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TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48781]

CUSTOMS REGULATIONS AMENDED—IMPORTED MEATS

ARTICLE 555, CUSTOMS REGULATIONS OF 1931, RELATIVE TO THE HANDLING AND INSPECTION OF MEAT AND MEAT FOOD PRODUCTS, AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 624 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1624), article 555 of the Customs Regulations of 1931 is hereby amended to read as follows:

ART. 555. Inspection.—(a) All meat and meat food products must be inspected and passed by inspectors of the Bureau of Animal Industry.

(b) Inspection will be made while the merchandise is in actual customs custody when such inspection takes place at the port at which the merchandise is cleared from customs, unless upon application of the consignee or agent authority is given by the inspector of the Bureau of Animal Industry for inspection at the importer's premises or other place not under customs supervision. In such cases a bond shall be given by the consignee or agent for the redelivery of the merchandise if demanded by the collector, on customs Form 7551 or 7553, and the cars, wagons, vehicles, or packages shall be sealed or corded and sealed by a customs officer or an inspector of the Bureau of Animal Industry with import-meat seals furnished by the Department of Agriculture, unless bearing United States customs seals. When cording is necessary for proper sealing, the cords shall be furnished and affixed by the importer or his agent. Import-meat seals or cords and seals may be broken only by a customs officer or inspector of the Bureau of Animal Industry. In all cases where the merchandise is not cleared from customs at the port of first arrival, the regular "in bond" procedure shall be followed.

(c) Shipments of foreign meat and meat food products arriving in the United States by water at a port where an inspector of the Bureau of Animal Industry is stationed shall either be inspected on the wharf at the time of unloading or be shipped under import-meat or United States customs seals to destination. If the shipments are destined to a point where no inspector of the Bureau of Animal Industry is stationed, inspection shall be made on the wharf at the time of unloading. Shipments arriving by water at a port where no inspector of the Bureau of Animal Industry is stationed, destined to a point where an inspector is stationed, shall be shipped under import-meat or customs seals to destination for inspection.

(d) Large quantities of imported meat and meat food products arriving by water at a port where no inspector of the Bureau of Animal Industry is stationed destined to a point where no inspector is stationed shall be inspected on the wharf at the time of unloading. In such cases the collector at the port of first arrival shall immediately telegraph the nearest Bureau of Animal Industry inspector in charge, stating the quantity, kind of products, import-meat seals numbers, place of origin, and names of consignor and consignee. Upon receipt of such telegraphic information, the inspector in charge will immediately detail an inspector to make the required inspection. Small quantities (less than carload lots) arriving by water at a port where no inspector is stationed, destined to a point where no inspector is stationed, shall be shipped under import-meat or customs seals to the nearest point where an inspector is stationed for inspection at that point.

(e) Carload lots of foreign meat and meat food products routed through border ports, destined to a point where an inspector is

stationed, shall proceed to destination under import-meat or customs seals for inspection at destination. Carload lots routed through border ports destined to a point where no inspector is stationed shall proceed to destination under import-meat or customs seals for inspection at destination. In such cases the inspector of the Bureau of Animal Industry or the collector at the border port shall immediately telegraph the information specified in paragraph (d) to the Bureau of Animal Industry inspector in charge at the nearest point to which the meats are destined. Upon receipt of such telegraphic information, the inspector in charge will immediately detail an inspector to the point where the shipment is destined, to make the required inspection.

(f) Less than carload lots of imported meat and meat food products routed through border ports destined to a point where an inspector is stationed shall proceed to destination under cord and import-meat or customs seals for inspection at destination. Less than carload lots routed through border ports where an inspector is stationed destined to a point where no inspector is stationed shall be inspected at the border port. If there is no inspector stationed at the border port, less than carload lots destined to a point where there is no inspector stationed shall proceed under cord and import-meat or customs seals to the nearest point where an inspector is stationed for inspection at that point.

(g) In the absence of an inspector of the Bureau of Animal Industry at the port of first arrival, collectors of customs will prepare notices on M. I. Forms 109-FF and 109-FF (special), reporting to the inspector in charge at the point where inspection is to be made information regarding the sealing of railroad cars, trucks, and packages of foreign meat and meat food products. The Bureau of Animal Industry, Washington, D. C. will supply collectors with the M. I. Forms 109-FF and 109-FF (special) upon request.

[SEAL]

J. H. MOYLE,

Commissioner of Customs.

Approved, January 23, 1937.

JOSEPHINE ROCHE,

Acting Secretary of the Treasury.

[F. R. Doc. 37-296; Filed, January 28, 1937; 10:55 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ECR—B-101—West Virginia East Central Division, January 21, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN 101—WEST VIRGINIA

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 for the State of West Virginia 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



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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 soil-building 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 the State of West Virginia, in the amounts and subject to the conditions hereinafter set forth.

SECTION 1. Payment for Diversion from the Tobacco Soil-Depleting Base.—For each acre diverted from the tobacco soil-depleting base for the farm, 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 diverted not in excess of 25 percent of the tobacco soil-depleting base.

SECTION 2. Payment for Diversion from the General Soil-Depleting Base.—For each acre diverted from the general soil-depleting base for the farm, not in excess of 15 percent of such base, payment will be made at a rate which will average \$9.00 per acre for the United States, varied among farms according to relative productivity of cropland used for the production of crops in the general soil-depleting base; *provided*, that payment will not be made for diversion from the general soil-depleting base for a farm unless crops in such base are normally grown in excess of the home consumption needs of the farm on an acreage not less than 15 percent of such base.

SECTION 3. Allowance for Soil-Building Practices.—The soil-building allowance for the farm is the maximum amount for which payment may be made for carrying out soil-building practices. This allowance shall be the sum of such of the items set forth in subsections (a), (b), (c), and (d) below as are applicable to the farm; *provided*, that in no event will the soil-building allowance for any farm eligible to earn a diversion payment be less than \$10.00, and in no event will the soil-building allowance for any farm not eligible to earn a diversion payment be less than \$20.00.

A farm shall be eligible to earn a diversion payment if such farm has a tobacco soil-depleting base, or if crops in the general soil-depleting base normally are grown in excess of the home consumption needs of the farm on an acreage not less than 15 percent of such base. Other farms shall not be eligible to earn a diversion payment. A farm for which the general soil-depleting base does not exceed 20 acres and for which there is no tobacco soil-depleting base may be classified as not eligible to earn a diversion payment, if the operator elects not to make a diversion, even though food and feed crops normally are grown in excess of home consumption needs on an acreage not less than 15 percent of such base.

(a) (1) *On Farms Eligible to Earn a Diversion Payment (whether earned or not).*—\$1.00 for each acre in the minimum soil-conserving acreage for the farm.

(2) *On Farms Not Eligible to Earn a Diversion Payment.*—75 cents for each acre of cropland, or \$1.00 for each acre in the minimum soil-conserving acreage for the farm, whichever is larger.

(b) *Commercial Orchards.*—\$1.00 additional for each acre of commercial orchards on the farm on January 1, 1937.

(c) *Commercial Vegetables.*—\$1.00 additional for each acre on which only one crop of commercial vegetables was grown in 1936.

\$2.00 additional for each acre on which two or more crops of commercial vegetables were grown in 1936.

(d) *Non-Crop Pasture.*—25 cents additional for each acre of fenced, non-crop, open pasture land in excess of one-half of the number of acres of cropland on the farm, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land.

The acreage of commercial orchards, of commercial vegetables, and of non-crop pasture, respectively, used in establishing the soil-building allowance for farms in any county or other area, shall not exceed such acreage as shall be established for such county or other area by the Agricultural Adjustment Administration.

SECTION 4. Payment for Soil-Building Practices.—Payment will be made, within the limit of the soil-building allowance determined for the farm in accordance with section 3 above, for carrying out in connection with the 1937 Agricultural

Conservation Program not later than October 31, 1937, any of the soil-building practices listed herein, upon the conditions and at the rates herein specified; *provided*, that the practice is carried out by such methods and with such kinds and quantities of seeds, trees, and other materials as conform to good farming practice, and that no part of the labor, seed, trees, or other materials used in connection with such practice is furnished in whole or in part by any State or Federal agency.

(a) *Seeding Legumes and Perennial Grasses.*—For seeding approved seeds of any of the following crops, payment will be made at the rate per acre set forth below.

(1) Alfalfa: \$2.50.

(2) Red clover; mammoth clover; sericea; or bluegrass; or any mixture containing 50 percent or more by weight of legumes listed in paragraphs (1) or (2) of this subsection (a): \$2.00.

(3) Vetch; crimson clover; alsike clover; sweet clover; annual lespedeza; orchard grass; reed canary grass; or any mixture containing 50 percent or more by weight of bluegrass or of legumes listed in paragraphs (1), (2), or (3) of this subsection (a): \$1.50.

(4) White clover; redtop; timothy; or any mixture of grasses or legumes listed in this subsection (a): \$1.00.

(b) *Growing Green Manure Crops and Cover Crops.*—Plowing or discing under as green manure any of the crops named below after the crop has attained a normal growth of at least two months, or leaving on the land certain of these crops grown in 1937. Payment will be made at the rate per acre specified for each such crop; *provided*, however, that if any practice listed in (1) or (2) below is carried out on land normally used to produce commercial vegetables and the County Committee finds that as a result of the carrying-out of such practice one less soil-depleting crop is grown in 1937 than the number of soil-depleting crops normally grown on such land, the rate of payment for such practice shall be twice the rate per acre specified for such practice.

(1) Soybeans, or cowpeas, plowed or disced under: \$2.00.

(2) Crimson clover, or vetch, plowed or disced under; rye, barley, wheat, Italian ryegrass, or mixtures of these, plowed or disced under; Sudan grass, millet, sorghum, or sowed corn, plowed or disced under; soybeans, or cowpeas, not grazed or pastured and not harvested for grain when all of the forage is left on the land; ¹ lespedeza not grazed or pastured when all of the forage is left on the land: \$1.00.

(3) Soybeans, cowpeas, sweet clover, or any combination of small grain and legumes, interplanted in commercial orchards, clipped or disced, and left on the land: \$1.50.

(c) *Mulching Orchards.*—Applying in commercial orchards not less than 2 tons of air-dry mulching material per acre in addition to leaving in the orchard all materials produced therein during 1937 from grasses, legumes, or green manure or cover crops. Payment will be made on a quantity not exceeding 5 tons per acre at the rate of \$2.00 per ton.

(d) *Planting Forest Trees.*—Planting forest trees, including post-producing species. Payment will be made at the rate of \$7.50 per acre when planted on cropland, or at the rate of \$5.00 per acre when planted on other land.

(e) *Improving Stands of Forest Trees.*—Upon prior approval by the County Committee, 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. Payment will be made at the rate of \$2.50 per acre.

(f) *Improving Land by the Use of Ground Limestone.*—Applying not less than 1,000 pounds per acre of ground

¹ If the soybeans, or cowpeas are interplanted or grown in combination with a soil-depleting row crop, one-half the acreage shall be counted for this practice.

limestone, or its equivalent,² on cropland or non-crop pasture land or not less than 500 pounds per acre if the application is made by drilling with the seed of any legume or perennial grass listed in subsection (a) of this section 4. Payment will be made on a quantity not exceeding 2½ tons per acre at the rate of \$1.50 per ton.

(g) *Improving Land by the Use of Superphosphate.*—Applying not less than 100 pounds per acre of 20 percent superphosphate, or its equivalent,³ 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. Payment will be made on a quantity not exceeding 500 pounds per acre at the rate of 75 cents per 100 pounds; or, if the superphosphate is 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, at the rate of 37½ cents per 100 pounds.

(h) *Improving Land by the Use of Potash.*—Applying not less than 30 pounds per acre of 50 percent muriate of potash or its equivalent⁴, on land on which 20 percent superphosphate or its equivalent is applied in accordance with paragraph (g) above. Payment will be made on a quantity not exceeding 250 pounds per acre, at the rate of \$1.00 per 100 pounds; or, if the muriate of potash is applied as above in connection with a legume or perennial grass seeded in connection with a soil-depleting crop, at the rate of \$0.50 per 100 pounds.

SECTION 5. *1937 Acreage of Soil-Conserving Crops.*—If the 1937 acreage of soil-conserving crops on the farm is less than the minimum acreage of soil-conserving crops (that is, the number of acres in the soil-conserving base plus the number of acres diverted from soil-depleting bases in 1937 upon which payment will be made), a deduction will be made from any payment which otherwise would be made with respect to the farm at the rate of \$3.00 per acre of such deficiency.

Diversion payment will in no event be made with respect to a greater number of acres than the 1937 acreage of soil-conserving crops on the farm.

SECTION 6. *Increase in Acreage of Soil-Depleting Crops.*—If the 1937 acreage of tobacco or general soil-depleting crops, respectively, on a farm is in excess of the soil-depleting base therefor, deduction will be made from any payment which otherwise would be made with respect to the farm as provided below.

(a) For each acre of tobacco in excess of the soil-depleting base, a deduction at the rate of payment for diversion for tobacco.

(b) For each acre of general soil-depleting crops in excess of the general soil-depleting base, a deduction at the rate of payment for diversion for such crops; *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 or other unfavorable weather conditions in 1936 or 1937.

² Equivalent 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 (f) 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.

³ Equivalent quantities of other materials, except ground rock phosphate, may be substituted for 20 percent superphosphate; *provided*, that the quantities of other materials so substituted contain not less than the quantities, by weight, of phosphoric acid contained in 20 percent superphosphate.

⁴ Equivalent quantities of other materials may be substituted for 50 percent muriate of potash; *provided*, that the quantities of other materials so substituted contain not less than the quantities, by weight, of potash contained in the quantity specified of 50 percent muriate of potash.

SECTION 7. Association Expenses.—There shall be deducted pro rata from the payments made to members of each 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 each 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 such 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.

