Adjustment Administration, of any extra administrative expenses incurred by the association in connection with this special Johnson County program not to exceed \$1.00 for each application submitted in 1937.

SECTION 7. *Payments Restricted to Effectuation of Purposes.*—All or any part of any payment which otherwise would be made to any person may be withheld if any practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

SECTION 8. *Calculation of Payments.*—The payments to any person under this program shall be calculated to the nearest whole dollar. Fractions of 50 cents or less will be dropped and fractions of more than 50 cents will be considered as \$1.00.

Part II. Classification of Crops

Farm land, when devoted to the crops and uses indicated hereinafter, shall be classified in the manner set forth in this Part II.

SECTION 1. *Soil-Depleting Crops.*—Land on which any of the following crops is grown shall be regarded as used for the production of a soil-depleting crop for the year in which such crop is normally harvested. The acreage of land which is devoted to two or more soil-depleting crops in the same year shall be counted as soil-depleting only once.

(a) Corn (field corn, sweet corn, and popcorn).

(b) Cotton.

(c) Tobacco.

(d) Peanuts harvested for nuts.

(e) Broom corn.

(f) Truck and vegetable crops, including also melons, strawberries, potatoes, and sweet potatoes.

(g) Sorghum, when harvested.

(h) Small grains: Wheat, oats, barley, rye, buckwheat, and grain mixtures; cut for hay or grain.

(i) Annual grasses: Sudan, millet, and Italian ryegrass, harvested for hay or seed.

(j) Bulbs and flowers.

SECTION 2. Soil-Conserving Crops.—Land devoted to any of the following crops and not used in the same year for the growing of any soil-depleting crop, as defined in section 1 of this Part II, shall be regarded as used for the production of a soil-conserving crop. Cropland from which no crop is harvested during 1937 and which is planted in 1937 not later than October 31 to any crop listed below (other than small grains seeded alone in the fall) shall be considered as soil-conserving. If two or more soil-conserving crops are grown on the same land during any year the acreage of such land counted as soil-conserving shall not exceed the acreage on which such crops are grown.

(a) Biennial and perennial legumes: Sweet, red, alsike, white, and mammoth clovers; alfalfa; kudzu; and sericea.

(b) Miscellaneous legumes: Vetch, Austrian winter peas; bur clover and crimson clover; annual varieties of lespedeza; crotalaria.

(c) Summer legumes: Soybeans, velvet beans, field peas, and cowpeas.

(d) Peanuts, when pastured.

(e) Annual grasses: Sudan, millet, and Italian ryegrass, not harvested for hay or seed.

(f) Perennial grasses: Bluegrass, Dallis, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of these.

(g) Small grains: Rye, oats, barley, wheat, buckwheat, and grain mixtures, when not cut for grain or hay, provided a good growth is left on the land. (If plowed under or if a good growth is not left on the land the crop shall be disregarded in classifying the land on which grown except as otherwise provided.)

(h) Forest trees, planted on cropland since January 1, 1934.

(i) Sweet sorghums, not harvested.

SECTION 3. Neutral Uses.—Land devoted to the following uses shall be regarded as not used for the production of a soil-depleting crop or a soil-conserving crop:

(a) Vineyards, tree fruits, small fruits, bush fruits, nut trees, and nursery stock not interplanted. Any portion of the area which is interplanted shall carry the classification and actual acreage of such interplanted crop.

(b) Idle cropland.

(c) Cultivated fallow land.

(d) Waste land, roads, lanes, lots, yards, and other similar non-crop land.

(e) Woodland, other than cropland planted to forest trees since January 1, 1934.

Part III. Establishment of Bases

The County Committee will recommend for approval by the Secretary a general soil-depleting base and a tobacco soil-depleting base for each farm participating in the 1937 Agricultural Conservation Program. Such bases shall represent the acreage normally used for the production of general soil-depleting crops and tobacco, respectively, on such farm. The County Committee also will recommend for each farm a base yield per acre for tobacco.

SECTION 1. Farms for Which Soil-Depleting Bases Were Established Under the 1936 Program.—The soil-depleting bases established for farms under the 1936 Agricultural Conservation Program, together with the accompanying base yields, shall be used as a basis for determining the soil-depleting bases and base yields per acre for such farms in 1937, with adjustment as provided in section 3 of this Part III.

