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# FEDERAL REGISTER

OF THE UNITED STATES

VOLUME 2
1934
NUMBER 2

*Washington, Tuesday, January 5, 1937*

**PRESIDENT OF THE UNITED STATES.**

**EXECUTIVE ORDER**

**TRANSFER OF THE FUNCTIONS, FUNDS, PROPERTY, ETC., OF THE  
RESETTLEMENT ADMINISTRATION TO THE SECRETARY OF  
AGRICULTURE**

By virtue of and pursuant to the authority vested in me under Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and the Emergency Relief Appropriation Act of 1936, approved June 22, 1936 (49 Stat. 1608), I hereby order as follows:

All the powers, functions, and duties heretofore vested in the Resettlement Administration by Executive Order No. 7027 of April 30, 1935, as amended by Executive Order No. 7200 of September 26, 1935, and in the Administrator and Deputy Administrator thereof, are hereby transferred to the Secretary of Agriculture, to be exercised and performed by him; and all funds, personnel, property, records, and equipment of the Resettlement Administration are hereby transferred to the Department of Agriculture, to be under the supervision, control, and direction of the Secretary of Agriculture.

This order shall become effective on January 1, 1937.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
December 31, 1936.

[No. 7530]

[F. R. Doc. 37-23; Filed, January 4, 1937; 11:23 a. m.]

**TREASURY DEPARTMENT.**

**Accounts and Deposits.**

[First Supplement to Department Circular No. 564]

**POST OFFICES DESIGNATED AS PLACES FOR REDEMPTION OF BONDS  
ISSUED PURSUANT TO ADJUSTED COMPENSATION PAYMENT ACT,  
1936, AS AMENDED**

DECEMBER 30, 1936.

Effective at the close of business, January 15, 1937, the designation, contained in Treasury Department Circular No. 564, dated June 6, 1936,<sup>1</sup> of post offices as places for the redemption of bonds issued pursuant to Section 4, Adjusted Compensation Payment Act, 1936, as amended, is hereby canceled.

[SEAL]

STEPHEN B. GIBBONS,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 37-24; Filed, January 4, 1937; 12:08 p. m.]

<sup>1</sup> F. R. 653.

**Public Debt Service.**

[Department Circular No. 560, Revised; First Amendment]

**REGULATIONS GOVERNING ADJUSTED SERVICE BONDS OF 1945**

DECEMBER 30, 1936.

*To Owners of Adjusted Service Bonds, and Others Concerned:*

Department Circular No. 560, Revised, dated October 24, 1936,<sup>1</sup> is hereby amended, effective January 16, 1937, by striking out paragraphs 1, 2, 3, 4, 19 and 20, of the regulations prescribed therein, and inserting in lieu thereof the following:

1. In order for a registered owner to obtain payment of a bond, the bond must be presented at a United States post office, or transmitted to a Federal Reserve bank, or to the Treasurer of the United States, Washington, D. C., in any case with the request for payment on the back of the bond properly executed as hereinafter provided.

2. Postmasters throughout the country have been authorized to receive bonds presented for payment, and to forward them, at the risk and expense of the United States, to a Federal Reserve bank. If a bond is to be presented at a post office, the request for payment must be signed by the registered owner in the presence of and certified by the postmaster or other authorized post office official or employee at such office, who will receive the bond, issue a receipt therefor, and forward the bond for payment.

3. Federal Reserve banks are designated as places for the redemption on and after January 16, 1937, of bonds, and are authorized to issue checks in payment for bonds transmitted to them in accordance with this and the next preceding paragraph. If a bond is to be transmitted for payment to a Federal Reserve bank directly by the registered owner, or through a banking institution acting as his agent, the request for payment must be executed in the presence of and be certified by one of the officers authorized in paragraph 12 (c).

4. (a) The Treasurer of the United States is authorized to issue checks in payment of bonds transmitted to him. If a bond is to be transmitted to the Treasurer of the United States for payment, the request for payment must be signed by the registered owner in the presence of and certified by one of the officers authorized in paragraph 12.

(b) In the Philippine Islands bonds may be presented and checks will be issued at the Treasury of the Philippine Islands. If a bond is to be presented to the Treasury of the Philippine Islands for payment, the request for payment must be executed and certified in accordance with the provisions of paragraph 12 (g).

19. These regulations shall also apply to the delivery and payment of (1) checks issued in payment of Adjusted Service Bonds, and (2) checks issued for the difference between the amount certified by the Administrator of Veterans' Affairs as due the veteran and the face amount of the bonds issued to him, Provided, however, that when necessary in

<sup>1</sup> F. R. 1948.





# FEDERAL REGISTER

Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

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order to effect an equitable division of the amount due, checks for such difference may be divided in the necessary proportions between adults and minors, or between minors, as persons lawfully entitled thereto.

20. Any transmission of a bond by the owner to the Treasury of the Philippine Islands, or any transmission of a bond by the owner, either directly or through a banking institution acting as agent for the owner, to a Federal Reserve bank or to the Treasury Department will be at the risk and expense of the owner. The use of registered mail is suggested.