SECTION 8. Applicability to Farms under Special Programs.—On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration payment will be made only for such diversion and for carrying out such soil-building practices as are, prior to performance, approved for the farm by the County Committee in accordance with instructions issued by the Secretary.

SECTION 9. 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.

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, sweet, and popcorn).
- (b) Tobacco.
- (c) Truck and vegetable crops, including also melons, strawberries, potatoes, and sweet potatoes.
- (d) Sorghum and broom corn.
- (e) Small grains: Wheat, oats, barley, rye, buckwheat, and grain mixtures; cut for hay or grain.
- (f) Annual grasses: Sudan, millet, and Italian ryegrass; harvested for hay or seed.
- (g) Summer legumes: Soybeans, field peas, and cowpeas; harvested for grain, hay, or forage, except that, for 1937, summer legumes grown as emergency hay crops on an acreage not in excess of that determined by the County Committee to be required to replace a shortage of feed on the farm caused by drouth or other unfavorable weather conditions in 1936 or 1937 may be disregarded in classifying the land on which such crops were grown.
- (h) 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, except as otherwise provided in section 3 below. 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; and sericea.
- (b) Miscellaneous legumes: Vetch, and crimson clover; annual varieties of lespedeza.
- (c) Summer legumes: Soybeans, field peas, and cowpeas; when not harvested for grain, hay, or forage.

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

(e) Perennial grasses: Bluegrass, reedtop, timothy, orchard grass, reed canary grass, and mixtures of these.

(f) 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.)

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

SECTION 3. Soil-Conserving Crops Grown on Land Used for the Production of a Soil-Depleting Crop.—Land devoted to any of the combinations of soil-conserving and soil-depleting crops listed below shall be classified as follows:

(a) Acreage on which mixtures of legumes and soil-depleting crops (winter legumes and small grains) are harvested together. The entire acreage shall be classified as soil-depleting, and one-half of the acreage also shall be classified as soil-conserving provided not less than 50 percent of the total growth harvested consists of such legumes.

(b) Acreage of legumes classified as soil-conserving or of such a legume and perennial grass following a soil-depleting crop harvested in the same year (whether seeded in or following such soil-depleting crop). The entire acreage shall be classified as soil-depleting, and one-half of the acreage also shall be classified as soil-conserving, except that if the legume is an annual winter legume (crimson clover or vetch), the entire acreage also shall be classified as soil-conserving.

(c) Acreage of the crops listed in subsection (b) of section 4 of Part I plowed under as green manure after having attained at least two months' normal growth on land from which a commercial vegetable crop is harvested in the same year. The entire acreage of commercial vegetables shall be classified as soil-depleting and the entire acreage also shall be classified as soil-conserving.

SECTION 4. 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) Waste land, roads, lanes, lots, yards, and other similar non-crop land.
- (d) 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, a tobacco soil-depleting base, and a soil-conserving 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, tobacco, and soil-conserving crops, respectively, on such farm. The County Committee also will recommend for each farm a base yield per acre for tobacco and a rate of payment for diversion from the general soil-depleting base for the farm.

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 or rates of payment per acre, shall be used as a basis for determining the soil-depleting bases, base yields, or rates 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 or rates 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 and Rate Per Acre.*—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. The rate of payment per acre shall be determined upon the basis of the estimated yield per acre for the farm of the crop used under the 1936 program in determining the rate of payment per acre for other farms in the locality.

SECTION 3. *Adjustment in Soil-Depleting Bases.*—(a) *Inequitable Bases.*—The soil-depleting base, the base yield, or the rate of payment per acre determined for each farm in accordance with the provisions of this Part III shall be adjusted upward or downward whenever 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 past production of crops, 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 base for 1937.

(d) *Rate of Payment per Acre.*—The rate of payment for diversion from the general soil-depleting base for each farm for which such a rate was established in 1936 shall be adjusted so as to conform to the adjustment in the average rate of such payment for the United States and shall in each case reflect the relative productivity of cropland used for the production of crops in the general soil-depleting base.

(e) Notwithstanding the provisions of sections 1 and 2 of this Part III, the Secretary reserves the right to provide for the establishment of any base for a farm in conjunction with a decrease in any other base for the farm under such conditions and within such limits as he may prescribe.

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 any county or other specified area, shall not exceed the acreage for each such soil-depleting base which is established for such farms in such county or other specified area 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 any county or other area as shall be obtained by downward adjustment of the respective soil-depleting bases, base acreages, previously established for other farms in such county or other area, except as approved by the Agricultural Adjustment Administration.

The weighted average of the rate per acre for diversion from the general soil-depleting base and the weighted average base yield of tobacco for all farms for which soil-depleting bases are established in any county or other specified area shall not exceed the respective rate per acre or base yield established for such crop(s) for such county or other specified area by the Agricultural Adjustment Administration.

SECTION 5. *Soil-Conserving Base.*—The soil-conserving base for a farm will be determined upon the basis of the 1936 acreage of soil-conserving crops on the farm, with such adjustment as is necessary to correct abnormally small or large acreages caused by unusual weather conditions or any increase in the acreage of such crops under the 1936 Agricultural Conservation Program. Such acreage shall, if necessary, be further adjusted for each farm so as to represent an acreage of soil-conserving crops which is fair and equitable for the farm as compared with other farms in the locality which are similar with respect to the past production of crops, size, and farming practices, and shall in no event be less than the total acreage of cropland minus the sum of the soil-depleting bases and the normal acreage of neutral cropland on the farm.

The total of the soil-conserving bases for farms in any county or other area shall not be greater than the maximum or less than the minimum acreage established for such bases in the county or other area 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 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 a soil-building practice on 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) In case a farm is located in two or more counties, the farm shall be regarded as being in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, in the county in which the major portion of the farm is located.

(e) Any person who files an application for payment in a 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 also shall 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, or the proceeds thereof, who is not a member of the County Agricultural Conservation Association for the county in which such farm is located 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 and General Soil-Depleting Crops.*—

- (1) 15 percent to the producer who furnished the land,
- (2) 15 percent to the producer who furnished the work stock and equipment, and
- (3) 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 or in the general soil-depleting crops, respectively, grown on the farm in 1937, or the proceeds thereof.

(b) *Payment With Respect to Soil-Building Practices.*—The Soil-building payment with respect to the acreage on which any approved soil-building practice is carried out on any farm shall be made to the producer or the person who rents the land to a producer for cash or for a fixed commodity payment whom the County Committee determines, under instructions issued by the Secretary, has incurred the expenses of carrying out such soil-building practice; if the County Committee determines that two or more such persons have incurred the expense of carrying out such practice on the farm, the soil-building payment calculated for the particular acreage with respect to which such persons shared in such expense shall be divided equally among them.

(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.

(d) *Division of Diversion Payment Under Specified Conditions on Farms Where There Are Two or More Producers.*—

- (1) If the 1937 acreage of the crop(s) in any soil-depleting base 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 portion of the diversion payment with respect to the crop which is to be divided on the basis of the shares in the crop 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 crop as it was intended to be grown.

- (2) In cases where the County Committee finds that the share of one or more producers in the acreage diverted in 1937 from any soil-depleting base differs materially from the share of such producer(s) in the 1937 acreage of the crops in such base, that portion of the diversion payment with respect to such base to be divided on the basis of the shares in the crop, shall be divided on the basis of the shares in the acreage diverted by such producers.

The acreage diverted by each producer may be determined by agreement of all producers on the farm by appearing before at least two members of the County Committee and indicating their agreement. In any such case there shall be submitted to the State Office at the time of submission of the application for the farm a certification signed by each producer in the presence of and approved by at least two members of the County Com-

mittee that the agreement has been reached voluntarily in accordance with the foregoing provisions.

Where agreement of all producers is not obtained, the County Committee may recommend, subject to the approval of the State Committee and the Director of the East Central Division, their determination of the acreage diverted by each producer, such recommendation to be accompanied by a complete statement of all of the facts upon which the recommendation is based.

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 a 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 any farm or farms 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 has 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.

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 West Virginia 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 any county to assist in the administration of the 1937 Agricultural Conservation Program in such 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 such crops, 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.

Soil-conserving base means the number of acres established for the farm as the acreage of soil-conserving crops normally grown on the farm.

Minimum acreage of soil-conserving crops means the soil-conserving base for the farm plus the number of acres diverted from soil-depleting bases in 1937 for which payment can be made.

Diversion payment means a payment for the diversion of acreage from any soil-depleting base.

Soil-building payment means a payment for the carrying out of any approved soil-building practice.

Soil-building allowance means the largest amount for any farm that may be obtained as a soil-building payment.

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.

Commercial orchard means any acreage in tree fruits, cultivated nut trees, vineyards, or bush fruits on the farm on January 1, 1937, from which the principal part of the production is normally sold off the farm, including also the acreage of young non-bearing orchards from which the principal part of production will be sold in 1937 or later.

Commercial vegetables means any acreage of vegetables or truck crops (including also potatoes, sweet potatoes, sweet corn, melons, cantaloupes, and strawberries, but excluding sweet corn for canning and peas for canning), from which the principal part of the production was sold off the farm in 1936.

Animal Unit means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

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 21st day of January 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-239; Filed, January 25, 1937; 11:31 a. m.]

NER—B-101—New Jersey

Issued January 23, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST
REGION

BULLETIN NO. 101—NEW JERSEY

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, 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 following provisions of this bulletin No. 101 for New Jersey, 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 allowances herein set forth are computed upon the basis of an appropriation of \$500,000,000 and 85 percent participation by farmers in all regions. Such rates of payment and allowances may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Part I. Payment for Soil-Building Practices

Under the 1937 Conservation Program, New Jersey farmers who carry out soil-building practices that they select from the list below will be repaid a part of the cost. The amount of payment for performing each practice is stated with the description of practices in this section.

Payment will be dependent upon the practice being performed in accordance with the generally accepted standards of good farming practice with the use of the kinds and quantities of seeds and other materials which are normally employed to obtain good results. Each farmer contemplating applying for payment for carrying out any of the soil-building practices listed below should ascertain in advance, from instructions issued through his county committee, whether the intended practice can be certified as practical under the local conditions applicable to his farm. Such instructions will be applicable to particular areas or farms and will set forth which of such practices are economically justified in such areas or on such farms and the proper kinds and quantities of seeds or other materials or substitutes to be used in order properly to carry out the practice.

Payment under the 1937 Program will be restricted to practices carried out before December 1, 1937.

If a practice calls for the use of specific materials (such as limestone) a farmer may qualify for payment by substituting equivalent amounts of any other approved material which serves the same purpose.

No payment will be made for a practice carried out on any acreage if labor, seed, or other materials used in carrying out the practice are furnished free or paid for by a State or Federal Agency.

A farmer may earn soil-building payments up to the limit of his soil-building allowance. If the total of the payments qualified for is larger than his allowance, he will receive an amount equal to his allowance, which shall be determined in accordance with the provisions of part II of this bulletin.

Practice Number and Description of Practice and Rate of Payment

SEEDINGS

1. Seeding approved clover or mixtures containing at least 5 pounds of approved biennial or perennial legume seed on crop land or non-crop pasture land prepared for seeding by the application of approved amounts of lime and fertilizing materials.

Payment, \$2.00 per acre.

2. Seeding approved alfalfa or mixtures containing at least 8 pounds of approved alfalfa seed on crop land or non-crop pasture land prepared for the seeding by the application of approved amounts of lime and fertilizing materials.

Payment, \$3.00 per acre.

GREEN-MANURE CROPS

3. Plowing or disking under small grains or annual grasses or mixtures of these with legumes which have attained at least two months' or 12 inches' growth.

Payment, \$1.50 per acre.

4. Plowing or disking under biennial or perennial legumes from which no crop has been harvested and for which no seeding payment will be, or has been, made under this or any previous program, and which have attained at least two months' or 12 inches' growth, or annual legumes which have attained such growth.

Payment, \$2.50 per acre.

The rate of payment will be doubled for practices (3) and (4) above when carried out on land normally devoted to commercial vegetables so that the green-manure crop replaces at least one crop of commercial vegetables in 1937.

When annual grains are clipped green and left on land normally devoted to commercial vegetables from which no crop is removed in 1937, and followed by legume crops specified in practice (4) which occupy such land throughout the remainder of the 1937 growing season, such clipping of the small grains may be substituted for the plowing or disking under in practice (3) and such leaving of legume crops on the land may be substituted for the plowing and disking under in practice (4), and the provisions of the preceding paragraph shall be applicable.

Leaving the entire crop on the land during the winter may be substituted for the plowing or disking under in practice (3) or (4) if the crop is one that is normally winter-killed.

WOODLANDS

5. Planting transplanted forest trees of approved varieties at the rate of at least 1,000 trees per acre, on suitable land in an approved manner.

Payment, \$10.00 per acre.

6. Constructing a two-strand barbed wire fence with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodland previously used for pasture.

Payment, 15 cents per rod.

7. Constructing a three-strand barbed wire fence with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodland previously used for pasture.

Payment, 20 cents per rod.

MULCHING ORCHARDS

8. Applying to orchards not less than 2 tons of mulching material per acre in addition to leaving in the orchard all materials produced therein during 1937 from grass, legume, green-manure or cover crops.

Payment, \$2.00 per ton on an amount not in excess of 5 tons per acre.

LIMING

9. Applying 1,000 to 6,000 pounds of ground limestone, or its equivalent, per acre to crop or pasture land.

Payment, \$1.50 per 1,000 lbs.

FERTILIZING CONSERVING CROPS

Applying phosphoric acid, potash, or nitrogen or approved combinations of those materials in approved amounts, subject to such limitations as are stated herein or may be specified later, to established sod (in pastures, orchards, or hay lands) or in connection with the seeding of biennial or perennial legumes or green-manure crops. No payment will be made for nitrogen applied to hay land in excess of 24 pounds per acre. When phosphoric acid is applied in connection with a seeding made in a nurse crop which is harvested for grain, the payment will be made only for amounts of phosphoric acid in excess of 32 pounds per acre. Pay-

ments will also be made for phosphoric acid when added to farm manures as a preservative and reinforcement in approved amounts and when such farm manures are for use on established sod or in connection with the seeding of biennial or perennial legumes or green-manure crops.