SECTION 2. Farms for Which Soil-Depleting Bases Were Not Established Under the 1936 Program.—On farms for which bases were not established under the 1936 Agricultural Conservation Program, the bases and yields per acre shall, subject to adjustment as provided hereinafter, be determined as follows:

(a) **Tobacco Base and Yield.**—A tobacco soil-depleting base may be established for any farm on which tobacco was grown in either 1935 or 1936, and for other farms on which the County Committee determines that tobacco was not planted in 1935 or 1936 because of unusual weather conditions.

The tobacco soil-depleting base and base yield for a farm shall be determined upon the basis of the base established for the farm under the 1936-39 tobacco production adjustment program, or, if no such base was established, upon the basis of the acreage grown and yield obtained on the farm in the year 1936.

(b) **General Soil-Depleting Base.**—A general soil-depleting base may be established for any farm if soil-depleting crops other than tobacco were produced thereon in the year 1935 or 1936, and for such other farms as the County Committee determines, in accordance with instructions, are eligible upon the basis of the past production on the farm or by the operator.

The general soil-depleting base for a farm shall be determined upon the basis of the acreage of general soil-depleting crops grown on the farm in 1936.

SECTION 3. Adjustment in Soil Depleting Bases.—(a) **Inequitable Bases.**—The soil-depleting bases and the base yields determined for each farm in accordance with the provisions of this Part III shall be adjusted upward or downward wherever necessary so as to be equitable for such farm as compared with farms in the same locality which are similar with respect to the past production of crops, size, type of soil, topography, production facilities, and farming practices.

(b) **Unused Bases.**—If the acreage of tobacco or of crops in the general soil-depleting base planted on a farm in the years 1935 and 1936 has been substantially less than the acreage which could have been planted on the farm in such years with maximum payments with respect to such crops, under the 1935 programs of the Agricultural Adjustment Administration or under the 1936 Agricultural Conservation Program, and such deficiency was not caused by unusual weather conditions, the base shall be adjusted by the County Committee so as to reflect the plantings on the farm in 1935 and 1936 and so as to be equitable as compared with other farms in the locality which are similar with respect to size, type of soil, topography, production facilities, and farming practices.

(c) **Changes in Crop Classification.**—The acreage of small grains harvested for grain or hay, and the acreage of corn interplanted with legumes, classified as soil-conserving in establishing the general soil-depleting base for 1936 for any farm shall be added to such 1936 base in determining the general soil-depleting bases for 1937.

SECTION 4. Limits of Soil-Depleting Bases.—The general soil-depleting bases and the tobacco soil-depleting bases, respectively, established for all farms participating in the 1937 Agricultural Conservation Program in Johnson County, shall not exceed the acreage for each soil-depleting base which is established for such farms in the county by the Agricultural Adjustment Administration.

The total of the tobacco soil-depleting bases established in 1937 for farms on which such bases were not established in 1936, or on which no tobacco base acreage was established under a commodity adjustment program in 1935, shall not exceed such acreage in the county as shall be obtained by downward adjustment of the respective soil-depleting bases or base acreages, previously established for other farms in the county, except as approved by the Agricultural Adjustment Administration.

The weighted average base yield of tobacco for all farms for which soil-depleting bases are established in Johnson County shall not exceed the base yield established for the county by the Agricultural Adjustment Administration.

Part IV. Miscellaneous Provisions

SECTION 1. Land to be Included Under Application.—An application may be submitted with respect to any farm or with respect to any two or more farms operated by the same person.

SECTION 2. Application and Eligibility for Payment.—(a) Payment will be made only upon applications submitted through the county office. The Secretary reserves the right to withhold payment to any person who fails to file any form or furnish any information required with respect to

any farm in which he is interested as owner or operator and to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the East Central Division.

(b) An application for payment may be made by any person who as owner, share-tenant, or sharecropper is entitled to receive a share or all of the crops produced on the farm in 1937 or the proceeds therefrom or who rents the land to a producer for cash or for a fixed commodity payment and who incurs any part or all of the expense of carrying out the farming program established for the farm.

(c) In the event of the death or legal incompetency of an applicant for payment, any payment which has not been received by such applicant prior to his death or incompetency and which would otherwise be made to such applicant shall be made to the person who, under rules prescribed by the Secretary, is determined to be eligible to receive such payment.