[SEAL]

STEPHEN B. GIBBONS,  
Acting Secretary of the Treasury.

[F. R. Doc. 37-25; Filed, January 4, 1937; 12:08 p. m.]

## DEPARTMENT OF AGRICULTURE.

### Agricultural Adjustment Administration.

SR—B-101

Southern Division, December 31, 1936

### 1937 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN 101

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 provisions of this Southern Region Bulletin 101 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 for the 1937 program and 85 percent participation by farmers in all regions. Such rates of payment, deductions, 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. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program (hereinafter referred to as the 1937 program) in the Southern Region, the term—

*Secretary* means the Secretary of Agriculture of the United States.

*Southern Region* means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

*Southern Division* means the division of the Agricultural Adjustment Administration in charge of the 1937 program in the Southern Region.

*State Agricultural Conservation Committee*, hereinafter referred to as State Committee, means the group of persons designated to assist the Secretary in the administration of the 1937 program in the State in which such committee is selected to act.

*County Agricultural Conservation Association*, hereinafter referred to as county association, means the association of producers in a county authorized by the Secretary to assist in the administration of the 1937 program in such county.

*County Agricultural Conservation Committee*, hereinafter referred to as County Committee, means the group of persons designated to assist the Secretary in the administration of the 1937 program in the county in which such committee is selected to act.

*Community Agricultural Conservation Committee*, hereinafter referred to as community committee, means the group of persons designated for a community within a county to assist the Secretary in the administration of the 1937 program in such community.

*Person* means an individual, firm, partnership, association, corporation, estate, or trust, 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.

*Owner* means a person who (1) owns land which is not rented to another for cash or a fixed commodity payment, or (2) rents land from another for cash or a fixed commodity payment, or (3) is purchasing land on installments of cash or one or more commodities.

*Operator* means a person who as owner is operating a farm and is entitled to receive all or a portion of the crops



produced thereon or of the proceeds of such crops, or who as share-tenant is operating a whole farm and is entitled under a written or oral lease or agreement to receive a portion of the crops produced thereon or of the proceeds of such crops.

*Share-tenant* means a person other than an owner or share-cropper who is working a farm in whole or in part and is entitled under a written or oral lease or agreement to receive a portion of the crops produced thereon or of the proceeds of such crops.

*Share-cropper* means a person who works a producer unit under the supervision of an operator and is entitled under a written or oral agreement or State law to receive for his labor a share of any or all of the crops produced thereon or of the proceeds of such crops.

*Producer* means an owner, share-tenant, or share-cropper.

*Farm* means all land which in 1937 is operated by a person with labor, workstock, and farm machinery substantially separate from that for any other land except that the parts of such land having separate owners shall be considered as separate farms.

*Producer Unit* means any tract of land (whether a whole farm or a subdivision thereof) on which in 1937 one or more crops are planted or grown and which is farmed by (1) an owner with his own or his family's labor or with hired labor other than one or more share-croppers, or (2) a share-tenant with his own or his family's labor or with hired labor other than one or more share-croppers, or (3) a share-cropper.

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

*Total Soil-Depleting Base* means the acreage established for the farm as that normally used thereon for the production of all soil-depleting crops except rice.

*Cotton Soil-Depleting Base*, hereinafter referred to as cotton base, means the acreage established for the farm as that normally used thereon for the production of cotton.

*Tobacco Soil-Depleting Base*, hereinafter referred to as tobacco base, means the acreage established for the farm as that normally used thereon for the production of a particular kind of tobacco.

*Peanut Soil-Depleting Base*, hereinafter referred to as peanut base, means the acreage established for the farm as that normally used thereon for the production of commercial peanuts, which shall be construed to mean only those peanuts separated from the vines by mechanical means and from which the principal part of the production is normally sold to persons off the farm.

*Sugarcane Soil-Depleting Base*, hereinafter referred to as sugarcane base, means the acreage established for the farm as the acreage used for the production of sugarcane for sugar in 1937, subject to the provisions of section 48 herein.

*Rice Soil-Depleting Base*, hereinafter referred to as rice base, means the acreage allocated to the farm in 1937 by all producers interested in the production of rice on the farm in 1937.

*General Soil-Depleting Base*, hereinafter referred to as general base, means the acreage established for the farm as that normally used thereon for the production of all soil-depleting crops except cotton, tobacco, commercial peanuts, rice, and sugarcane for sugar.

*Soil-Conserving Base* means the acreage of all soil-conserving crops established as normal for the farm.

*Class I Payment* means the payment for diversion of acreage from any soil-depleting base and also any payment made with respect to sugarcane for sugar or rice.

*Class II Payment* means the payment for carrying out any soil-building practice approved by the Secretary.

*Soil-Building Allowance* for any farm means the largest amount of money that will be paid as a class II payment for the farm.