10. Payment for available phosphoric acid, 4¢ per lb.

11. Payment for available potash, 3¢ per lb.

12. Payment for available nitrogen, 4¢ per lb.

SOIL MAINTENANCE ON CRANBERRY BOGS

Applying not less than the following quantities of sand, free from stones and loam, on fruiting bogs to prevent soil deterioration and decline in productive capacity of the lands:

13. ½ inch of sand, evenly distributed,

Payment, \$7.50 per acre.

14. ¾ inch of sand, evenly distributed,

Payment, \$11.25 per acre.

15. 1 inch of sand, evenly distributed,

Payment, \$15.00 per acre.

FARM PLAN

16. Developing and carrying out a comprehensive conservation program for the farm. Requirements for payment for this practice include: (a) preparing in conference with the proper Extension or Conservation representative a plan for the use and management of crop and pasture lands, and, in certain cases, woodlands; the plan to be submitted as an integral part of a general farm management plan for the farm, covering a period of three or more years; (b) approval of the plan by the county committee as providing for satisfactory improvement in the economic use and conservation of the land; (c) submitting as background for the plan a map of the farm prepared according to specifications prescribed by the State committee; and (d) making such a start in 1937 in carrying out the plan as is approved by the county committee as satisfactory evidence that it has been adopted as a working program for the farm.

Payment, \$10.00, and also 5 cents for each acre of land mapped; the total payment, however, respecting any farm, not to exceed \$25.00.

Part II. The Soil-Building Allowance

The soil-building allowance for any farm is the maximum amount that may be paid for carrying out soil-building practices on that farm. It shall be the sum of such of the following items as are applicable to that farm. The allowance, however, shall be at least \$20.00.

1. *Crop land*.—\$1.00 for each acre of crop land, excluding commercial orchards, on the farm on January 1, 1937.

2. *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

3. *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936; \$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

4. *Non-crop pasture land*.—\$40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

Part III. Provisions Affecting Payments

SECTION 1. *Association Expenses*.—Under such rules as the Secretary may prescribe there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as the Secretary may prescribe of such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located.

There shall be credited to each 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 such 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.

SECTION 2. Increase in Acreage of General Soil-Depleting Crops.—The Secretary reserves the right in the case of any farm which in 1937 has an acreage of general soil-depleting crops in excess of 20 acres to make a deduction from any payment that would otherwise be made for such farm in the amount of \$11.50 for each acre by which such 1937 acreage of general soil-depleting crops exceeds the general soil-depleting base which can be established for such farm. If in 1937 the Secretary exercises the right to make deductions reserved herein with respect to such farms, the procedure to be followed for the establishment of bases shall be in accordance with such instructions as may be issued by the Secretary.

SECTION 3. Applicability to Farms Under Special Programs.—The Secretary may designate one or more counties or other areas for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county or other area is designated, the allowances, rates, and conditions of payment for such county or other area will be set forth in a special bulletin and the provisions of the State bulletin shall not be applicable in such county or other designated area.

On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration, payment will be made only for carrying out such soil-building practices as are, prior to performance, approved for the farm by the county committee in accordance with instructions issued by the Secretary.

SECTION 4. 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 rotation, cropping or other practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

Part IV. Miscellaneous Provisions

SECTION 1. In order for a farmer to be eligible for participation in the 1937 Agricultural Conservation Program he must execute such forms and submit such information as may be prescribed. Such forms and information shall be filed with the county committee within time limits established by the State committee with the approval of the Director of the Northeast Division.

SECTION 2. Land to be Included under an Application.—An application for payment shall cover neither more nor less than a single farm as defined in part V of this bulletin.

SECTION 3. Application and Eligibility for Payment.—(a) Payment will be made only upon application on the prescribed form, filed with the county committee within the time fixed by the Secretary, supported by such information regarding farming operation as may be required.

(b) An application for payment may be made by any producer who is entitled to receive all or a share of the crops produced on the farm in 1937 or of the proceeds thereof or who incurs all or any part of the expense of soil-building practices carried out on the farm.

(c) For the purpose of determining the eligibility of a producer for a payment where the farm operated by him includes land located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, such farm shall be regarded as located in the county in which the major portion of such farm is located.

SECTION 4. Division of Payments.—(a) The soil-building payment with respect to the farm covered by an application for payment shall be divided among the producers concerned, in the proportion that the county committee determines that the expense incurred by each in carrying out the soil-building practices bears to the total expense incurred by all such producers in carrying out such practices.

(b) Any payment for a farm shall be computed without regard to questions of title under State law, without deductions 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. Membership in Association.—Any person having an interest in the crops or the proceeds thereof produced on any farm in the county in 1937 shall become a member of the County Agricultural Conservation Association of the county whenever any form or information required in connection with the Agricultural Conservation Program for 1937 is submitted for such farm, or whenever in 1937 he attends a meeting called for the purpose of electing committeemen. Any person shall cease to be a member of the association if in 1937 an application for payment is not filed by him within the time specified by the Secretary for the filing of applications.

SECTION 6. Limits.—The sum of the commercial fruit acreages, the commercial vegetable acreages, the commercial double-cropped vegetable acreages, the acreages of non-crop open pasture land, and the acreages of total crop land, respectively, established for farms in any county or other specified area, shall not exceed the acreage of such crops and uses which the Agricultural Adjustment Administration may establish for such county or other specified area.

Part V. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the Northeast Region, the term

Secretary means the Secretary of Agriculture of the United States.

Northeast Region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

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

State Agricultural Conservation Committee or *State Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the State of New Jersey.

County Agricultural Conservation Committee or *County Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the county.

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

Producer means any person who is entitled to receive all or a portion of the crops produced on any farm or the proceeds thereof.

Farm means all land in a county (or regarded as being in a county) which in 1937 is under the operating control of one person by reason of ownership, lease, or otherwise: *Provided*, that a tract of land shall not be considered all or part of 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 land in the 1937 Agricultural Conservation Program would tend to promote the purposes of the Act through the economic use and conservation of the land and through the preservation and improvement of its fertility for agricultural purposes.

Crop Land is 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 fruit orchards, vineyards, or cultivated bush fruits other than those abandoned.

Commercial Orchards means the acreage in tree fruits, cultivated nut trees, vineyards, or cultivated bush fruits, including cranberries, on the farm on January 1, 1937, from which the principal part of the production is normally sold,

including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937, or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including among others potatoes, sweetpotatoes, melons, cantaloups, and strawberries, but excluding sweet corn for canning and peas for canning) from which the principal part of the production was sold off the farm in 1936.

Open Non-Crop Pasture means fenced non-crop pasture land of a carrying capacity during the normal pasture season of at least one animal unit for each five acres, on which the predominant growth is forage suitable for dairy animals, and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Animal Unit means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

Soil-Building Payment means a payment for the carrying out of the soil-building practices specified in part I hereof.

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 23rd day of January, 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-230; Filed, January 25, 1937; 11:27 a. m.]

NER—B-101—Rhode Island

Issued January 23, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST
REGION

BULLETIN NO. 101—RHODE ISLAND

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, 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 following provisions of this bulletin No. 101 for Rhode Island, 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 allowances herein set forth are computed upon the basis of an appropriation of \$500,000,000 and 85 percent participation by farmers in all regions. Such rates of payment and allowances may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Part I. Payment for Soil-Building Practices

Under the 1937 Conservation Program, Rhode Island farmers who carry out soil-building practices that they select from the list below will be repaid a part of the cost. The amount of payment for performing each practice is stated with the description of practices in this section.

Payment will be dependent upon the practice being performed in accordance with the generally accepted standards of good farming practice with the use of the kinds and quantities of seeds and other materials which are normally employed to obtain good results. Each farmer contemplating applying for payment for carrying out any of the soil-building practices listed below should ascertain in advance, from instructions issued through his county committee, whether the intended practice can be certified as practical under the local conditions applicable to his farm. Such instructions will be applicable to particular areas or farms and will set

forth which of such practices are economically justified in such areas or on such farms and the proper kinds and quantities of seeds or other materials or substitutes to be used in order properly to carry out the practice.

Payment under the 1937 Program will be restricted to practices carried out before December 1, 1937.

If a practice calls for the use of specific materials (such as limestone) a farmer may qualify for payment by substituting equivalent amounts of any other approved material which serves the same purpose.

No payment will be made for a practice carried out on any acreage if labor, seed, or other materials used in carrying out the practice are furnished free or paid for by a State or Federal Agency.

A farmer may earn soil-building payments up to the limit of his soil-building allowance. If the total of the payments qualified for is larger than his allowance, he will receive an amount equal to his allowance, which shall be determined in accordance with the provisions of part II of this bulletin.

Practice Number and Description of Practice and Rate of
Payment

LIMING

1. Applying 500 to 4000 pounds of ground limestone, or its equivalent, per acre to crop or pasture land. Payment, \$1.00 per 500 pounds.

FERTILIZING SOIL-CONSERVING CROPS

Applying superphosphate, muriate of potash, nitrate of soda, or basic slag, or approved combination of these materials in approved amounts, subject to such limitations as are stated herein or may be specified later, to established sod (in pasture, orchards, or hay lands) or in connection with the seeding of biennial or perennial legumes or green-manure crops. No payment will be made for 16% nitrate of soda in any use in excess of 200 pounds per acre or for 16% nitrate of soda applied to hay lands in excess of 150 pounds per acre. When superphosphate is applied in connection with a seeding made in a nurse crop which is harvested for grain, payment will be made only for amounts of 16% superphosphate in excess of 200 pounds per acre. Payment will also be made for 16% superphosphate when added to farm manures as a preservative and reinforcement in approved amounts and when such farm manures are for use on established sod or in connection with the seeding of biennial or perennial legumes or green-manure crops.

2. Payment for 16% superphosphate or basic slag, 64¢ per 100 lbs.
3. Payment for 50% muriate of potash, \$1.50 per 100 lbs.
4. Payment for 16% nitrate of soda, 64¢ per 100 lbs.

SEEDING

5. Seeding approved medium red clover or mixtures containing at least five pounds per acre of approved medium red clover seed or its equivalent in other clover seed, on land prepared for seeding by the application of amounts of lime and fertilizer specified by the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed. This seeding shall be made between the dates specified by the county committee.

Payment, \$2.00 per acre.

6. Seeding approved alfalfa or mixtures containing at least 5 pounds of approved alfalfa seed per acre, on land prepared for the seeding by the application of amounts of lime and fertilizer specified by the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed. This seeding shall be made between the dates specified by the county committee.

Payment, \$3.00 per acre.

GREEN-MANURE AND COVER CROPS

7. Plowing or disking under small grains, annual grasses or mixtures of these with legumes after they have attained at least two months' or 12 inches' growth.

Payment, \$1.50 per acre.

8. Plowing or disking under biennial or perennial legumes from which no crop has been harvested and for which no seeding payment will be, or has been, made under this or any previous program, and which have attained at least two months' or 12 inches' growth, or annual legumes which have attained such growth.

Payment, \$2.50 per acre.

The rate of payment will be doubled for practices 7 and 8 above when carried out on land normally devoted to commercial vegetables so that the green-manure crop replaces at least one crop of commercial vegetables in 1937.

When annual grains are clipped green and left on land normally devoted to commercial vegetables from which no crop is removed in 1937, and followed by legume crops specified in practice 8 which occupy such land throughout the remainder of the 1937 growing season, such clipping of the small grains may be substituted for the plowing or disking under in practice 7 and such leaving of legume crops on the land may be substituted for the plowing and disking under in practice 8, and the provisions of the preceding paragraph shall be applicable.

Leaving the entire crop on the land during the winter may be substituted for the plowing or disking under in practice 7 or 8 if the crop is one that is normally winter-killed.

ORCHARDS

9. Applying to orchards not less than 2 tons per acre of mulching material in addition to leaving in the orchard all material produced therein during 1937 from grass, legume, green-manure or cover crops.

Payment, \$2.00 per ton on an amount not in excess of 5 tons per acre.

Part II. The Soil-Building Allowance

The soil-building allowance for any farm is the maximum amount that may be paid for carrying out soil-building practices on that farm. It shall be the sum of such of the following items as are applicable to that farm. The allowance, however, shall be at least \$20.00.

1. *Crop land*.—\$1.00 for each acre of crop land, excluding commercial orchards, on the farm on January 1, 1937.

2. *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

3. *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936; \$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

4. *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

Part III. Provisions Affecting Payments

SECTION 1. *Association Expenses*.—Under such rules as the Secretary may prescribe there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as the Secretary may prescribe of such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located.

There shall be credited to each 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 such 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.

SECTION 2. *Increase in Acreage of General Soil-Depleting Crops*.—The Secretary reserves the right in the case of any farm which in 1937 has an acreage of general soil-depleting crops in excess of 20 acres to make a deduction from any payment that would otherwise be made for such farm in the amount of \$11.50 for each acre by which such 1937 acreage of general soil-depleting crops exceeds the general soil-depleting base which can be established for such farm. If in 1937 the Secretary exercises the right to make deductions

reserved herein with respect to such farms, the procedure to be followed for the establishment of bases shall be in accordance with such instructions as may be issued by the Secretary.

SECTION 3. *Applicability to Farms under Special Programs*.—The Secretary may designate one or more counties or other areas for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county or other area is designated, the allowances, rates, and conditions of payment for such county or other area will be set forth in a special bulletin and the provisions of the State bulletin shall not be applicable in such county or other designated area.

On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration, payment will be made only for carrying out such soil-building practices as are, prior to performance, approved for the farm by the county committee in accordance with instructions issued by the Secretary.