(d) A farm shall be regarded as being in Johnson County if the principal dwelling on the farm is located in said county, or, if there is no dwelling on the farm, if the major portion of the farm is located in said county.

(e) Any person who files an application for payment in Johnson County shall file an application with respect to each farm owned or operated by such person in the county. Upon request by the State Committee such person shall also file an application with respect to any farm owned or operated by him in any other county.

SECTION 3. Membership in Association.—Any person having an interest in the crops produced on any farm in Johnson County, or the proceeds thereof, who is not a member of the Johnson County Agricultural Conservation Association shall become a member of such association whenever any form or information required in connection with the 1937 Agricultural Conservation Program is submitted for such farm. Any person shall cease to be a member of the association if an application for payment is not filed by him within the time specified by the Director of the East Central Division for the filing of applications.

SECTION 4. Division of Payments.—Payments with respect to any farm included under an application shall be divided as follows:

(a) *Diversion Payment with Respect to Tobacco.*—

15 percent to the producer who furnished the land,
15 percent to the producer who furnished the work-stock and equipment,

70 percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in the tobacco grown on the farm in 1937, or the proceeds thereof.

If the 1937 acreage of tobacco is zero, or, because of partial crop failure, is substantially smaller than the acreage which, but for such failure, would have been grown in 1937, the diversion payment with respect to tobacco shall be divided among the producers who remain entitled to share in any crop actually grown on the farm in 1937 in proportion to the share of each such producer in the tobacco crop as it was intended to be grown.

(b) *Payment for Carrying Out Farming Program.*—The payment for carrying out the farming program established for the farm shall be made to the producer, or the person who rents the land to the producer for cash or for a fixed commodity payment, who the County Committee determines, under instructions issued by the Agricultural Adjustment Administration, has incurred the expense of carrying out the farming program.

In cases where the County Committee finds that two or more persons have incurred the expense of carrying out the farming program established for the farm, the share of each such person in the payment shall be determined by agreement of all producers on the farm. Where agreement of all producers is not obtained, the County Committee may recom-

mend, subject to approval by the State Committee and the Director of the East Central Division, their determination of the share of each such person, such determination to be accompanied by a complete statement of the facts upon which the recommendation is based.

(c) *Computation of Shares of Payments.*—Any share of payments shall be computed without regard to questions of title under State law, without deduction of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of any creditor.

SECTION 5. Changes in Leasing or Cropping Agreement and Other Devices.—If it shall appear from an investigation made by the State Committee that any person who has made an application for payment pursuant to the provisions of the 1936 or the 1937 Agricultural Conservation Program has made any change in the normal leasing or cropping agreement for the farm or has employed or participated in any other scheme or device whatsoever the effect of which would be or has been to deprive any other person of any payment or share therein to which such other person would normally be entitled, the Secretary may withhold from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part the amount of any payment which had been or would otherwise be made to such person for performance in connection with the 1937 Agricultural Conservation Program.

SECTION 6. Multiple Farm Holdings.—If a person who has made application for a payment with respect to a farm or farms in Johnson County has an interest as owner or operator in another farm or farms in the county on which the acreage used for the production of crops included in any soil-depleting base exceeds such base and such other farm or farms have not been included in an application under which a payment can be made, the payment to be made to such person shall be decreased by an amount equal to such person's share of the net deductions with respect to such other farm or farms.

The provisions of this section may be extended to include farms in two or more counties in the State in which any person as owner or operator is entitled to receive a share of the crops produced thereon, or the proceeds thereof, if the acreage used for the production of any soil-depleting crop(s) on any such farm had been increased to such an extent as to tend to defeat the purposes of the 1937 Agricultural Conservation Program.

Part V. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the East Central Region, the following terms shall have the following meanings:

Secretary means the Secretary of Agriculture of the United States.

East Central Region means the area included in the States of Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Tennessee.

Johnson County means the area included in Johnson County, Tennessee.

East Central Division means the division in the Agricultural Adjustment Administration in charge of the 1937 Agricultural Conservation Program in the East Central Region.

State Committee, State Agricultural Conservation Committee, or State Office means the group of persons designated for Tennessee to assist in the administration of the 1937 Agricultural Conservation Program in the State.

County Committee, County Agricultural Conservation Committee, or County Office means the group of persons designated for Johnson County to assist in the administration of the 1937 Agricultural Conservation Program in the County.