*Commercial Orchards* means the 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, including also the acreage of young nonbearing 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 also Irish potatoes, sweetpotatoes, 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 to persons off the farm in 1936.

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

## Part II. Soil-Building Allowance

**SECTION 1. Soil-building Allowance for Farms Which May Earn a Class I Payment.**—On any farm for which a cotton, tobacco, peanut, or sugarcane base is or can be established or on which the general base exceeds the home-consumption needs for the farm, or in connection with which a rice allocation is made, the soil-building allowance will be the sum of the following items or \$10.00, whichever is the greater:

(a) \$1.00 for each acre of the soil-conserving base plus \$1.00 for each acre diverted for payment in 1937;

(b) \$1.00 for each acre in commercial orchards on the farm on January 1, 1937;

(c) \$1.00 for each acre of cropland on which *only one* crop of commercial vegetables was grown in 1936;

(d) \$2.00 for each acre of cropland on which *two or more* crops of commercial vegetables were grown in 1936; and

(e) Twenty-five (25) cents for each acre of fenced noncrop open pasture land which is in excess of one-half of the cropland and which has a carrying capacity during the normal pasture season of at least one animal unit for each five acres.

**SECTION 2. Soil-building Allowance for Farms Which May Not Earn a Class I Payment.**—On any farm for which no cotton, tobacco, peanut, or sugarcane base can be established and on which the acreage of food and feed crops for home-consumption needs is as great or greater than the general base which is or can be established for the farm and in connection with which no rice allocation is made, the soil-building allowance will be the sum of the following items or \$20.00, whichever is the greater:

(a) Sixty-five (65) cents for each acre of cropland or \$1.00 for each acre in the soil-conserving base, whichever amount is the greater;

(b) \$1.00 for each acre in commercial orchards on the farm on January 1, 1937;

(c) \$1.00 for each acre of cropland on which *only one* crop of commercial vegetables was grown in 1936;

(d) \$2.00 for each acre of cropland on which *two or more* crops of commercial vegetables were grown in 1936; and

(e) Twenty-five (25) cents for each acre of fenced noncrop open pasture land which is in excess of one-half of the cropland and which has a carrying capacity during the normal pasture season of at least one animal unit for each five acres.

## Part III. Rates and Conditions of Payment

Payments will be made in connection with the utilization in 1937 of the land on any farm in the Southern Region, at the rates and subject to the conditions set forth herein,<sup>1</sup> provided that no payment will be made for any change in the use of such land which involves the destruction in 1937 of any food, fiber, or feed grain.

**SECTION 11. Cotton.**—(a) A class I payment will be made for each acre diverted from the cotton base on any farm in 1937 at the rate of 5 cents for each pound of the normal per acre cotton yield as adjusted for the farm on an acreage not to exceed 35 percent of such base, except that if such base is 5.7 acres or less payment may be made for diverting all or any part of such base not to exceed 2 acres.

(b) But if the acreage of cotton on any farm in 1937 exceeds the cotton base for such farm a deduction will be made

<sup>1</sup>The rates and conditions and any other provisions, with respect to rice, are included in part VII of this Bulletin 101 and will be printed separately.



in an amount equal to the result obtained by multiplying the number of such excess acres by the rate per acre determined for the farm under subsection (a) of this section 11.

SECTION 12. *Tobacco*.—(a) A class I payment will be made for each acre diverted from the tobacco base on any farm in 1937 at the rate per pound of—

- (1) 5 cents for flue-cured or Burley,
- (2) 6 cents for Georgia-Florida Type 62,
- (3) 3 cents for Georgia-Florida Type 45 or any other kind of tobacco,

for each pound of the normal per acre tobacco yield as adjusted for the farm on an acreage not to exceed 30 percent of the base in the case of Georgia-Florida Type 62 and 25 percent of the base in the case of any other kind of tobacco.

(b) But if the acreage of any kind of tobacco on any farm in 1937 exceeds the tobacco base for that kind of tobacco on such farm, a deduction will be made in an amount equal to the result obtained by multiplying the number of such excess acres by the rate per acre for such kind of tobacco determined for the farm under subsection (a) of this section 12.

SECTION 13. *Commercial Peanuts*.—(a) A class I payment will be made for each acre diverted from the peanut base on any farm in 1937 at the rate of 1¼ cents for each pound of the normal per acre yield of commercial peanuts as adjusted for the farm on an acreage not to exceed 15 percent of such base.

(b) But if the acreage of commercial peanuts on any farm in 1937 exceeds the peanut base for such farm, a deduction will be made in an amount equal to the result obtained by multiplying the number of such excess acres by the rate per acre determined for the farm under subsection (a) of this section 13.

SECTION 14. *Sugarcane for Sugar*.—(a) A class I payment will be made with respect to any farm on which sugarcane for sugar is grown in 1937 not in excess of the acreage allotment of sugarcane for sugar for the farm in an amount per acre equal to 12½ cents for each 100 pounds, raw value, of sugar commercially recoverable from the normal yield per acre of sugarcane for sugar for the farm.