SECTION 4. *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 rotation, cropping or other practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

Part IV. Miscellaneous Provisions

SECTION 1. In order for a farmer to be eligible for participation in the 1937 Agricultural Conservation Program he must execute such forms and submit such information as may be prescribed. Such forms and information shall be filed with the county committee within time limits established by the State committee with the approval of the Director of the Northeast Division.

SECTION 2. *Land to be Included under an Application*.—An application for payment shall cover neither more nor less than a single farm as defined in part V of this bulletin.

SECTION 3. *Application and Eligibility for Payment*.—(a) Payment will be made only upon application on the prescribed form, filed with the county committee within the time fixed by the Secretary, supported by such information regarding farming operation as may be required.

(b) An application for payment may be made by any producer who is entitled to receive all or a share of the crops produced on the farm in 1937 or of the proceeds thereof or who incurs all or any part of the expense of soil-building practices carried out on the farm.

(c) For the purpose of determining the eligibility of a producer for a payment where the farm operated by him includes land located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farm is located, or if there is no dwelling on such farm, such farm shall be regarded as located in the county in which the major portion of such farm is located.

SECTION 4. *Division of Payments*.—(a) The soil-building payment with respect to the farm covered by an application for payment shall be divided among the producers concerned, in the proportion that the county committee determines that the expense incurred by each in carrying out the soil-building practices bears to the total expense incurred by all such producers in carrying out such practices.

(b) Any payment for a farm shall be computed without regard to questions of title under State law, without deductions 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. *Membership in Association*.—Any person having an interest in the crops or the proceeds thereof produced on any farm in the county in 1937 shall become a member of the County Agricultural Conservation Association of the county whenever any form or information required in connection with the Agricultural Conservation Program for 1937 is submitted for such farm, or whenever in 1937 he attends a meeting called for the purpose of electing committeemen.

Any person shall cease to be a member of the association if in 1937 an application for payment is not filed by him within the time specified by the Secretary for the filing of applications.

SECTION 6. Limits.—The sum of the commercial fruit acreages, the commercial vegetable acreages, the commercial double-cropped vegetable acreages, the acreages of non-crop open pasture land, and the acreages of total crop land, respectively, established for farms in any county or other specified area, shall not exceed the acreage of such crops and uses which the Agricultural Adjustment Administration may establish for such county or other specified area.

Part V. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the Northeast Region, the term

Secretary means the Secretary of Agriculture of the United States.

Northeast Region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

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

State Agricultural Conservation Committee or *State Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the State of Rhode Island.

County Agricultural Conservation Committee or *County Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the county.

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

Producer means any person who is entitled to receive all or a portion of the crops produced on any farm or the proceeds thereof.

Farm means all lands in a county (or regarded as being in a county) which in 1937 is under the operating control of one person by reason of ownership, lease, or otherwise: *Provided*, that a tract of land shall not be considered all or part of 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 land in the 1937 Agricultural Conservation Program would tend to promote the purposes of the Act through the economic use and conservation of the land and through the preservation and improvement of its fertility for agricultural purposes.

Crop land is 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 fruit orchards, vineyards, or cultivated bush fruits other than those abandoned.

Commercial Orchards means the acreage in tree fruits, cultivated nut trees, vineyards, or cultivated bush fruits, including cranberries, on the farm on January 1, 1937, from which the principal part of the production is normally sold, including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937, or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including among others potatoes, sweetpotatoes, melons, cantaloups, and strawberries, but excluding sweet corn for canning and peas for canning) from which the principal part of the production was sold off the farm in 1936.

Open Non-Crop Pasture means fenced non-crop pasture land of a carrying capacity during the normal pasture season of at least one animal unit for each five acres, on which the predominant growth is forage suitable for dairy animals,

and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Animal unit means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

Soil-Building Payment means a payment for the carrying out of the soil-building practices specified in part I hereof.

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 23rd day of January 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-231; Filed, January 25, 1937; 11:27 a. m.]

NER—B-101—Connecticut

Issued, January 27, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 101—CONNECTICUT

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, 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 following provisions of this bulletin No. 101 for Connecticut, 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 allowances herein set forth are computed upon the basis of an appropriation of \$500,000,000 and 85 percent participation by farmers in all regions. Such rates of payment and allowances may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Part I. Payment for Soil-Building Practices

Under the 1937 Conservation Program, Connecticut farmers who carry out soil-building practices that they select from the list below will be repaid a part of the cost. The amount of payment for performing each practice is stated with the description of practices in this section.

Payment will be dependent upon the practice being performed in accordance with the generally accepted standards of good farming practice with the use of the kinds and quantities of seeds and other materials which are normally employed to obtain good results. Each farmer contemplating applying for payment for carrying out any of the soil-building practices listed below should ascertain in advance, from instructions issued through his county committee, whether the intended practice can be certified as practical under the local conditions applicable to his farm. Such instructions will be applicable to particular areas or farms and will set forth which of such practices are economically justified in such areas or on such farms and the proper kinds and quantities of seeds or other materials or substitutes to be used in order properly to carry out the practice.

Payment under the 1937 Program will be restricted to practices carried out before December 1, 1937.

If a practice calls for the use of specific materials (such as limestone) a farmer may qualify for payment by substituting equivalent amounts of any other approved material which serves the same purpose.

No payment will be made for a practice carried out on any acreage if labor, seed, or other materials used in carrying

out the practice are furnished free or paid for by a State or Federal Agency.

A farmer may earn soil-building payments up to the limit of his soil-building allowance. If the total of the payments qualified for is larger than his allowance, he will receive an amount equal to his allowance, which shall be determined in accordance with the provisions of part II of this bulletin.

Practice Number and Description of Practice

LIME

1. Applying 1,000 to 6,000 lbs. of ground limestone per acre in preparation for seeding; or applying 100 to 400 lbs. of ground limestone per acre to established grasses on pasture or orchard land when applied with 300 lbs. of 20 percent superphosphate per acre.

Payment, In Area A—\$1.50 per 1,000 lbs. of ground limestone.

Payment, In Area B—\$2.00 per 1,000 lbs. of ground limestone.

Area A includes the following townships in Fairfield County: Bethel, Brookfield, Danbury, Easton, New Fairfield, Newton, Redding, Ridgefield, Sherman, Weston, and Wilton; and the following townships in Litchfield County: Bridgewater, Canaan, Colebrook, Cornwall, Goshen, Kent, New Milford, Norfolk, North Canaan, Salisbury, Sharon, Terrington, and Winchester.

Area B includes all other townships in Fairfield and Litchfield Counties, and all other counties in the State.

SUPERPHOSPHATE

2. Applying 100 to 500 pounds of 20 percent superphosphate per acre to established grasses or legumes, or in connection with the seeding of legumes. When superphosphate is applied in connection with a seeding made in a nurse crop which is harvested for grain, the payment will be made only for amounts of 20 percent superphosphate in excess of 160 pounds per acre.

Payment, \$.80 per 100 lbs.

POTASH

3. Applying 100 to 200 lbs. of 50 percent muriate of potash per acre in connection with the seeding of legumes.

Payment, \$1.50 per 100 lbs.

SEEDING

4. Seeding clover, or mixtures containing at least 5 lbs. of approved biennial or perennial legume seed per acre, on land prepared by the application of:

(a) 2,000 lbs. of ground limestone and 400 lbs. of 20 percent superphosphate; or

(b) Ground limestone and superphosphate according to requirements as shown by an approved soil test.

Payment for seeding, \$2.00 per acre.

5. Seeding alfalfa, or mixtures containing at least 8 lbs. of approved alfalfa seed per acre, on land prepared by the application of:

(a) 6,000 lbs. of ground limestone, 400 lbs. of 20 percent superphosphate, and 100 lbs. of 50 percent muriate of potash; or

(b) Ground limestone, superphosphate, and potash, according to requirements as shown by an approved soil test.

Payment for seeding, \$3.00 per acre.

GREEN-MANURE CROPS

6. Plowing or disking under small grains or annual grasses or any mixture of these with legumes after they have attained at least two months' or 12 inches' growth.

Payment, \$1.50 per acre.

7. Plowing or disking under biennial or perennial legumes from which no crop has been harvested and for which no seeding payment will be, or has been, made under this or any previous program, and which have attained at least two months' or 12 inches' growth, or annual legumes which have attained such growth.

Payment, \$2.50 per acre.

The rate of payment will be doubled for practices (6) and (7) above when carried out on land normally devoted to commercial vegetables so that the green-manure crop replaces at least one crop of commercial vegetables in 1937.

When annual grains are clipped green and left on land normally devoted to commercial vegetables from which no crop is removed in 1937, and followed by legume crops specified in practice (7) which occupy such land throughout the remainder of the 1937 growing season, such clipping of the small grains may be substituted for the plowing or disking under in practice (6) and such leaving of legume crops on the land may be substituted for the plowing and disking under in practice (7), and the provisions of the preceding paragraph shall be applicable.

Leaving the entire crop on the land during the winter may be substituted for the plowing or disking under in practice (6) or (7) if the crop is one that is normally winter-killed.

MULCHING ORCHARDS

8. Applying to orchards not less than 2 tons per acre of mulching material in addition to leaving in the orchard all materials produced therein during 1937 from grass, legume, green-manure, or cover crops.

Payment, \$2.00 per ton on amount not in excess of 5 tons per acre.

WOODLANDS

9. Planting transplanted forest trees of approved varieties at the rate of at least 1,000 trees per acre.

Payment, \$10.00 per acre.

10. Improving the stand of forest trees by cutting weed trees and thinning, or pruning, other trees to develop approximately 100 potential timber trees of desirable species well distributed over an acre of woodland. Operators shall obtain prior approval of the county committee and instructions for carrying out the practice.

Payment, \$3.00 per acre.

11. Constructing a fence consisting of not less than two strands of barbed wire with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodland previously used for pasture.

Payment, 15 cents per rod.

12. Constructing a fence consisting of not less than three strands of barbed wire with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodland previously used for pasture.

Payment, 20 cents per rod.

FARM PLAN

13. Developing and carrying out a comprehensive conservation program for the farm. Requirements for payment for this practice include: (a) preparing in conference with the proper Extension or Conservation representative a plan for the use and management of crop and pasture lands, and, in certain cases, woodlands; the plan to be submitted as an integral part of a general farm management plan for the farm, covering a period of three or more years; (b) approval of the plan by the county committee as providing for satisfactory improvement in the economic use and conservation of the land; (c) submitting as background for the plan a map of the farm prepared according to specifications prescribed by the State committee; and (d) making such a start in 1937 in carrying out the plan as is approved by the county committee as satisfactory evidence that it has been seriously adopted as a working program for the farm.

Payment, \$10.00, and also 5 cents for each acre of land mapped; the total payment, however, respecting any farm, not to exceed \$25.00.

Part II. The Soil-Building Allowance

The soil-building allowance for any farm is the maximum amount that may be paid for carrying out soil-building practices on that farm.

SECTION 1. The soil-building allowance for any farm not eligible to earn a tobacco diversion payment and for any farm having a tobacco soil-depleting base of five acres or less with respect to which no application is made for a tobacco

diversion payment shall be the sum of such of the following items as are applicable to that farm, but shall not be less than \$20.00 for any such farm:

(a) *Crop land*.—\$1.00 for each acre of crop land, excluding commercial orchards, on the farms on January 1, 1937.

(b) *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

(c) *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936;

\$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

(d) *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

SECTION 2. The soil-building allowance for any farm having a tobacco soil-depleting base of more than five acres and for any farm having a tobacco soil-depleting base of five acres or less with respect to which an application is made for a tobacco diversion payment shall be the sum of such of the following items as are applicable to such farm, but shall not be less than \$10.00 for any such farm.

(a) *Crop land*.—\$1.00 for each acre of crop land represented by the sum of—

(1) The difference between the sum of (1) the tobacco soil-depleting base for the farm and (2) the general soil-depleting base which was or could have been established for the farm in 1936 and the total acres of crop land (excluding commercial orchards, vineyards, and bush fruits); and

(2) The number of acres diverted for payment from the tobacco soil-depleting base.

(b) *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

(c) *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936; \$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

(d) *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

Part III. Tobacco Program for Types 51 and 52

SECTION 2. *Tobacco Payment*.—A payment of 4 cents per pound based on the normal tobacco yield per acre will be paid for each acre diverted in 1937 from the 1937 tobacco soil-depleting base established for the farm, not in excess of 15 percent of such base, provided, that such payment will not be made with respect to an acreage greater than the acreage by which the acreage of soil-conserving crops on the farm in 1937 exceeds the soil-conserving base.

SECTION 2. *Tobacco Soil-Depleting Base and Yield*.—The 1937 tobacco soil-depleting base for any farm in a county shall be the tobacco soil-depleting base which was or could have been established for such farm under the 1936 Agricultural Conservation Program, subject to any adjustment which will result in equitable bases for all farms in the county for which tobacco bases are established, taking into consideration production facilities and their use; *provided*,

(a) The tobacco soil-depleting base for any farm shall not be more than twice the acreage of tobacco grown in 1937.

(b) The sum of the tobacco soil-depleting bases for the farms in any county or other specified area shall not exceed an acreage for tobacco established for such county or other specified area by the Agricultural Adjustment Administration.

(c) The weighted average of the yield of tobacco per acre for all farms for which 1937 tobacco soil-depleting bases are established in any county or other specified area shall not exceed the average yield of tobacco per acre established for such county or other specified area by the Agricultural Adjustment Administration.

SECTION 3. *Deductions for an Acreage of Tobacco in Excess of the 1937 Tobacco Soil-Depleting Base*.—If the 1937 acreage of tobacco exceeds the 1937 tobacco soil-depleting base, a deduction will be made, from any payment which otherwise would be made respecting the farm, for each acre of such excess at the rate of 4¢ per pound based on the normal tobacco yield per acre.

Part IV. Provisions Affecting Payments

SECTION 1. *Association Expenses*.—Under such rules as the Secretary may prescribe there shall be deducted from the payment to any person with respect to a farm or farms in a county, all or such part as the Secretary may prescribe, of such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located.