Person means an individual, partnership, association, corporation, estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof, or any other government agency that may be designated by the Secretary.

Operator means any person who as owner or share-tenant actively supervises and directs the farming activities throughout the 1937 farming season.

Owner means a person who owns land which is not rented to another for cash or for a fixed commodity payment; and shall include a person who rents land from another for cash or for a fixed commodity payment or who is purchasing land for cash or fixed commodity payments.

Sharecropper means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of the crops produced on such farm or the proceeds thereof.

Share-tenant means a person, other than an owner or sharecropper, who is working a part or the whole of a farm and is entitled to receive a portion of the crops produced thereon or the proceeds thereof.

Producer means an owner, a share-tenant, or sharecropper, who, under the terms of his lease or operating agreement, is entitled to share in the crops grown on the farm in 1937 or the proceeds thereof.

Cropland means all farm land which is tillable and on which at least one crop other than wild hay was harvested or planted for harvest between January 1, 1930, and January 1, 1937, and any other farm land devoted on January 1, 1937, to orchards or vineyards other than those abandoned.

Tobacco soil-depleting base means the number of acres established for the farm as the acreage normally used for the production of tobacco.

General soil-depleting base means the number of acres established for the farm as the acreage normally used for the production of all soil-depleting crops other than tobacco.

Minimum acreage of soil-conserving crops means the number of acres of soil-conserving crops specified in the farming program to be grown on cropland on the farm in 1937.

Diversions payment means a payment for the diversion of acreage from the tobacco soil-depleting base.

General farm allowance means the largest amount for any farm that may be obtained as a payment for carrying out the farming program established for 1937 for the farm.

Farm means all land which is farmed by an operator in 1937 as a single unit with work stock, farm machinery, and labor substantially separate from that for any other land; provided that any such unit shall not be considered a farm unless the County Committee finds, from a consideration of such factors as size of unit, amount of labor applied, nature of farming operations, and practices carried out, that the participation of such unit in the 1937 Agricultural Conservation Program would tend to promote the economic use and conservation of the land and preserve and improve its fertility for agricultural purposes.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 24th day of March, 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-858; Filed, March 25, 1937; 12:41 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

MONTHLY REPORTS OF REVENUES, EXPENSES, AND CAPITAL CHANGES OF TELEPHONE CARRIERS

FEBRUARY 24, 1937.

To All Class A and Class B Telephone Carriers:

There are enclosed 18 copies of the form of the Monthly Report of Revenues, Expenses, and Capital Changes.¹ It is requested that you make these reports in triplicate on the forms furnished and forward two copies to the Federal Com-

¹Copies of these forms have been filed with the Division of the Federal Register. Copies are available upon application to the Federal Communications Commission.

munications Commission, Washington, D. C. The reports should be mailed as promptly as possible after the end of each month.

These forms have been revised to meet the requirements of the "Uniform System of Accounts for Telephone Companies, Issue of June 19, 1935", which system, as amended by Telephone Division Order No. 7-D, became effective January 1, 1937. You are requested to destroy the blank forms sent to you under date of December 21, 1936, and use the enclosed forms commencing with January, 1937.

With reference to the returns in columns (a), (b), (e), and (f), you are requested to report the actual amounts shown on the respondent's books for the periods indicated and show in columns (c) and (g) the mathematical differences. The amounts of those portions of such differences resulting from the revision of the Uniform System of Accounts, Effective January 1, 1937, shall be explained under "Remarks" on the reverse side of the report.

The fourth ordering clause of Telephone Division Order No. 7-C has been construed as applying only to operating revenue, operating expense, and income accounts, and further construed as being complied with if the returns are shown on the basis of these instructions.

The amounts reported as items 25, 26, and 27, in columns (a) and (e) for January, 1937, should not include amounts transferred to accounts 100.1, 100.2, 100.3, and 100.4 under provisions of paragraph (D) of instruction 2 of the "Uniform System of Accounts for Telephone Companies, Issue of June 19, 1935." Data for items 25, 26, and 27, in columns (b) and (f) may be shown by bracketing these items and reporting the increase or decrease in account 100, "Telephone plant", during the comparable 1936 period.