The acreage allotment of sugarcane for sugar for any farm will be the sugarcane base for such farm, unless the estimated total acreage of sugarcane for sugar in 1937 exceeds the acreage determined by the Agricultural Adjustment Administration to be required with normal yields to produce 260,000 short tons, raw value, of sugar. If the estimated total acreage of sugarcane for sugar in 1937 exceeds the acreage so determined to be required to produce 260,000 short tons, raw value, of sugar, the acreage allotment for the farm shall be that percentage of the sugarcane base for such farm which is computed by dividing the acreage so determined to be required to produce 260,000 short tons, raw value, of sugar by the estimated total of the acreage of sugarcane for sugar in 1937 and multiplying such result by 100. Such percentage of the sugarcane base for the farm shall become the acreage allotment of sugarcane for sugar for such farm.

SECTION 15. *General Soil-Depleting Base*.—(a) A class I payment will be made for each acre diverted from the general base on any farm in 1937, subject to the following provisions:

(1) Such payment will be made for diverting such part of such base as is in excess of the home-consumption needs for the farm but in no case will such payment be made on an acreage in excess of 15 percent of such base.

(2) The rate of such payment per acre shall be \$9.00 on the average for the United States, varying among States, counties, and individual farms as the productivity of the cropland used for the production of the crops in such base varies from the average productivity of all such cropland in the United States.

(b) If the 1937 acreage of crops in the general base for any farm exceeds such base or the acreage of such crops

needed to meet home-consumption needs for the farm, whichever is the greater, a deduction will be made in an amount equal to the result obtained by multiplying the number of such excess acres by the rate per acre established for the farm pursuant to subsection (a) of this section 15.

SECTION 16. *Soil-Building Practices*.<sup>2</sup>—A class II payment will be made for carrying out any one or more of the following soil-building practices in 1937 at the rates and upon the conditions listed in this section 16, *provided* (1) in no event will the total of the class II payments respecting any farm exceed the soil-building allowance for the farm; (2) none of the labor, seed, or materials for such practice is furnished or paid for by any Federal or State agency; and (3) the practice is carried out by such methods and with such kinds and quantities of adapted seed, trees, and other materials as conform to good farming practice.

*Practice Number—Practices and Conditions—Rate*

1—Alfalfa or Kudzu planted on cropland in 1937: \$2.50 per acre.  
2—Red, mammoth, sweet, alsike, white, bur or crimson clover, lespedeza, Austrian winter peas, vetch, or other locally adapted winter legume, or legume mixture,<sup>3</sup> seeded on cropland in 1937: \$1.50 per acre.

3—Soybeans, velvet beans, cowpeas, crotalaria, beggar weed, or other locally adapted summer legume excluding lespedeza, grown on cropland in 1937 and the leaves, stems, and vines plowed under, provided a reasonably good growth is attained: \$2.00 per acre.

4—Crimson or bur clover, Austrian winter peas, vetch, or other locally adapted winter legume, plowed under in 1937, provided a reasonably good growth is attained or lespedeza left on the land except that the seed may be harvested: \$1.00 per acre.

5—Green manure crop, including rye, oats, barley, wheat, Italian rye grass, or mixtures of two or more of these plowed under as green manure after making a reasonable growth (not less than two months' growth) in the spring of 1937, provided that such crop has not gone through the dough stage: \$1.00 per acre.

6—Annual grasses, or a mixture of one or more annual grasses with one or more legumes, turned under in 1937 as green manure following truck or vegetable crops, or turned under in 1937 in orchards or vineyards; provided such green manure crop attained a reasonably good growth (not less than two months' growth): \$1.00 per acre.

7—Any sorghum, Sudan grass, or millet (or, in a cropping rotation, mixtures of grasses and/or legumes), grown in 1937 and all the crop left on the land or plowed under, provided a reasonably good growth is attained: \$1.00 per acre.

8—Establishment of permanent pasture of perennial grasses, or any pasture grass and legume mixture, on cropland or non-crop open pasture land in 1937: \$3.00 per acre.

9—Forest trees, including post-producing species, planted on cropland in 1937: \$5.00 per acre.

10—Ground limestone or its equivalent<sup>4</sup> applied on soil-conserving crops or pastures in 1937, but payment will not be made on an amount in excess of 4,000 pounds per acre, or less than 500 pounds per acre if applied in rows or less than 1,000 pounds per acre if applied broadcast: \$0.07 per 100 pounds.

11—Sixteen percent superphosphate or its equivalent<sup>5</sup> applied in 1937 on soil-conserving crops or pastures (excluding soybeans, cowpeas, velvet beans, and peanuts), but payment will not be made on an amount less than 100 pounds or in excess of 400 pounds per acre: \$0.50 per 100 pounds.

12—Basic slag applied in 1937 on soil-conserving crops or pastures (excluding soybeans, cowpeas, velvet beans, and peanuts), but payment will not be made on an amount less than 100 pounds or in excess of 600 pounds per acre: \$0.35 per 100 pounds.