There shall be credited to each 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 such 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.

SECTION 2. *Increase in Acreage of General Soil-Depleting Crops*.—The Secretary reserves the right in the case of any farm which in 1937 has an acreage of general soil-depleting crops in excess of 20 acres to make a deduction from any payment that would otherwise be made for such farm in the amount of \$12.50 for each acre by which such 1937 acreage of general soil-depleting crops exceeds the general soil-depleting base which can be established for such farm. If in 1937 the Secretary exercises the right reserved herein to make deductions with respect to such farms, the procedure to be followed for the establishment of bases shall be in accordance with such instructions as may be issued by the Secretary.

SECTION 3. *Applicability to Farms under Special Programs*.—The Secretary may designate one or more counties or other areas for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county or other area is designated, the allowances, rates, and conditions of payment for such county or other area will be set forth in a special bulletin and the provisions of the State bulletin shall not be applicable in such county or other designated area.

On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration, payment will be made only for such diversion and for carrying out such soil-building practices as are, prior to performance, approved for the farm by the county committee in accordance with instructions issued by the Secretary.

SECTION 4. *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 rotation, cropping, or other practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

Part V. Miscellaneous Provisions

SECTION 1. In order for a farmer to be eligible for participation in the 1937 Agricultural Conservation Program he must execute such forms and submit such information as may be prescribed. Such forms and information shall be filed with the county committee within time limits established by the State committee with the approval of the Director of the Northeast Division.

SECTION 2. *Land to be Included Under an Application*.—An application for payment shall cover neither more nor less than a single farm as defined in part VI of this bulletin.

SECTION 3. *Application and Eligibility for Payment*.—(a) Payment will be made only upon application on the prescribed form filed with the county committee within the

time fixed by the Secretary, supported by such information regarding farming operation as may be required.

(b) An application for payment may be made by any producer who is entitled to receive all or a share of the crops produced on the farm in 1937 or of the proceeds thereof or who incurs all or any part of the expenses of soil-building practices carried out on the farm.

(c) For the purpose of determining the eligibility of a producer for a payment where the farm operated by him includes land located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, such farm shall be regarded as located in the county in which the major portion of such farm is located.

SECTION 4. *Division of Payments.*—(a) The soil-building payment with respect to the farm covered by an application for payment shall be divided among the producers concerned, in the proportion that the county committee determines that the expense incurred by each in carrying out the soil-building practices bears to the total expense incurred by all such producers in carrying out such practices.

(b) The payment for diversion from the 1937 tobacco soil-depleting base for a farm covered by an application for payment shall be divided between the producers concerned in the proportion that each shares in the tobacco grown on that farm or the proceeds thereof.

(c) Any payment for a farm shall be computed without regard to questions of title under State law, without deductions 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. *Membership in Association.*—Any person having an interest in the crops or the proceeds thereof produced on any farm in the county in 1937 shall become a member of the County Agricultural Conservation Association of the county whenever any form or information required in connection with the Agricultural Conservation Program for 1937 is submitted for such farm, or whenever in 1937 he attends a meeting called for the purpose of electing committeemen. Any person shall cease to be a member of the association if in 1937 an application for payment is not filed by him within the time specified by the Secretary for the filing of applications.

SECTION 6. *Limits.*—The sum of the commercial fruit acreages, the commercial vegetable acreages, the commercial double-cropped vegetable acreages, the acreages of non-crop open pasture land, and the acreages of total crop land, respectively, established for farms in any county or other specified area, shall not exceed the acreage of such crops and uses which the Agricultural Adjustment Administration may establish for such county or other specified area.

Part VI. Definitions

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

Secretary means the Secretary of Agriculture of the United States.

Northeast Region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

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

State Agricultural Conservation Committee or *State Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the State of Connecticut.

County Agricultural Conservation Committee or *County Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the county.

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

Producer means any person who is entitled to receive all or a portion of the crops produced on any farm or the proceeds thereof.

Farm means all land in a county (or regarded as being in a county) which in 1937 is under the operating control of one person by reason of ownership, lease, or otherwise; *provided*, that a tract of land shall not be considered all or part of 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 land in the 1937 Agricultural Conservation Program would tend to promote the purposes of the Act through the economic use and conservation of the land and through the preservation and improvement of its fertility for agricultural purposes.

Crop land is 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 fruit orchards, vineyards, or cultivated bush fruits other than those abandoned.

Soil-Conserving Land Use and Crops.—(1) Land devoted to any of the following crops shall be regarded as used for the production of soil-conserving crops except that any land from which any crop, other than a soil-conserving crop is harvested in the same year shall not be regarded as having been used for the production of a soil-conserving crop in such year, except as provided in (2) below.

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) Sweet, medium red, alsike, and mammoth red clover, alfalfa, and white clover.

(b) Vetch, winter peas, bur or crimson clover, annual varieties of lespedeza, and crotalaria.

(c) Soybeans, velvet beans, and cowpeas, except when harvested for grain or hay.

(d) Sudan grass, millet, Italian ryegrass, and sorghums, not harvested for grain, hay, or forage.

(e) Sowed corn and rape when plowed or disked under.

(f) Bluegrass, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of any of these.

(g) Rye, oats, barley, wheat, buckwheat, and grain mixtures, not cut for grain or hay; *provided*, a good growth is left on the land or plowed under.

(h) Forest trees planted on crop land.

(2) Land devoted to any of the combinations of soil-conserving and other than soil-conserving crops listed below shall be regarded as used for the production of a soil-conserving crop.

(a) All the land from which a crop other than soil-conserving is harvested in 1937 and followed by legumes (classified in (1) above as soil-conserving) or perennial grasses (whether seeded in or following such crop) shall be classified as soil-conserving.

(b) All the land on which green-manure crops are seeded following commercial vegetables and plowed under as green-manure after having attained at least a 12 inch or 2 months' growth shall be classified as soil-conserving.

Commercial Orchards means the acreage in tree fruits, cultivated nut trees, vineyards, or cultivated bush fruits, on the farm on January 1, 1937, from which the principal part of the production is normally sold, including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937, or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including among others potatoes, sweet-potatoes, melons, cantaloups, and strawberries, but exclud-

ing sweet corn for canning and peas for canning) from which the principal part of the production was sold off the farm in 1936.

Open Non-Crop Pasture means fenced non-crop pasture land of a carrying capacity during the normal pasture season of at least one animal unit for each five acres, on which the predominant growth is forage suitable for dairy animals, and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Animal Unit means one cow, one horse, five sheep, five goats, two calves or two colts, or the equivalent thereof.

Soil-Conserving Base means the acreage represented by the difference between the total crop land (excluding commercial orchards, vineyards and bush fruits, and idle land) and the sum of the 1937 tobacco soil-depleting base and the 1936 general soil-depleting base established for the farm or which could have been established under the 1936 Agricultural Conservation Program.

Soil-Building Payment means a payment for the carrying out of the soil-building practices specified in part I hereof.

Tobacco Diversion Payment means a payment for a diversion from the 1937 tobacco soil-depleting base.

Tobacco Soil-Depleting Base means the number of acres established for the farm as the acreage normally used for the production of types 51 and 52 tobacco.

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 27th day of January 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-285; Filed, January 27, 1937; 12:37 p. m.]

NER—B-101—Massachusetts

Issued January 27, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST
REGION

BULLETIN NO. 101—MASSACHUSETTS

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, 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 following provisions of this bulletin No. 101 for Massachusetts, 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 allowances herein set forth are computed upon the basis of an appropriation of \$500,000,000 and 85 percent participation by farmers in all regions. Such rates of payment and allowances may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Part I. Payment for Soil-Building Practices

Under the 1937 Conservation Program, Massachusetts farmers who carry out soil-building practices that they select from the list below will be repaid a part of the cost. The amount of payment for performing each practice is stated with the description of practices in this section.

Payment will be dependent upon the practice being performed in accordance with the generally accepted standards of good farming practice with the use of the kinds and quantities of seeds and other materials which are normally employed to obtain good results. Each farmer contemplat-

ing applying for payment for carrying out any of the soil-building practices listed below should ascertain in advance, from instructions issued through his county committee, whether the intended practice can be certified as practical under the local conditions applicable to his farm. Such instructions will be applicable to particular areas or farms and will set forth which of such practices are economically justified in such areas or on such farms and the proper kinds and quantities of seeds or other materials or substitutes to be used in order properly to carry out the practice.

Payment under the 1937 Program will be restricted to practices carried out before December 1, 1937.

If a practice calls for the use of specific materials (such as limestone) a farmer may qualify for payment by substituting equivalent amounts of any other approved material which serves the same purpose.

No payment will be made for a practice carried out on any acreage if labor, seed, or other materials used in carrying out the practice are furnished free or paid for by a State or Federal Agency.

A farmer may earn soil-building payments up to the limit of his soil-building allowance. If the total of the payments qualified for is larger than his allowance, he will receive an amount equal to his allowance, which shall be determined in accordance with the provisions of part II of this bulletin.

Practice Number and Description of Practice

LIMING

1. Applying 1,000 to 6,000 lbs. of ground limestone or its equivalent per acre, to crop or pasture land.

Payment, In Area A—\$1.50 per 1,000 lbs.; In Area B—\$2.00 per 1,000 lbs.

Area A includes: Berkshire County.

Area B includes: All other counties in the State.

FERTILIZING CONSERVING CROPS

Applying phosphoric acid, potash, or nitrogen or approved combinations of these materials in approved amounts, subject to such limitations as are stated herein or may be specified later, to established sod (in pastures, orchards, or hay lands) or in connection with the seeding of biennial or perennial legumes or green-manure crops. No payment will be made for nitrogen in any use in excess of 32 pounds per acre, or for nitrogen applied to hay land in excess of 24 pounds per acre. When phosphoric acid is applied in connection with a seeding made in a nurse crop which is harvested for grain, the payment will be made only for amounts of phosphoric acid in excess of 32 pounds per acre. Payments will also be made for phosphoric acid when added to farm manures as a preservative and reinforcement in approved amounts and when such farm manures are for use on established sod or in connection with the seeding of biennial or perennial legumes or green-manure crops.

2. Payment, For available phosphoric acid, 4¢ per lb.

3. Payment, For available potash, 3¢ per lb.

4. Payment, For available nitrogen, 4¢ per lb.

SEEDING

5. Seeding approved medium red clover or mixtures containing at least 5 pounds per acre of approved medium red clover seed or its equivalent in other clover seed, on land prepared for this seeding by the application of amounts of lime and fertilizer specified through the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed.

Payment, \$2.00 per acre.

6. Seeding approved alfalfa or mixtures containing at least 8 pounds of approved alfalfa seed per acre, on land prepared for this seeding by the application of amounts of lime and fertilizer specified through the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed.

Payment, \$3.00 per acre.

GROWING GREEN-MANURE CROPS

7. Plowing or disking under small grains or annual grasses or mixtures of these with legumes after they have attained at least two months' or 12 inches' growth.

Payment, \$1.50 per acre.

8. Plowing or disking under biennial legumes or perennial legumes for which no seeding payment will be, or has been, made under this or any previous program and from which no crop has been harvested, and which have attained at least two months' or 12 inches' growth, or annual legumes which have attained such growth.

Payment, \$2.50 per acre.

The rate of payment will be doubled for practices 7 and 8 above when carried out on land normally devoted to commercial vegetables so that the green-manure crop replaces at least one crop of commercial vegetables in 1937.

When annual grains are clipped green and left on land normally devoted to commercial vegetables from which no crop is removed in 1937, and followed by legume crops specified in practice 8 which occupy such land throughout the remainder of the 1937 growing season, such clipping of the small grains may be substituted for the plowing or disking under in practice 7 and such leaving of legume crops on the land may be substituted for the plowing and disking under in practice 8 and the provisions of the preceding paragraph shall be applicable.

Leaving the entire crop on the land during the winter may be substituted for the plowing or disking under in practice 7 or 8 if the crop is one that is normally winter-killed.

ORCHARDS

9. Applying to orchards not less than 2 tons per acre of mulching material in addition to leaving in the orchard all materials produced therein during 1937 from grass, legumes, green-manure and cover crops.

Payment, \$2.00 per ton on an amount not in excess of 5 tons per acre.

WOODLANDS

10. Planting transplanted forest trees of approved varieties at the rate of at least 1,000 trees per acre.

Payment, \$10.00 per acre.

11. Improving the stand of forest trees by cutting weed trees or thinning or pruning other trees, to develop at least 100 potential timber trees of desirable species, well distributed over an acre of woodland. Operators shall obtain approval before performing this practice.

Payment, \$3.00 per acre.

12. Constructing fence consisting of not less than two strands of wire, with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodlands previously used for pasture.

Payment, 15¢ per rod.

13. Constructing fence consisting of not less than three strands of wire with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodlands previously used for pasture.

Payment, 20¢ per rod.

SOIL MAINTENANCE ON CRANBERRY BOGS

Applying sand, free from stones or loam, at the following rates to fruiting cranberry bogs to prevent soil deterioration and decline in productive capacity of the land.

14. ½ inch of sand, evenly distributed.

Payment, \$7.50 per acre.

15. ¾ inch of sand, evenly distributed.

Payment, \$11.25 per acre.

16. 1 inch of sand, evenly distributed.

Payment, \$15.00 per acre.

FARM PLAN

17. Developing a comprehensive conservation program for the farm. Requirements for payment for this practice include: (a) Preparing, in conference with the proper extension or conservation representatives, a plan for the uses and management of crop and pasture lands, and, in certain cases, woodlands; the plan to be submitted as an integral part of

a general farm management plan for the farm, covering a period of several years; (b) approval of the plan by the county committee as providing for satisfactory improvement in the economic use and conservation of the land; (c) submitting as background for the plan a map of the farm prepared according to specifications prescribed by the State committee; and (d) making such a start in 1937 in carrying out the plan as is approved by the county committee as satisfactory evidence that it has been adopted as a working program for the farm.