It will be appreciated if the carriers which have been notified that they are subject only to Sections 201-5 of the Communications Act of 1934 will continue to file monthly reports for statistical purposes. While this letter is intended primarily for carriers filing monthly reports to the Commission (Carriers having annual revenues in excess of \$250,000), a copy is also being forwarded to all other Class A and Class B telephone carriers, with the thought that the construction of the fourth ordering clause of Telephone Division Order No. 7-C appearing in the fourth paragraph of this letter will be of interest to such carriers.

No acknowledgment will be made of the receipt of these reports, but a record of the date of receipt of each report will be kept in the files of the Commission.

Your compliance in this matter will be appreciated.

Very truly yours,

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-848; Filed, March 25, 1937; 9:22 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

IN RE INQUIRY AND INVESTIGATION OF METROPOLITAN EDISON COMPANY, ET AL.

[IT-5015]

PETITION FOR REHEARING GRANTED AND MATTERS INVOLVED IN THIS PROCEEDING ASSIGNED FOR HEARING

The Commission, having considered the matters involved in the inquiry and investigation instituted against Metropolitan Edison Company, et al., Docket IT-5015, and the petition for rehearing filed therein by the respondents, Metropolitan Edison Company, Northern Pennsylvania Power Company, Pennsylvania Electric Company, Erie Lighting Company, The Clarion River Power Company, and Solar Electric Company, under date of February 23, 1937,

grants said petition for rehearing and assigns the matters involved in this proceeding for hearing in the hearing rooms of the Commission in Washington, D. C., on the 14th day of April, 1937, at 10 a. m.

The Secretary is directed to give notice to petitioners that the petition for rehearing has been granted and advise all parties in interest of the time and place of hearing.

Adopted by the Commission on March 23, 1937.

[SEAL] LEON M. FUQUAY,
Acting Secretary.

[F. R. Doc. 37-851; Filed, March 25, 1937; 9:22 a. m.]

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

NOTICE OF HEARING

MINNESOTA POWER & LIGHT COMPANY, LICENSEE

[Project No. 346]

It appearing to the Commission that the matters involved in the determination of the actual legitimate cost of Project No. 346, Minnesota Power & Light Company, Licensee, are now at issue, said matters are assigned for hearing in the hearing room of the Commission in Washington, D. C., at 10 a. m., April 26, 1937; and the Secretary is directed to give notice thereof to the licensee and advise all parties in interest of the time and place of hearing.

Adopted by the Commission on March 23, 1937.

[SEAL] LEON M. FUQUAY,
Acting Secretary.

[F. R. Doc. 37-849; Filed, March 25, 1937; 9:22 a. m.]

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

[DI 131]

NOTICE OF HEARING

APPLICATION OF PLATTE VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

Upon application filed February 1, 1937, and renewed by formal petition filed February 25, 1937, by Platte Valley Public Power and Irrigation District, North Platte, Nebraska, praying for a reconsideration of the Commission's finding of January 19, 1937, that the interests of interstate commerce would be affected by the proposed construction of the project works described in applicant's declaration of intention, DI-131, filed on July 6, 1936, under Section 23 of the Federal Power Act; for a hearing upon such declaration and application and for an order suspending the operation of said finding pending final determination in the premises; It is *ordered*:

(1) That the declaration of intention, DI-131, filed by Platte Valley Public Power and Irrigation District and the Commission's finding in connection therewith be reconsidered and that a hearing thereon be held in the Commission's hearing room, Washington, D. C., at 10 a. m., on May 17, 1937.

(2) That the prayer for an order suspending the operation of the Commission's finding of January 19, 1937, pending final determination in the premises be and the same is hereby granted.

Adopted by the Commission on March 23, 1937.

[SEAL] LEON M. FUQUAY,
Acting Secretary.

[F. R. Doc. 37-850; Filed, March 25, 1937; 9:22 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 75]

ALLOCATION OF FUNDS FOR LOANS

MARCH 24, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for Loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Illinois 18 G Pike.....	\$150,000
Oklahoma 14 Love.....	161,000

JOHN M. CARMODY, *Administrator.*

[F. R. Doc. 37-852; Filed, March 25, 1937; 9:28 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF AN OIL PAYMENT IN THE JONES-LUCAS FARM, FILED ON MARCH 1, 1937, BY ALEX MACDONALD, RESPONDENT

ORDER FOR HEARING (UNDER RULE 340 (B)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein contains an untrue statement of a material fact, or omits to state a material fact which is required to be stated therein (for the omission of which no sufficient reason is given in the offering sheet) and which is necessary to make the statements therein not misleading, to wit:

In that the gross production of water as disclosed by Division II, Item 16 (a) (ii), is not believed to be correct, and for that reason might prove misleading;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be misleading, and whether the effectiveness of the filing of the said offering sheet shall be suspended; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as Trial Examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 8th day of April, 1937, at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said Examiner may designate.