13—Manganese sulphate applied in 1937 on soil-conserving crops, but payment will not be made on an amount in excess of 50 pounds per acre: \$2.00 per 100 pounds.

14—Terracing land in 1937 in accordance with good terracing practices for the land: \$0.40 per 100 feet.

SECTION 17. *Minimum Acreage of Soil-Conserving Crops*.<sup>6</sup>—If the total acreage of soil-conserving crops on cropland on any farm in 1937 does not equal or exceed the sum of—

<sup>2</sup> The provisions of this section 16 do not apply to counties in western Oklahoma and western Texas designated by the Secretary, respecting which separate provisions will be made.

<sup>3</sup> Mixtures of legumes listed in practice No. 2 and nonlegumes will be eligible for a payment of \$1.50 per acre, provided such legumes are seeded at a rate equal to at least fifty (50) percent of the normal rate for such legumes.

<sup>4</sup> For example, five hundred pounds of burnt lime or 700 pounds of hydrated lime is the equivalent of 1,000 pounds of ground limestone.

<sup>5</sup> For example, one hundred pounds of 49 percent superphosphate is the equivalent of 300 pounds of 16 percent superphosphate.

<sup>6</sup> The requirement of soil-conserving crops with respect to rice will be in addition to the requirements under this section 17.



(a) The soil-conserving base<sup>7</sup> established for the farm, and

(b) The sum of the acreages diverted for payment from the cotton, tobacco, peanut, and general bases,

a deduction will be made in an amount obtained by multiplying \$3.00 by the number of acres by which the total acreage of soil-conserving crops on cropland on the farm in 1937 is less than such sum.

SECTION 18. *Division of Payments.*—Class I and class II payments made with respect to any farm shall be divided as follows:

(a) *Class I Payment.*—The class I payment except as indicated in the remaining subsections of this section 18 shall be divided—

(1) Thirty-seven and one-half (37½) percent to the producer who furnishes the land;

(2) Twelve and one-half (12½) percent to the producer who furnishes the workstock and equipment;

(3) Fifty (50) 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 1937 in those soil-depleting crops, or the proceeds of such crops, in connection with which the class I payment is made.

(b) *Tobacco.*—The class I payment made with respect to the tobacco base shall be divided as follows:

(1) Fifteen (15) percent to the producer who furnishes the land;

(2) Fifteen (15) percent to the producer who furnishes the workstock and equipment;

(3) Seventy (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 1937 in the tobacco crop, or the proceeds of such crop, in connection with which the class I payment is made.

(c) *General Crops in Designated Counties.*—In counties in western Texas and western Oklahoma designated by the Secretary, the class I payment made in connection with the general base on any farm shall be divided among the interested producers in the same proportion as the crops in such base or the proceeds of such crops are divided under the lease or operating agreement on such farm.

(d) *Sugarcane for Sugar.*—The class I payment made in connection with the sugarcane base on any farm shall be divided among the interested producers in the same proportion as the crop or the proceeds of such crop are divided under the lease or operating agreement on such farm.

(e) *Class II Payment.*—The class II payment with respect to the acreage on which any approved soil-building practice is carried out on any farm shall be made to the eligible producer who the county committee determines under instructions issued by the Secretary has incurred the expense in 1937 of carrying out such soil-building practice; if the County Committee determines that two or more producers have shared in the expense incurred in carrying out such practice on the farm, the class II payment calculated for the particular acreage with respect to which such producers shared in such expense shall be divided equally among them.

(f) *Reckoning Payments Without Regard to Claims.*—Any share of the class I or class II payments shall be computed and paid 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 the owner or any other creditor.

(g) *Changes in Leasing or Cropping Arrangement.*—If the Secretary, upon the basis of an investigation by the State Committee, finds that any person has for 1937 made any change from the 1936 leasing or cropping arrangement for the farm or has adopted any other device for the purpose of, or which would have the effect of, diverting to such person

any payment to which tenants or share-croppers would be entitled if the 1936 leasing or cropping arrangement were in effect for 1937, the amount of any payment which otherwise would be made to such person may be withheld in whole or in part.

(h) *Division of Class I Payment Where Diversion Was Not Made Ratably.*—On farms where there are two or more producers, that portion of the Class I payment made with respect to any soil-depleting base which is to be divided among producers on a crop-share basis shall be divided among the producers entitled to share in the soil-depleting crop(s) in such base in the proportion that the acreage share of each such producer bears to the total acreage of such crop(s) grown on the farm in 1937; except that if no acreage of the crop(s) in any such base was planted in 1937 or if the County Committee finds (such finding shall be indicated by approval of the application for payment setting forth one of the methods of division of payment provided below) that diversion has not been made ratably by all producers on the farm, such portion of such payment to be made to any such producer shall be—

(1) in that proportion which his contribution to the difference between such base and the 1937 acreage of crop(s) in such base bears to the total difference between such base and the 1937 acreage of crop(s) in such base; or

(2) in that proportion which his acreage share of the soil-depleting base with respect to which such payment is made bears to such base for the farm.