Payment, \$10.00; plus 5¢ for each acre mapped. The total payment for this practice on any farm shall not exceed \$25.00.

Part II. The Soil-Building Allowance

The soil-building allowance for any farm is the maximum amount that may be paid for carrying out soil-building practices on that farm.

SECTION 1. The soil-building allowance for any farm not eligible to earn a diversion payment and for any farm having a tobacco soil-depleting base of five acres or less with respect to which no application is made for a tobacco diversion payment shall be the sum of such of the following items as are applicable to that farm, but shall not be less than \$20.00 for any such farm.

(a) *Crop land*.—\$1.00 for each acre of crop land, excluding commercial orchards, on the farm on January 1, 1937.

(b) *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

(c) *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936;

\$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

(d) *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

SECTION 2. The soil-building allowance for any farm having a tobacco soil-depleting base of more than five acres and for any farm having a tobacco soil-depleting base of five acres or less with respect to which an application is made for a tobacco diversion payment, shall be the sum of such of the following items as are applicable to such farm, but shall not be less than \$10.00 for any such farm.

(a) *Crop land*.—\$1.00 for each acre of crop land represented by the sum of

(1) The difference between the sum of (1) the tobacco soil-depleting base for the farm and (2) the general soil-depleting base which was or could have been established for the farm in 1936, and the total acres of crop land (excluding commercial orchards, vineyards, and bush fruits); and

(2) The number of acres diverted for payment from the tobacco soil-depleting base.

(b) *Commercial orchards*.—\$2.00 for each acre of commercial orchards cultivated on the farm on January 1, 1937.

(c) *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936;

\$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

(d) *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

Part III. Tobacco Program for Types 51 and 52

SECTION 1. *Tobacco Payment*.—A payment of 4 cents per pound based on the normal tobacco yield per acre will be paid for each acre diverted in 1937 from the 1937 tobacco soil-depleting base established for the farm, not in excess of 15 percent of such base, provided, that such payment will not be made with respect to an acreage greater than

the acreage by which the acreage of soil-conserving crops on the farm in 1937 exceeds the soil-conserving base.

SECTION 2. Tobacco Soil-Depleting Base and Yield.—The 1937 tobacco soil-depleting base for any farm in a county shall be the tobacco soil-depleting base which was or could have been established for such farm under the 1936 Agricultural Conservation Program, subject to any adjustment which will result in equitable bases for all farms in the county for which tobacco bases are established, taking into consideration production facilities and their use; *provided*—

(a) The tobacco soil-depleting base for any farm shall not be more than twice the acreage of tobacco grown in 1937.

(b) The sum of the tobacco soil-depleting bases for the farms in any county or other specified area shall not exceed an acreage for tobacco established for such county or other specified area by the Agricultural Adjustment Administration.

(c) The weighted average of the yield of tobacco per acre for all farms for which 1937 tobacco soil-depleting bases are established in any county or other specified area shall not exceed the average yield of tobacco per acre established for such county or other specified area by the Agricultural Adjustment Administration.

SECTION 3. Deductions for an Acreage of Tobacco in Excess of the 1937 Tobacco Soil-Depleting Base.—If the 1937 acreage of tobacco exceeds the 1937 tobacco soil-depleting base, a deduction will be made, from any payment which otherwise would be made respecting the farm, for each acre of such excess at the rate of 4¢ per pound based on the normal tobacco yield per acre.

Part IV. Provisions Affecting Payments

SECTION 1. Association Expenses.—Under such rules as the Secretary may prescribe there shall be deducted from the payment to any person with respect to a farm or farms in a county, all or such part as the Secretary may prescribe, of such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located.

There shall be credited to each County Agricultural Conservation Association for the payment of administrative expenses the sum of \$2.00 per application for the number of applications submitted by members of such 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.

SECTION 2. Increase in Acreage of General Soil-Depleting Crops.—The Secretary reserves the right in the case of any farm which in 1937 has an acreage of general soil-depleting crops in excess of 20 acres to make a deduction from any payment that would otherwise be made for such farm in the amount of \$12.50 for each acre by which such 1937 acreage of general soil-depleting crops exceeds the general soil-depleting base which can be established for such farm. If in 1937 the Secretary exercises the right reserved herein to make deductions with respect to such farms, the procedure to be followed for the establishment of bases shall be in accordance with such instructions as may be issued by the Secretary.

SECTION 3. Applicability to Farms under Special Programs.—The Secretary may designate one or more counties or other areas for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county or other area is designated, the allowances, rates, and conditions of payment for such county or other area will be set forth in a special bulletin and the provisions of the State bulletin shall not be applicable in such county or other designated area.

On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration, payment will be made only for such diversion and for carrying out such soil-building practices as are, prior to performance, approved for the farm by the county committee in accordance with instructions issued by the Secretary.

SECTION 4. 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 rotation, cropping, or other practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

Part V. Miscellaneous Provisions

SECTION 1. In order for a farmer to be eligible for participation in the 1937 Agricultural Conservation Program he must execute such forms and submit such information as may be prescribed. Such forms and information shall be filed with the county committee within time limits established by the state committee with the approval of the Director of the Northeast Division.

SECTION 2. Land to be Included Under an Application.—An application for payment shall cover neither more nor less than a single farm as defined in part VI of this bulletin.

SECTION 3. Application and Eligibility for Payment.—

(a) Payment will be made only upon application on the prescribed form filed with the county committee within the time fixed by the Secretary, supported by such information regarding farming operation as may be required.

(b) An application for payment may be made by any producer who is entitled to receive all or a share of the crops produced on the farm in 1937 or of the proceeds thereof or who incurs all or any part of the expenses of soil-building practices carried out on the farm.

(c) For the purpose of determining the eligibility of a producer for a payment where the farm operated by him includes land located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, such farm shall be regarded as located in the county in which the major portion of such farm is located.

SECTION 4. Division of Payments.—(a) The soil-building payment with respect to the farm covered by an application for payment shall be divided among the producers concerned, in the proportion that the county committee determines that the expense incurred by each in carrying out the soil-building practices bears to the total expense incurred by all such producers in carrying out such practices.

(b) The payment for diversion from the 1937 tobacco soil-depleting base for a farm covered by an application for payment shall be divided between the producers concerned in the proportion that each shares in the tobacco grown on that farm or the proceeds thereof.

(c) Any payment for a farm shall be computed without regard to questions of title under State law, without deductions 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. Membership in Association.—Any person having an interest in the crops or the proceeds thereof produced on any farm in the county in 1937 shall become a member of the County Agricultural Conservation Association of the county whenever any form or information required in connection with the Agricultural Conservation Program for 1937 is submitted for such farm, or whenever in 1937 he attends a meeting called for the purpose of electing committeemen. Any person shall cease to be a member of the association if in 1937 an application for payment is not filed by him within the time specified by the Secretary for the filing of applications.

SECTION 6. Limits.—The sum of the commercial fruit acreages, the commercial vegetable acreages, the commercial double-cropped vegetable acreages, the acreages of non-crop open pasture land, and the acreages of total crop land, respectively, established for farms in any county or other specified area, shall not exceed the acreage of such crops and uses which the Agricultural Adjustment Administration may establish for such county or other specified area.

Part VI. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the North-

east Region, the following terms shall have the following meanings:

Secretary means the Secretary of Agriculture of the United States.

Northeast Region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

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

State Agricultural Conservation Committee or *State Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the State of Massachusetts.

County Agricultural Conservation Committee or *County Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the county.

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

Producer means any person who is entitled to receive all or a portion of the crops produced on any farm or the proceeds thereof.

Farm means all land in a county (or regarded as being in a county) which in 1937 is under the operating control of one person by reason of ownership, lease, or otherwise: provided, that a tract of land shall not be considered all or part of 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 land in the 1937 Agricultural Conservation Program would tend to promote the purposes of the Act through the economic use and conservation of the land and through the preservation and improvement of its fertility for agricultural purposes.

Crop land is 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 fruit orchards, vineyards, or cultivated bush fruits other than those abandoned.

Soil-Conserving Land Use and Crops.—(1) Land devoted to any of the following crops shall be regarded as used for the production of soil-conserving crops except that any land from which any crop, other than a soil-conserving crop is harvested in the same year shall not be regarded as having been used for the production of a soil-conserving crop in such year, except as provided in (2) below.

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) Sweet, medium red, alsike, and mammoth red clover, alfalfa, and white clover.

(b) Vetch, winter peas, bur or crimson clover, annual varieties of lespedeza, and crotalaria.

(c) Soybeans, velvet beans, and cowpeas, except when harvested for grain or hay.

(d) Sudan grass, millet, Italian ryegrass, and sorghums, not harvested for grain, hay, or forage.

(e) Sowed corn and rape when plowed or disked under.

(f) Bluegrass, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of any of these.

(g) Rye, oats, barley, wheat, buckwheat, and grain mixtures, not cut for grain or hay; provided, a good growth is left on the land or plowed under.

(h) Forest trees planted on crop land.

(2) Land devoted to any of the combinations of soil-conserving and other than soil-conserving crops listed below shall be regarded as used for the production of a soil-conserving crop.

(a) All the land from which a crop other than soil-conserving is harvested in 1937 and followed by legumes (classified in (1) above as soil-conserving) or perennial grasses (whether seeded in or following such crop) shall be classified as soil-conserving.

(b) All the land on which green-manure crops are seeded following commercial vegetables and plowed under as green manure after having attained at least a 12 inch or 2 months' growth shall be classified as soil-conserving.

Commercial Orchards means the acreage of tree fruits, cultivated nut trees, vineyards, or cultivated bush fruits, including cranberries, on the farm on January 1, 1937, from which the principal part of the production is normally sold, including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937, or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including among others potatoes, sweet-potatoes, melons, cantaloups, and strawberries, but excluding sweet corn for canning and peas for canning) from which the principal part of the production was sold off the farm in 1936.

Open Non-Crop Pasture means fenced non-crop pasture land of a carrying capacity during the normal pasture season of at least one animal unit for each five acres, on which the predominant growth is forage suitable for dairy animals, and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Animal Unit means one cow, one horse, five sheep, five goats, two calves or two colts, or the equivalent thereof.

Soil-Conserving Base means the acreage represented by the difference between the total crop land (excluding commercial orchards, vineyards, and bush fruits and idle land) and the sum of the 1937 tobacco soil-depleting base and the 1936 general soil-depleting base established for the farm or which could have been established under the 1936 Agricultural Conservation Program.

Soil-Building Payment means a payment for the carrying out of the soil-building practices specified in part I hereof.

Tobacco Diversion Payment means a payment for a diversion from the 1937 tobacco soil-depleting base.

Tobacco Soil-Depleting Base means the number of acres established for the farm as the acreage normally used for the production of types 51 and 52 tobacco.

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 27th day of January 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-287; Filed, January 27, 1937; 12:38 p. m.]

NER—B-101—New Hampshire

Issued January 27, 1937

1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 101—NEW HAMPSHIRE

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, 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 following provisions of this bulletin No. 101 for New Hampshire, 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 allowances herein set forth are computed upon the basis of an appropriation of \$500,000,000 and 85 percent participation by farmers in all regions. Such rates of payment and allowances may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Part I. Payment for Soil-Building Practices

Under the 1937 Conservation Program, New Hampshire farmers who carry out soil-building practices that they select from the list below will be repaid a part of the cost. The amount of payment for performing each practice is stated with the description of practices in this section.

Payment will be dependent upon the practice being performed in accordance with the generally accepted standards of good farming practice with the use of the kinds and quantities of seeds and other materials which are normally employed to obtain good results. Each farmer contemplating applying for payment for carrying out any of the soil-building practices listed below should ascertain in advance, from instructions issued through his county committee, whether the intended practice can be certified as practical under the local conditions applicable to his farm. Such instructions will be applicable to particular areas or farms and will set forth which of such practices are economically justified in such areas or on such farms and the proper kinds and quantities of seeds or other materials or substitutes to be used in order properly to carry out the practice.

Payment under the 1937 Program will be restricted to practices carried out before December 1, 1937.

If a practice calls for the use of specific materials (such as limestone) a farmer may qualify for payment by substituting equivalent amounts of any other approved material which serves the same purpose.

No payment will be made for a practice carried out on any acreage if labor, seed, or other materials used in carrying out the practice are furnished free or paid for by a State or Federal Agency.

A farmer may earn soil-building payments up to the limit of his soil-building allowance. If the total of the payments qualified for is larger than his allowance, he will receive an amount equal to his allowance which shall be determined in accordance with the provisions of Part II of this bulletin.

Practice Number and Description of Practice and Rate of Payment

LIMING

1. Applying 500 to 6,000 lbs. of ground limestone, or its equivalent per acre, to crop or pasture land.

Payment, In Area A—\$1.00 per 500 lbs.

Payment, In Area B—\$1.25 per 500 lbs.

Area A includes: Cheshire and Sullivan Counties.

Area B includes: All other counties in the State.

FERTILIZING CONSERVING CROPS

Applying phosphoric acid, potash, or nitrogen or approved combinations of these materials in approved amounts, subject to such limitations as are stated herein or may be specified later, to established sod (in pastures, orchards, or hay lands) or in connection with the seeding of biennial or perennial legumes or green-manure crops. No payment will be made for nitrogen in any use in excess of 32 pounds per acre, or for nitrogen applied to hay land in excess of 24 pounds per acre. When phosphoric acid is applied in connection with a seeding made in a nurse crop which is harvested for grain, the payment will be made only for amounts of phosphoric acid in excess of 32 pounds per acre. Payments will also be made for phosphoric acid when added to farm manures as a preservative and reinforcement in approved amounts and when such farm manures are for use on established sod or in connection with the seeding of biennial or perennial legumes or green-manure crops.