Upon the completion of testimony in this matter the Examiner is directed to close the hearing and make his report to the Commission.

By the Commission.
[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-860; Filed, March 25, 1937; 12:50 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, 1937.

[File No. 1-1530]

IN THE MATTER OF TECK-HUGHES GOLD MINES, LIMITED
CAPITAL STOCK, \$1.00 PAR VALUE

ORDER POSTPONING HEARING

The Teck-Hughes Gold Mines, Limited, having made application to the Commission pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, for permission to withdraw from listing and registration on the New York Curb Exchange 4,807,144 shares of its Capital Stock, \$1.00 Par Value; and

The Commission having ordered that the matter be set down for hearing before Robert P. Reeder, an officer of the Commission, on March 8, 1937, in Washington, D. C.;¹ and

The Commission, at the request of the New York Curb Exchange, having postponed said hearing until March 23, 1937; and

Said Exchange having requested a further postponement of said hearing;

It is ordered, that said hearing be postponed until 10:00 A. M. on Tuesday, April 6, 1937, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer, said Robert P. Reeder, may determine.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-864; Filed, March 25, 1937; 12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D. 1937.

[File # 46-19]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

[Public Utility Act of 1935]

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SECTION 10 (A) (1)

Public Service Company of New Hampshire, a subsidiary of New England Public Service Company, a registered holding company, having filed an application, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition by it of 1000 shares of beneficial interest in Swans Falls Company (being all of the outstanding shares of such company) pursuant to the terms of a proposed tripartite contract between the applicant, New England Public Service Company which is now the owner of such shares, and Swans Falls Company under which contract the applicant will be obligated to make an annual payment of \$10,000 forever to New England Public Service Company and to pay to Swans Falls Company the costs of operating its properties, including taxes, maintenance and \$2,400 per year on account of depreciation; with an option to the applicant to terminate the obligation with respect to such annual payments to New England Public Service Company upon payment to it of a lump sum of \$150,000, provided that such payment is approved by the Public Service Commission of New Hampshire;

Such application having been amended; a hearing thereon having been held after appropriate notice;² the record

in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered that the acquisition covered by the aforesaid application be and the same hereby is approved, *provided*, however, that no payments shall be made by the applicant under the proposed tripartite contract unless, within 10 days after the execution thereof, a true copy of such contract shall be duly filed with the Public Service Commission of New Hampshire; and *provided further* that the applicant shall not make any payment to New England Public Service Company or to any other person pursuant to the provisions of Paragraph 3 of such contract unless such payment shall first have been approved by said Public Service Commission of New Hampshire.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-862; Filed, March 25, 1937; 12:50 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, 1937.

[File No. 1-246]

IN THE MATTER OF COLONIAL BEACON OIL COMPANY COMMON STOCK, WITHOUT PAR VALUE

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The Colonial Beacon Oil Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to withdraw from listing and registration on the Boston Stock Exchange its Common Stock, Without Par Value; and

After appropriate notice,¹ a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and the same is hereby granted, effective at the close of the trading session on March 22, 1937.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-865; Filed, March 25, 1937; 12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, 1937.

[File No. 1-1523]

IN THE MATTER OF UTAH METAL AND TUNNEL COMPANY CAPITAL STOCK, \$1.00 PAR VALUE

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The Utah Metal and Tunnel Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to withdraw from listing and registration on the Salt Lake Stock Exchange its Capital Stock, \$1.00 Par Value; and

¹2 F. R. 319.

¹2 F. R. 605.

²1 F. R. 2444.

After appropriate notice,¹ a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and the same is hereby granted, effective at the close of the trading session on March 22, 1937.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-866; Filed, March 25, 1937; 12: 51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of March, 1937.