The County Committee shall recommend, subject to the approval of the State Committee and the Director of the Southern Division, as each such person's share of such payment that portion computed in accordance with paragraph (1) or paragraph (2) of this subsection (h), whichever is found to be the more equitable, and support its recommendation by an accompanying letter setting forth fully the facts upon which such recommendation is based.

(i) *Abandonment, Foreclosure, Death, Etc.*—If prior to harvest a producer voluntarily ceases to cultivate, sells, abandons, or through his own fault or neglect loses control of any soil-depleting crop in connection with which a class I payment may be made, such producer shall not be entitled to such payment or any share therein and whoever succeeds him and as such successor is entitled to such crop or to share in it or its proceeds shall be entitled to such payment or to share therein, as the case may be, provided that by agreement of such producer and such successor person or persons (such agreement to be indicated or confirmed by their signatures on the application for payment) the acreage of such crop may be divided between them and such payment may be divided between them accordingly. In no case shall any person who as a result of attachment, foreclosure, or other legal process comes into possession of any soil-depleting crop in connection with which a class I payment may be made or the land on which such crop was planted be entitled to any share in such class I payment if the producer previously entitled to such crop or to share in it or its proceeds did not voluntarily abandon such crop, and the producer so dispossessed shall be entitled to such payment or to share therein, as the case may be. In case of the death or incompetency of a producer occurring during the period of performance under the 1937 program, class I and class II payments shall be made or withheld in accordance with rules to be prescribed by the Secretary.

(j) *Lease or Operating Agreement Expiring During Growing Season.*—No person who, upon the expiration of a lease or operating agreement which expires in 1937 after the season for planting begins and before harvest, succeeds to the land or crop covered by the lease or operating agreement shall be entitled to any class I payment or share thereof respecting such land or crop, except that, if the County Committee finds that both the producer who farmed under such lease or operating agreement and his successor have contributed to performance in 1937 and they have agreed upon a division between them of the acreage which otherwise would go to the producer who farmed under such lease or

<sup>7</sup>For any farm having a sugarcane base in 1937 the soil-conserving base shall not be less than 30 percent of the sugarcane base for such farm.



operating agreement, such acreage shall be divided between them according to such agreement (indicated or confirmed by their signatures on the application for payment) and the County Committee's finding shall be evidenced by its approval of the application setting forth such division.

SECTION 19. *Payments Restricted to Effectuation of Purposes of the Program.*—No person shall be entitled to receive or retain any part of any payment if such person has adopted any practice which the Secretary determines tends to defeat the purposes of the 1937 program.

#### Part IV. Classification of Land Use and Crops<sup>5</sup>

Farm land when devoted to the crops and uses indicated below shall, except for such additions or modifications as may be approved by the Secretary, be classified as follows:

SECTION 31. *Soil-depleting.*—Land on which any of the following crops are harvested shall, except as provided in section 33 of this part IV, be regarded as devoted to the production of soil-depleting crops for the year in which such crops are harvested. In establishing soil-depleting bases and in the checking of performance the acreage of land which is devoted to two or more soil-depleting crops shall be counted only once.

- (a) Corn (field, sweet corn, or popcorn).
- (b) Cotton.
- (c) Tobacco.
- (d) Potatoes (Irish or sweet).
- (e) Rice.
- (f) Sugarcane.
- (g) Truck and vegetable crops, including melons and strawberries.
- (h) Peanuts harvested for nuts.
- (i) Grain sorghums, sweet sorghums, millets, broomcorn, or Sudan grass, harvested for grain, seed, or forage.
- (j) Small grains harvested for grain or hay (wheat, oats, barley, rye, buckwheat, or any mixture of any of these).

SECTION 32. *Soil-conserving.*—Land devoted to any of the following crops or uses shall be regarded as used for the production of a soil-conserving crop except that any land from which a soil-depleting crop is harvested in the same year shall be regarded as used for the production of a soil-depleting crop in such year, except as provided in section 33 of this part IV. Any acre on which two or more soil-conserving crops are grown in the same year shall not be counted as more than one acre of soil-conserving crops.

- (a) *Legumes*, including vetch, winter peas, clovers, alfalfa, kudzu, lespedeza, soybean, velvet beans, crotalaria, and cowpeas.
- (b) *Peanuts*, if pastured.
- (c) *Grasses*, including Dallis, Natal, rye grass, timothy, orchard, Bermuda, and carpet, or grass mixtures.
- (d) *Grain sorghums (seeded solid)*, *sweet sorghums*, *millets*, or *Sudan grass*, not harvested for grain, seed, or forage, or grain sorghums planted in rows and plowed under.
- (e) *Cover crops*, including rye, barley, oats, wheat, and grain mixtures, not cut for grain or hay, provided a reasonably good growth is left on the land or plowed under.
- (f) *Forest trees*, planted on cropland since January 1, 1934.