2. Payment, For available phosphoric acid, 4¢ per lb.

3. Payment, For available potash, 3¢ per lb.

4. Payment, For available nitrogen, 4¢ per lb.

SEEDING

5. Seeding approved medium red clover or mixtures containing at least 5 pounds per acre of approved medium red clover seed or its equivalent in other clover seed, on land prepared for this seeding by the application of amounts of lime and fertilizer specified through the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed.

Payment, \$2.00 per acre.

6. Seeding approved alfalfa or mixtures containing at least 5 pounds of approved alfalfa seed per acre, on land prepared for this seeding by the application of amounts of lime and fertilizer specified through the county committee, or on land without such application when soil tests or other evidence satisfactory to the committee indicate that the application is not needed.

Payment, \$3.00 per acre.

GREEN-MANURE CROPS

7. Plowing or disking under small grains or annual grasses or mixtures of these which have attained at least two months' or 12 inches' growth.

Payment, \$1.50 per acre.

8. Plowing or disking under biennial legumes or perennial legumes for which no seeding payment has been made under this or previous programs and from which no crop has been harvested and which have attained at least two months' or 12 inches' growth, or annual legumes which have attained such growth.

Payment, \$2.50 per acre.

Leaving the entire crop on the land during the winter may be substituted for the plowing or disking under in practice 7 or 8 if the crop is one that is normally winter-killed.

ORCHARDS

9. Applying to orchards not less than 2 tons per acre of mulching material in addition to leaving in the orchard all materials produced therein during 1937 from grass, legumes, or green-manure or cover crops.

Payment, \$2.00 per ton on an amount not in excess of 5 tons per acre.

10. Increasing, on a farm in a commercial fruit area, the acreage of biennial or perennial legumes or perennial grasses, not in orchards, in excess of the combined acreage of such crops normally grown on such farm when the increase is accompanied by the removal of all trees from an acreage of unproductive orchard equal to that on which the increase in the above conserving crops was made.

Payment, \$10.00 per acre.

WOODLANDS

11. Planting not less than 500 transplanted forest trees of approved varieties or root pruned seedlings of approved varieties at the rate of at least 1,000 trees per acre.

Payment, \$10.00 per acre.

12. Improving the stand of forest trees by cutting wood trees or thinning or pruning other trees, to develop at least 100 potential timber trees of desirable species well distributed over an acre of woodland. Operators shall obtain approval before performing this practice.

Payment, \$3.00 per acre.

13. Constructing fence consisting of not less than two strands of barbed wire with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodland previously used for pasture.

Payment, 15¢ per rod.

14. Constructing fence consisting of not less than three strands of barbed wire with posts or other suitable supports not more than one rod apart, for the purpose of excluding livestock from farm woodlots previously used for pasture.

Payment, 20¢ per rod.

FARM PLAN

15. Developing a comprehensive conservation program for the farm. Requirements for payment for this practice include: (a) preparing in conference with the proper exten-

sion or conservation representative a plan for the uses and management of crop and pasture lands, and, in certain cases, woodlands; the plan to be submitted as an integral part of a general farm management plan for the farm, covering a period of several years; (b) approval of the plan by the county committee as providing for satisfactory improvement in the economic use and conservation of the land; (c) submitting as background for the plan a map of the farm prepared according to specifications prescribed by the State committee; and (d) making such a start in 1937 in carrying out the plan as is approved by the county committee as satisfactory evidence that it has been seriously adopted as a working program for the farm.

Payment, \$10.00 and 5 cents for each acre of land mapped. The total payment on any farm shall not exceed \$25.00.

Part II. The Soil-Building Allowance

The soil-building allowance for any farm is the maximum amount that may be paid for carrying out soil-building practices on that farm. It shall be the sum of such of the following items as are applicable to that farm. The total allowance, however, shall not be less than \$20.00 for any farm.

1. *Crop land*.—\$1.00 for each acre of crop land, excluding commercial orchards, on the farm on January 1, 1937.

2. *Commercial orchards*.—\$2.00 for each acre of commercial orchards on the farm on January 1, 1937.

3. *Commercial vegetable land*.—\$1.00 for each acre of crop land on which *only one* crop of commercial vegetables was grown in 1936. \$2.00 for each acre of crop land on which *two or more* crops of commercial vegetables were grown on the same acreage in 1936.

4. *Non-crop pasture land*.—\$.40 for each acre of fenced non-crop open pasture land in excess of one-half of the number of acres of crop land on the farm.

Part III. Provisions Affecting Payments

SECTION 1. *Association Expenses*.—Under such rules as the Secretary may prescribe there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as the Secretary may prescribe of such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located.

There shall be credited to each 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 such associations 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.

SECTION 2. *Increase in Acreage of General Soil-Depleting Crops*.—The Secretary reserves the right in the case of any farm which in 1937 has an acreage of general soil-depleting crops in excess of 20 acres to make a deduction from any payment that would otherwise be made for such farm in the amount of \$11.50 for each acre by which such 1937 acreage of general soil-depleting crops exceeds the general soil-depleting base which can be established for such farm. If in 1937 the Secretary exercises the right to make deductions reserved herein with respect to such farms, the procedure to be followed for the establishment of bases shall be in accordance with such instructions as may be issued by the Secretary.

SECTION 3. *Applicability to Farms Under Special Programs*.—The Secretary may designate one or more counties or other areas for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county or other area is designated, the allowances, rates, and conditions of payment for such county or other area will be set forth in a special bulletin and the provisions of the State bulletin shall not be applicable in such county or other designated area.

On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement

Administration payment will be made only for carrying out such soil-building practices as are, prior to performance, approved for the farm by the County Committee in accordance with instructions issued by the Secretary.

SECTION 4. *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 rotation, cropping or other practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

Part IV. Miscellaneous Provisions

SECTION 1. In order for a farmer to be eligible for participation in the 1937 Agricultural Conservation Program he must execute such forms and submit such information as may be prescribed. Such forms and information shall be filed with the county committee within time limits established by the State committee with the approval of the Director of the Northeast Division.

SECTION 2. *Land to be Included Under an Application*.—An application for payment shall cover neither more nor less than a single farm as defined in Part V of this bulletin.

SECTION 3. *Application and Eligibility for Payment*.—(a) Payment will be made only upon application on the prescribed form, filed with the county committee within the time fixed by the Secretary, supported by such information regarding farming operation as may be required.

(b) An application for payment may be made by any producer who is entitled to receive all or a share of the crops produced on the farm in 1937 or of the proceeds thereof or who incurs all or any part of the expense of soil-building practices carried out on the farm.

(c) For the purpose of determining the eligibility of a producer for a payment where the farm operated by him includes land located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, such farm shall be regarded as located in the county in which the major portion of such farm is located.

SECTION 4. *Division of Payments*.—(a) The soil-building payment with respect to the farm covered by an application for payment shall be divided among the producers concerned, in the proportion that the county committee determines that the expense incurred by each in carrying out the soil-building practices bears to the total expense incurred by all such producers in carrying out such practices.

(b) Any payment for a farm shall be computed without regard to questions of title under State law, without deductions 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. *Membership in Association*.—Any person having an interest in the crops or the proceeds thereof produced on any farm in the county in 1937 shall become a member of the County Agricultural Conservation Association of the county whenever any form or information required in connection with the Agricultural Conservation Program in 1937 is submitted for such farm, or whenever for 1937 he attends a meeting called for the purpose of electing committeemen. Any person shall cease to be a member of the association if in 1937 an application for payment is not filed by him within the time specified by the Secretary for the filing of applications.

SECTION 6. *Limits*.—The sum of the commercial fruit acreages, the commercial vegetable acreages, the commercial double-cropped vegetable acreages, the acreages of non-crop open-pasture land, and the acreages of total crop land, respectively, established for farms in any county or other specified area, shall not exceed the acreage of such crops and uses which the Agricultural Adjustment Administration may establish for such county or other specified area.

SECTION 7. *Tobacco*.—The statements in this bulletin apply to all farms in New Hampshire except those farms for which tobacco bases are established in 1937. Bulletin No. 101A for New Hampshire, to be issued separately, describes

the program as it applies to those farms. For such farms the soil-building allowance and certain rates of payment will differ from those prescribed herein.

Part V. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the Northeast Region, the term

Secretary means the Secretary of Agriculture of the United States.

Northeast Region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

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

State Agricultural Conservation Committee or *State Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the State of New Hampshire.

County Agricultural Conservation Committee or *County Committee* means the group of persons designated to assist in the administration of the 1937 Agricultural Conservation Program in the county.

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

Producer means any person who is entitled to receive all or a portion of the crops produced on any farm or the proceeds thereof.

Farm means all land in a county (or regarded as being in a county) which in 1937 is under the operating control of one person by reason of ownership, lease, or otherwise: *Provided*, that a tract of land shall not be considered all or part of 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 land in the 1937 Agricultural Conservation Program would tend to promote the purposes of the Act through the economic use and conservation of the land and through the preservation and improvement of its fertility for agricultural purposes.

Crop Land is 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 fruit orchards, vineyards, or cultivated bush fruits other than those abandoned.

Commercial Orchards means the acreage in tree fruits, cultivated nut trees, vineyards or cultivated bush fruits including cranberries on the farm on January 1, 1937, from which the principal part of the production is normally sold, including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937, or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including among others, potatoes, sweetpotatoes, melons, cantaloups, and strawberries, but excluding sweet corn for canning and peas for canning) from which the principal part of the production was sold off the farm in 1936.

Open Non-Crop Pasture means fenced non-crop pasture land of a carrying capacity during the normal pasture season of at least one animal unit for each five acres, on which the predominant growth is forage suitable for dairy animals, and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Animal Unit means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

Soil-Building Payment means a payment for the carrying out of the soil-building practices specified in part I hereof.

In testimony whereof, H. A. Wallace, Secretary of Agri-

culture, 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 27th day of January 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-288; Filed, January 27, 1937; 12:38 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

AMENDMENT RULE 175

The Broadcast Division, at its regular meeting on January 19, 1937, amended Rule 175 to strike the words "consecutive speech" in the last sentence, and substitute therefor the words "continuous, uninterrupted speech, play, symphony concert or operatic production of longer duration than 30 minutes."

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-293; Filed, January 28, 1937; 10:00 a. m.]

AMENDMENT RULE 262A, B, B

The Telegraph Division, at its regular meeting on January 19, 1937, amended Rule 262a, B, b, to read in part as follows:

262a, B, b

Eastern Continental Chain and Feeders (Green)

Available for aeronautical and aircraft stations

2,854	2,986	5,652.5
2,922	4,122.5	5,672.5
2,946	4,742.5	5,707.5; day only ²
		6,590 ²

² This frequency assigned for unlimited hours upon the express condition that no interference is caused to the international mobile service.

³ Not to be used within 400 miles of Canada.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-292; Filed, January 28, 1937; 10:00 a. m.]

FEDERAL HOME LOAN BANK BOARD.

Federal Savings and Loan Insurance Corporation.

AMENDMENT TO RULES AND REGULATIONS FOR CERTIFICATE FORMS

Whereas, Sections 402 (a) and 403 (b) of the National Housing Act (c. 847, 48 Stat. 1246, 1256, 1257) provide that the Board of Trustees of the Federal Savings and Loan Insurance Corporation shall make rules and regulations governing the insurance of accounts.

Be it resolved, That Section 8 of the Rules and Regulations for Insurance of Accounts is hereby amended to read as follows:

SEC. 8 (a). At the time of the application for insurance, every applicant (except Federal savings and loan associations) shall submit to the Corporation for approval copies of all shares or membership certificates, passbooks, and other forms of investment contracts proposed to be issued by the applicant as an insured institution. It shall also submit for such approval all bylaws, and all amendments thereto, affecting its securities and investment contracts. No insured institution shall issue any form of share or membership certificate, passbook, or other investment contract which has not been approved in writing by the Corporation. No insured institution shall amend its bylaws affecting its securities or investment contracts without the written approval of the Corporation. Each insured institution shall agree by resolution of the board of directors to cause a certified copy of its charter and bylaws to be available to members at all times in each office of the institution and to deliver to each member upon admission to membership a true copy of its charter and bylaws as amended, and, when required by the Corporation, to mail to each member a copy of each subsequent amendment, affecting its securities and investment contracts.

(b) An insured institution which has adopted the resolution regarding charter and bylaws required in the preceding subsection and which, in accordance with State law, provides in its charter, constitution or bylaws, a clear provision that all shareholders shall share equally in earnings and in assets (except for bonus payments under a bonus plan) pro rata to paid-in value, plus credited dividends, and that the institution shall not directly or indirectly charge any membership, admission, repurchase, withdrawal, or any other fee or sum of money for the privilege of becoming, remaining, or ceasing to be a member of the institution, may issue a simple form of membership certificate, approved by the Corporation, which is executed by one or more officers or employees, which membership certificate need not contain on the face thereof a statement of the dividend, withdrawal or other rights of members.

(c) Every share or membership certificate, passbook or other instrument certifying investment hereafter issued by an insured institution, which pays or proposes to pay a different rate of dividends or interest upon different classes of shares or securities, which prefers, or proposes to prefer, either as to time or amount of participation in earnings or assets (except by way of a bonus plan), any one or more classes of shares or securities, or which charges directly or indirectly any membership, admission, repurchase, withdrawal or any other fee or sum of money for the privilege of becoming, remaining or ceasing to be an investor in the institution, must include in its provisions, and display the same in easily read type, a full and understandable statement of the method of maturing such contracts, the rate of interest paid, or the dividends provisions under which the institution operates, and the charge or charges, if any, for the privilege of becoming, remaining, or ceasing to be an investor in the institution.

(d) All securities issued by an insured institution shall be made transferable only on the books of the insured institution.

(e) If securities evidencing nonwithdrawable accounts (as hereinabove defined) are issued hereafter by an insured institution, every such certificate must include in its provisions a clear statement that such accounts are not of an insurable type and are not insured by the Federal Savings and Loan Insurance Corporation.