[File No. 1-702]

IN THE MATTER OF THE GRANBY CONSOLIDATED MINING, SMELTING AND POWER COMPANY, LIMITED CAPITAL STOCK, PAR VALUE \$100

ORDER TERMINATING LISTING AND REGISTRATION

The Granby Consolidated Mining, Smelting and Power Company, Limited, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to withdraw from listing and registration on the Boston Stock Exchange its Capital Stock, Par Value \$100; and

The Boston Stock Exchange having made application to strike such Capital Stock from listing and registration on the Exchange; and

The Commission having considered said applications, together with all pertinent information relating thereto, and having due regard for the public interest and the protection of investors;

It is ordered, that said applications be and the same hereby are granted, effective at the close of the trading session on March 22, 1937.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-867; Filed, March 25, 1937; 12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE GULF-CARTER-MILLER FARM, FILED ON MARCH 17, 1937, BY S. LEROY ESTES, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that the information set forth under Division II, Items 16 (c) and (d), is not believed to be correct and might, therefore, be misleading;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the

23rd day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 8th day of April, 1937, at 2:30 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-859; Filed, March 25, 1937; 12:50 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-DOUGLAS "A" FARM, FILED ON MARCH 18, 1937, BY T. S. HOSE, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the statement made in Division II, Item 13, may not be correct by reason of the fact it is not believed that the field was discovered in December, 1930, nor is it believed that there are approximately 21,000 producing oil wells in the field at the present time;

(2) In that Division III, Item 3, is incomplete in the following particulars:

- (a) the porosity figure used was not determined;
- (b) it is not stated by whom the saturation and recovery factors were determined;
- (c) it is not fully explained how the estimated recovery factor of 70% was determined;
- (d) volumetric shrinkage cannot be considered merely "possible." It has been determined by the U. S. Bureau of Mines to be at least 20% for East Texas crude;

(3) In that under Division II, Item 2 (c), the area in acres is said to be 91.65, whereas Exhibit B describes only 89.03 acres;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 23rd day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offer-

¹2 F. R. 320.

ing sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 8th day of April, 1937, at 3:00 o'clock in the afternoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-863; Filed, March 25, 1937; 12:51 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PURE-YORK #13 FARM, FILED ON MARCH 18, 1937, BY P. R. KNICKERBOCKER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name preceding Division I is omitted;

(2) In that under Division II, Item 1, the smallest fractional interest proposed to be offered does not appear to be correctly stated;

(3) In that the party to whom the taxes are payable is omitted from the answer given under Division II, Item 12;

(4) In that under Division II, Item 16 (c), the figures for the months of May, 1936, and February, 1937, are not correctly stated;

(5) In that the information required to be stated relative to the gross production of water under Division II, Item 16 (a) (iii) is omitted;

(6) In that Exhibit B is not attached to or included in the offering sheet;

(7) In that the statement made under Division III, Item 3, is incomplete in the following particulars:

(a) it is not fully explained how the acre feet of Woodbine formation was determined;

(b) the calculation is not shown in two equations;

(8) In that Division III is not properly signed;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 23rd day of April, 1937; that an opportunity for hearing be given

to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 8th day of April, 1937, at 3:30 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-861; Filed, March 25, 1937; 12:50 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

REVISION OF RATING BOARD DECISIONS

1009. (D) When the decision of a rating agency involves breaking of service connection (the burden of proof being on the Government), the claimant will be immediately notified in writing of the contemplated action and the detailed reasons therefor and will be given a reasonable period, not to exceed 60 days, from the date on which such notice is mailed to his last address of record, for the presentation of additional evidence pertinent to the question. This procedure is for application except (1) in case of fraud; (2) in case of a change in law; (3) in case of a change of interpretation of law specifically provided in a Veterans' Administration issue; or (4) where the evidence establishes the service connection to be clearly illegal. (March 25, 1937.)

(E) When a reduction of an award for a service connected disability is considered warranted by reason of a change in the physical condition, the claimant will be notified in writing of the proposed action and the detailed reasons therefor and will be informed that sixty days from the date on which such notice is mailed to him his case will be reviewed upon the basis of any evidence that he may desire to submit in the meantime as to why such reduction should not be effectuated. The claimant will also be given the opportunity to appear before the rating agency which reviews his case at the expiration of the sixty day period. The rating agency, after consideration of the representations made by the veteran at the hearing or of any additional evidence submitted, will take such action as may be indicated to develop the evidence further, if necessary, but if it is considered that the available evidence warrants a reduction, an appropriate rating will be rendered, and the provisions of Veterans Regulation No. 2 (a), Part I, Paragraph III (b), will be applied as to the effective date of reduction upon the basis of such rating. (March 25, 1937.) (Public No. 2 and Public No. 141, 73d Congress.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 37-846; Filed, March 24, 1937; 3:29 p. m.]