SECTION 33. *Soil-conserving Crops Grown in Combination With or Following Soil-depleting Crops.*—Land devoted to soil-conserving crops grown in combination with or following soil-depleting crops shall be classified as follows:

(a) All the acreage of soil-depleting row crops interplanted or grown in combination with summer legumes (classified in section 32 of this part IV as soil-conserving) shall be classified as soil-depleting, and

- (1) One-half ( $\frac{1}{2}$ ) of the acreage shall also be classified as soil-conserving, provided the legume occupies at least one-half ( $\frac{1}{2}$ ) of the land and attains a reasonably good growth, or

(2) One-third ( $\frac{1}{3}$ ) of the acreage shall also be classed as soil-conserving, provided the legume occupies at least one-third ( $\frac{1}{3}$ ) but less than one-half ( $\frac{1}{2}$ ) of the land and attains a reasonably good growth.

(b) All the land from which a soil-depleting crop is harvested in 1937 and followed by legumes (classified in section 32 of this part IV as soil-conserving) or perennial grasses (whether seeded in or following such crop) shall, in addition to being classified as soil-depleting, be classified as soil-conserving.

(c) All the land on which green manure crops are seeded following commercial vegetable crops and plowed under as green manure after having attained at least two months' growth shall, in addition to being classified as soil-depleting, be classified as soil-conserving.

SECTION 34. *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 unless otherwise provided:

(a) *Cropland.*—

(1) Vineyards, tree fruits, bush fruits, and nut trees (any portion of such land which is interplanted shall carry the classification and actual acreage of such interplanted crop).

(2) Idle cropland.

(b) *Noncropland.*—

(1) Noncrop pasture and range land.

(2) Waste land, roads, lanes, lots, yards, and other similar noncropland.

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

#### Part V. Determination of Cropland and Establishment of Bases

SECTION 41. *County Limits and Quotas.*—For each county a ratio of the total acreage in soil-depleting crops (excluding rice) to all cropland will be established by the Agricultural Adjustment Administration from available statistics, such ratio to be referred to as the county limit. The ratio of the aggregate of the total soil-depleting bases (excluding any rice base) established in a county to all cropland in the farms for which such bases are established shall not exceed the county limit for such county unless a variation therefrom is recommended by the State Committee and approved by the Administrator of the Agricultural Adjustment Administration. County quotas of acreage and production for cotton, tobacco, and commercial peanuts will be established by the Agricultural Adjustment Administration from available statistics, and in addition an acreage quota of soil-conserving crops will be so established.

SECTION 42. *Recommendation of Bases.*—For each farm for which a work sheet is filed in 1937 the County Committee will recommend to the State Committee, for approval by the Secretary, the total acreage of cropland, a total soil-depleting base, and a soil-conserving base. As a part of the total soil-depleting base the County Committee will recommend a general base and also wherever applicable a cotton base, a tobacco base, a peanut base, and a sugarcane base.

SECTION 43. *Total Cropland.*—(a) If the total acreage of cropland for the farm was established by accurate measurement in 1936, such acreage will be the 1937 acreage of cropland for the farm. If the total acreage of cropland for the farm was not so established in 1936, such acreage for the farm shall be established either by measurement in 1937, or on a basis which will result in an acreage of cropland comparable with that for farms on which such land was established by measurement.

(b) If the total acreage of cropland established for the farm in 1937 as provided in subsection (a) of this section 43 varies from the cropland reported for the farm on the work sheet submitted for such farm in connection with the 1936 Agricultural Conservation Program or varies from the cropland reported for the farm on the work sheet submitted for such farm for the first time in connection with the 1937

<sup>5</sup> The provisions of this part IV do not apply to counties in western Oklahoma and western Texas designated by the Secretary, respecting which separate provisions will be made.



program, adjustments shall be made in accordance with this section 43, and the total acreage in soil-depleting crops, soil-conserving crops, and the acreage of cropland classed as neutral shall be adjusted on a pro rata basis to conform with the adjustments made in the total cropland.

**SECTION 44. 1937 Total Soil-Depleting Base.—(a) Farms For Which a Total Soil-Depleting Base Was Established in 1936.**—The County Committee will recommend to the State Committee, for approval by the Secretary, a total soil-depleting base (excluding any rice base) for each farm covered by a work sheet in 1937 and for which a total soil-depleting base was established in 1936. Such base shall be the 1936 total soil-depleting base for the farm (excluding any rice base) subject to the adjustments set forth in section 43 of this part V and in accordance with the following:

(1) Necessary adjustments shall be made based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and other available information.

(2) There shall be included in the total soil-depleting base for the farm for 1937 the acreage of small grains for grain or hay followed by legumes; the acreage of corn interplanted with legumes classed as soil-conserving; and the acreage of Sudan grass harvested for seed or forage and classed as soil-conserving in establishing the total soil-depleting base for the farm for 1936.

(3) If the total soil-depleting base for any farm is materially greater or less than such bases for farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming and farming practices, adjustments shall be made that will result in a total soil-depleting base for the farm which is comparable with the total soil-depleting bases for other similar farms.