(f) No insured institution may issue any demand securities or advertise or represent that it will pay holders of its securities on demand.

[SEAL]

R. L. NAGLE, *Secretary*.

Adopted by the Board of Trustees of Federal Savings and Loan Insurance Corporation on January 26, 1937.

[F. R. Doc. 37-291; Filed, January 28, 1937; 9:34 a. m.]

Home Owners' Loan Corporation.

[Manual Amendment]

EXPENSES IN LOAN SERVICE OPERATIONS

Be it resolved, That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647) and particularly by Sections 4-a and 4-k of said Act as amended, a resolution adopted on January 19, 1937 amending Chapter II of the Consolidated Manual be amended to read as follows:

The General Manager may, except as otherwise expressly provided by the Board, incur and approve the amount and payment of any expenses not exceeding \$50 incident to the performance of any duty or function of the Loan Service Division in connection with the investigation, preparation, and processing of applications for releases, waivers, consents, subordination agreements, substitution of security, division of indebtedness and security, and extensions of time for the making of payments to the Corporation; offers of additional security; cases involving the acquisition of property covered by the Corporation's lien, or any part thereof, by eminent domain; cases where the land or improvements covered by the Corporation's lien have been damaged or destroyed by fire, flood, windstorm, landslide, or other hazard where the loss is not covered by insurance; and cases apparently insoluble in which foreclosure or the acceptance of a voluntary conveyance is contemplated. The General Manager may determine, with the advice of the General Counsel, whether any expenses not paid by the home owner shall be charged to the home owner's account or to Corporation expense. All sums for these purposes shall be advanced or paid from such funds as the Comptroller may direct, in accordance with established Corporation policy. Any legal fees and expenses shall be incurred, approved, and paid in the manner provided in Chapter VI of the Manual.

In cases where it appears to him to be for the best interests of the Corporation the General Manager is likewise authorized to waive the requirement that funds for appraisal, credit report, or other expense in connection with loan service operations be deposited in advance or paid by the home owner upon consummation of such transaction.

Any Regional, State, or District Manager, with the advice or approval of Regional, State, or District Counsel, as may be required, may exercise the authority herein granted, under procedure and

limitations prescribed and promulgated by the General Manager with the approval of the General Counsel; and

Be it further resolved, That the provisions of this resolution shall become effective twenty (20) days after this date, exclusive of Sundays and holidays.

[SEAL]

R. L. NAGLE, *Secretary*.

Adopted by the Federal Home Loan Bank Board on January 27, 1937.

[F. R. Doc. 37-290; Filed, January 28, 1937; 9:34 a. m.]

FEDERAL POWER COMMISSION.

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

ORDER AND NOTICE OF HEARING

IN RE METROPOLITAN EDISON CO., ET AL

[IT 5015]

The Commission adopted the following order and notice: It appearing to the Commission:

(1) That in response to the Commission's Order of inquiry and investigation entered in the above matter on January 6, 1936, Metropolitan Edison Company, Northern Pennsylvania Power Company, Pennsylvania Electric Company, Erie Lighting Company, The Clarion River Power Company, and Solar Electric Company, hereinafter referred to as respondents, reported charges appearing on the books of said companies for the years 1934 and 1935, representing payments made and obligations incurred to the following persons, viz., (a) "conceded affiliates," The Utility Management Corporation, E. M. Gilbert Engineering Corporation, Utilities Purchasing & Supply Corporation, Public Utilities Appliance Corporation, Employees Welfare Association, Inc., Utilities Employees Securities Company, Utility Clearing Corporation, The Associated Corporation, Associated Gas & Electric Company, Associated Gas & Electric Securities Company, Inc. (Del.), Associated Real Properties, Inc., General Gas & Electric Corporation, and (b) "not conceded affiliates," Utility Accountants and Tax Consultants, Utility and Financial Accountants, Inc., Financial and Securities Assistants, Transfer and Coupon Paying Agency, H. C. Hopson & Company, Edward J. Cheney, Utility and Financial Advertising Agency and C. M. M. Corporation.

(2) That examination of books and records of respondents and the following admitted affiliates of respondents, viz., Utility Clearing Corporation, The Utility Management Corporation, E. M. Gilbert Engineering Corporation, Utilities Purchasing and Supply Corporation, Public Utilities Appliance Corporation and Utilities Employees Securities Company, as well as the examination of certain records of Employees Welfare Association, Inc., disclosed business transactions, during the years 1934 and 1935, between respondents and the following additional persons, viz., H. C. Hopson, Edmund B. Naylor, Corporate Records and Secretarial Assistants, Day & Co., Associated Gas & Electric Properties, Associated Securities Corporation, Associated Gas & Electric Corporation, NYPANJ Utilities Company, Metropolitan Edison Corporation, Associated Electric Company, Central U. S. Utilities Company, Pennsylvania Electric Corporation, and J. I. Mange.

(3) That accounting representatives of the Commission have prepared and submitted a report setting forth the results of its examination and investigation into certain charges reflected on the books of respondents which presents facts indicating that,

Associated Gas & Electric Properties,
Associated Securities Corporation,
Associated Gas & Electric Company,
Associated Gas & Electric Corporation,
Metropolitan Edison Corporation,
NYPANJ Utilities Company,
Associated Electric Company,
Pennsylvania Electric Corporation,

Central U. S. Utilities Company,
 J. I. Mange,
 Utility Accountants and Tax Consultants,
 Utility and Financial Accountants, Inc.,
 Financial and Securities Assistants,
 Transfer and Coupon Paying Agency,
 Corporate Records and Secretarial Assistants,
 H. C. Hopson,
 H. C. Hopson & Company,
 Edward J. Cheney,
 Utility and Financial Advertising Agency,
 C. M. M. Corporation,
 Day & Company,
 Edmund B. Naylor,

are persons which control respondents, or are controlled by the same persons which control respondents.

Now, therefore it is *ordered*:

(a) That a hearing be held at 10:00 a. m., on March 3, 1937, in the Commission's hearing room in Washington, D. C., by the Federal Power Commission or such representative as the Commission may hereinafter designate for such purpose, to ascertain and determine all facts, conditions, practices and matters regarding the ownership, operation, management and control of said respondents or either of them; all contracts and working arrangements between said respondents and any person who controls, directly or indirectly, said respondents or who is controlled by any such person, and all expenditures and obligations incurred thereunder that in any way affect or relate to the business of said respondents or either of them;

(b) That the following persons (including respondents), viz.:

Metropolitan Edison Company,
 Northern Pennsylvania Power Company,
 Pennsylvania Electric Company,
 Erie Lighting Company,
 The Clarion River Power Company,
 Solar Electric Company,
 Associated Gas & Electric Properties,
 Associated Securities Corporation,
 Associated Gas & Electric Company,
 Associated Gas & Electric Corporation,
 Metropolitan Edison Corporation,
 NYPANJ Utilities Company,
 Associated Electric Company,
 Pennsylvania Electric Corporation,
 Central U. S. Utilities Company,
 The Associated Corporation,
 Associated Gas & Electric Securities Co., Inc. (Del.),
 Associated Real Properties, Inc.,
 General Gas & Electric Corporation,
 Utility Clearing Corporation,
 The Utility Management Corporation,
 E. M. Gilbert Engineering Corporation,
 Utilities Purchasing & Supply Corporation,
 Utilities Employees Securities Company,
 Public Utilities Appliance Corporation,
 Employees Welfare Association, Inc.,
 Utility Accountants and Tax Consultants,
 Utility and Financial Accountants, Inc.,
 Financial and Securities Assistants,
 Transfer and Coupon Paying Agency,
 Corporate Records and Secretarial Assistants,
 J. I. Mange,
 H. C. Hopson,
 H. C. Hopson & Company,
 Edward J. Cheney,
 Utility and Financial Advertising Agency,
 C. M. M. Corporation,
 Day & Company,
 Edmund B. Naylor,

be and they are hereby directed to appear on March 3, 1937, and present for the record at such hearing, for the years 1934, 1935 and to date, full and complete information as to the person or persons which controlled, directly or indi-

rectly, the respondents or either of them and any of the persons named above controlled, directly or indirectly, by such person or persons; and, to assist the Commission in determining the facts as to the control of each person named above, each such person is directed to present specific information and data at said hearing showing: (1) the form of its organization, i. e., whether individual, partnership, corporation, trust or otherwise, under which such person exists; (2) the articles of incorporation, partnership agreement, trust agreement, and/or any other document or documents by which such person was created, formed, exists or operates, as originally created and as subsequently changed, modified, amended or otherwise altered; (3) the full name and address of each partner, director, officer, trustee, agent, or other individual elected, appointed or authorized to act for such person under any circumstance whatsoever; (4) the ownership or interest, legal or beneficial, held by such persons, or any of them, in or over any other person named above, as well as the manner or means by which such ownership or interest is accomplished and/or maintained; and (5) such other and further pertinent data or information relating to the matters under investigation, as may from time to time during the course of said hearing, be required by the Commission.

(c) That a copy of the report, as prepared by the accounting representatives of the Commission and setting forth the results of their investigation and examination into certain charges reflected on the books of respondents, be served on each person named in paragraph (b) of this order.

NOTICE

The matters assigned for hearing under the foregoing order will be heard by the Federal Power Commission sitting jointly with The Public Service Commission of the Commonwealth of Pennsylvania.

* * * * *

I, Leon M. Fuquay, Acting Secretary of the Federal Power Commission, hereby certify that the foregoing is a true and correct copy of a portion of the minutes of a meeting of the Federal Power Commission in the City of Washington, District of Columbia, on the 26th day of January, 1937.

In testimony whereof, I have hereunto set my hand and caused the seal of the Federal Power Commission to be affixed at the City of Washington, District of Columbia, this 27th day of January 1937.

[SEAL]

LEON M. FUQUAY, *Acting Secretary*.

[F. R. Doc. 37-295; Filed, January 28, 1937; 10:05 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 49]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 27, 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:	<i>Amount</i>
Alabama 18 Cullman (Additional).....	\$34,000

MORRIS L. COOKE, *Administrator*.

[F. R. Doc. 37-294; Filed, January 28, 1937; 10:00 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 22nd day of January 1937.

[File No. 1-1455]

IN THE MATTER OF CONNECTICUT RAILWAY & LIGHTING CO.
COMMON CAPITAL STOCK, NO PAR VALUEORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING
AND REGISTRATION

The Connecticut Railway and Lighting Company having made application to the Commission pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, for permission to withdraw from listing and registration 89,772 shares of Common Capital Stock, No Par Value, on the New York Stock Exchange; and

The Commission having ordered a hearing with respect to said application, which hearing was held on the 9th day of September 1936;¹ and

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

It is ordered that said application be and hereby is granted, effective at the close of the trading session on February 5, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-298; Filed, January 28, 1937; 12:21 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 January 1937.

[File No. 1-1455]

IN THE MATTER OF CONNECTICUT RAILWAY AND LIGHTING CO.
COMMON CAPITAL STOCK, \$100 PAR VALUEORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING
AND REGISTRATION (CORRECTION)

The Connecticut Railway and Lighting Company having made application to the Commission pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, for permission to withdraw from listing and registration 89,772 shares of Common Capital Stock, \$100 Par Value, on the New York Stock Exchange; and

The Commission having ordered a hearing with respect to said application, which hearing was held on the 9th day of September, 1936; and

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

It is ordered that said application be and hereby is granted, effective at the close of the trading session on February 5, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-299; Filed, January 28, 1937; 12:21 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 27th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST
IN THE LEONA MCCLUSKEY FARM, FILED ON DECEMBER 31,
1936, BY WOODFIN & COX, RESPONDENTCONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND
ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the in-

terests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,¹ be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-297; Filed, January 28, 1937; 12:21 p. m.]

UNITED STATES MARITIME COMMISSION.

[General Order No. 6]

HEARINGS ON MINIMUM WAGE AND MANNING SCALES AND
WORKING CONDITIONS

Title III, American Seamen, Section 301 (a) of the Merchant Marine Act, 1936, Public No. 835, 74th Congress, provides that the United States Maritime Commission is authorized and directed to investigate the employment and wage conditions in ocean-going shipping and, after making such investigation and after appropriate hearings, to incorporate in the contracts authorized under title VI—Operating Differential Subsidy—and title VII—Private Charter Operation—of this Act minimum-manning scales and minimum-wage scales, and reasonable working conditions for all officers and crews employed on all types of vessels receiving an operating-differential subsidy.

Pursuant to the above stated authority and direction, it is now ordered by the United States Maritime Commission that public hearings for this purpose shall be held on February 3rd, 1937, at 10 o'clock a. m., simultaneously in the Cities of New York (for the New York, Boston, Philadelphia and the North Atlantic areas) at 45 Broadway, Norfolk (for Norfolk, Baltimore and the South Atlantic area) at the United States Custom House, New Orleans (for the Gulf Coast area) at the St. Charles Hotel, and at the United States Custom House in Los Angeles, San Francisco and Seattle. The time and place of said hearings may be changed by the representatives of the Commission duly designated by the Commission and the hearings may be continued or adjourned from time to time. Written authority to represent the Commission has been given the members of its staff who are to conduct the hearings and will be made a part of the record thereof. A complete record of the hearing will be made and submitted to the Commission and the order fixing minimum-manning and minimum-wage scales, and working condition standards will be made by the Commission.

For the purpose of said hearings all of the powers and authority given to the Commission in Section 214 (a) of the Merchant Marine Act, 1936, is hereby delegated to and vested in the members of its staff who have been designated in writing to hold the hearings in the name of and on behalf of the United States Maritime Commission. Rules for the conduct of the hearings will be announced at the opening of each hearing by the representative of the Commission.

By order of the United States Maritime Commission.

[SEAL]

TELFAIR KNIGHT, *Secretary*.

JANUARY 27, 1937.

[F. R. Doc. 37-289; Filed, January 27, 1937; 3:06 p. m.]

¹ F. R. 1398.² F. R. 61.