REVISION OF REGULATIONS

MISCONDUCT

1065. (A) A disabling condition will be considered to be the result of misconduct for the purpose of all adjudications under Veterans Regulation No. 1 (a), when it is shown to have been incurred under conditions or in a manner set forth by Veterans Regulation No. 10, paragraph IX, without regard to any prior determinations respecting the manner of its incurrence. A finding in any case that a disabling condition is of misconduct nature, as defined by Veterans Regulation No. 10, paragraph IX, will bar any right to pension or compensation under Veterans Regulation No. 1 (a).

(B) 1. The words "willful misconduct" are used in Section 27 of Public No. 141, 73d Congress, and in all cases arising under this Section of that law, the term "willful misconduct" as defined by precedents under the World War Veterans' Act, 1924, as amended, will be applied.

2. For the purpose of adjudications under Section 28, Title III, Public No. 141, 73d Congress, the definition established by precedents under Section 200, World War Veterans Act, 1924, as amended, for willful misconduct will be applied, instead of the definition of misconduct set forth in Veterans Regulation No. 10, paragraph IX.

3. For the purpose of adjudications under Section 31, Title III, Public No. 141, 73d Congress, the definition established by precedents under Section 213, World War Veterans' Act, 1924, as amended, for misconduct will be applied.

(C) Gross negligence or gross carelessness, as referred to in Veterans Regulation No. 10, paragraph IX, is defined as the want of slight care. (A. D. 191-B and 296). (March 25, 1937.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 37-347; Filed, March 24, 1937; 3:29 p. m.]

EXECUTIVE ORDER

REGULATIONS GOVERNING THE PREPARATION, PRESENTATION, FILING, AND DISTRIBUTION OF EXECUTIVE ORDERS AND PROCLAMATIONS

By virtue of and pursuant to the authority vested in me by the Federal Register Act, approved July 26, 1935 (49 Stat. 500), and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and distribution of Executive orders and proclamations:

1. Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) A suitable title for the order or proclamation shall be provided.

(b) The authority under which the order or proclamation is promulgated shall be cited in the body thereof.

(c) Punctuation, capitalization, orthography, and other matters of style shall conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the most recent official decisions made pursuant to Executive Orders No. 27-A, of September 4, 1890, No. 399, of January 23, 1906, and No. 6680, of April 17, 1934.

(e) Descriptions of tracts of lands shall conform, so far as practicable, with the most recent edition of the Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations, published by the Federal Board of Surveys and Maps.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 by 12½ inches, shall have a left-hand margin of approximately 2 inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, or descriptions of land may be single-spaced.

2. The proposed Executive order or proclamation shall first be submitted to the Director of the Bureau of the Budget. If the Director of the Bureau of the Budget approves it, he shall transmit it to the Attorney General for his consideration as to both form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, the National Archives. If it conforms to the requirements of paragraph 1 hereof, the Director of the Division of the Federal Register shall transmit it and three copies thereof to the President. If it is disapproved by the Director of the Bureau of the Budget or the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by the statement of the reasons for such disapproval.

3. If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Division of the Federal Register for appropriate action in conformity with the provisions of the Federal Register Act: *Provided, however,* That the seal of the United States shall be affixed to the originals of all proclamations prior to such forwarding. The Division of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations the following notation, to be signed by the Director or by some person authorized by him: "Certified to be a true copy of the original." The Division of the Federal Register shall number and shall supervise the promulgation, publication, and distribution of all Executive orders and proclamations.

4. The Division of the Federal Register shall cause a limited number of copies of the Executive orders and proclamations not required or authorized to be filed and published under the provisions of the Federal Register Act to be made available in slip form to the appropriate agencies of the Government.

5. The Division of the Federal Register shall file in the National Archives the originals of all Executive orders and proclamations.

6. The signed originals and copies of all Executive orders and proclamations heretofore promulgated and now in the custody of the Department of State shall be transferred to the National Archives.

7. Nothing in this order shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

8. This order shall become effective on March 12, 1936, and shall thereupon supersede Executive Order No. 6247, of August 10, 1933.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 18, 1936.

[No. 7298]