**(b) Farms For Which a Total Soil-Depleting Base Was Not Established in 1936.**—The County Committee will recommend to the State Committee, for approval by the Secretary, a total soil-depleting base (excluding any rice base) for each farm covered by a work sheet in 1937 and for which a total soil-depleting base was not established in 1936. Such base shall be the planted acreage of all soil-depleting crops for harvest in 1936 for the farm (excluding any rice acreage) subject to the adjustments set forth in section 43 of this part V and in accordance with the following:

(1) To the acreage of all soil-depleting crops planted in 1936 there shall be added the acreage diverted for payment under the 1936 Agricultural Conservation Program, provided that no soil-depleting crop was planted on such diverted acreage.

(2) Necessary acreage adjustments shall be made based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and other available information.

(3) If, because of flood, drought, or other abnormal weather conditions, the number of acres of soil-depleting crops planted in 1936 was greater or less than the acreage of such crops usually planted on the farm, such number of acres shall be adjusted to an acreage which is comparable with the acreage of such crops planted on the farm under normal conditions.

(4) If the total soil-depleting base for any farm is materially greater or less than such bases for farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices, adjustments shall be made that will result in a total soil-depleting base for the farm which is comparable with the total soil-depleting bases for other similar farms.

**SECTION 45. Cotton Base and Yield Per Acre.—(a) Cotton Base.**—

(1) The cotton base for the farm in 1937 shall be the cotton base which was or could have been established for the farm under the 1936 Agricultural Conservation Program, subject to necessary acreage adjustments based on

land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a cotton base for the farm which is comparable with cotton bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(2) If, for causes other than flood, drought, or other abnormal weather conditions or because of substantial changes in the base acreage by the County Committee in 1936 after planting time, the acreage planted to cotton on the farm in 1936 was less than 50 percent of the cotton base for the farm in 1936, the cotton base for 1937 shall be adjusted downward by the County Committee but not lower than 154 percent of the 1936 planted acreage.

(3) For farms on which cotton was grown in 1936 for the first time since 1933, a cotton base may be established on the basis of the acreage planted to cotton in 1936 subject to necessary adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a cotton base for the farm which is comparable with cotton bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(4) The sum of the cotton bases for the farms covered by work sheets in any county or other specified area shall not exceed their proportionate share of the quota of cotton acreage established for such county or other specified area by the Agricultural Adjustment Administration.

**(b) Determination of Yield Per Acre.**—

(1) The yield per acre of lint cotton for the farm shall be designated by the appropriate Community Committee, subject to such adjustment by the County Committee as is necessary in order that the sum of the base cotton production for farms covered by work sheets in 1937 in any county or other specified area shall not exceed their proportionate share of the quota of cotton production established for such county or other specified area by the Agricultural Adjustment Administration.

(2) Each farm covered by a work sheet will have been inspected by at least one member of the Community Committee, serving for the community in which the farm is located, who shall report the facts to the Community Committee before the yield is designated for the farm.

(3) The yield designated for any farm shall be that yield, subject to adjustments indicated in this subsection (b), which the Community Committee finds from all available facts to be the yield which could reasonably be expected from the land devoted to the production of cotton on the farm. In designating the yield due consideration shall be given by such committee to the trend of yield per acre as well as to the type of soil, drainage, erosion, production practices, and general fertility of the land. Other facts bearing on the yield which might reasonably be expected, including abnormal weather conditions, shall also be given due consideration. Such findings shall be examined by the County Committee in the light of all available facts and approved or modified by it accordingly.

**SECTION 46. Tobacco Base and Yield Per Acre.—(a) Tobacco Base.**—

(1) The tobacco base for the farm in 1937 shall be the tobacco base which was or could have been established for the farm under the 1936 Agricultural Conservation Program, subject to necessary acreage adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a tobacco base for the farm which is comparable with tobacco bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.



(2) If, for causes other than flood, drought, or other abnormal weather conditions or plant diseases, the acreage planted to tobacco on the farm in 1936 was less than 55 percent of the tobacco base for the farm in 1936, the tobacco base for 1937 shall be adjusted downward by the County Committee but not lower than 133 percent<sup>9</sup> of the 1936 planted acreage.

(3) For farms on which tobacco was grown in 1936 (or in 1935 if no tobacco was grown on the farm in 1936 due to abnormal weather conditions or plant diseases) for the first time since 1930, a tobacco base may be established on the basis of the acreage planted to tobacco in 1936 (or 1935, if applicable), subject to necessary adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a tobacco base for the farm which is comparable with tobacco bases for other farms in the same community, which are similar with respect to size, type of soil, topography, production facilities, type of farming and farming practices.

(4) The sum of the tobacco bases for farms covered by work sheets in any county or other specified area shall not exceed their proportionate share of the quota of tobacco acreage established for such county or other specified area by the Agricultural Adjustment Administration.

(b) *Determination of Yield Per Acre.*—

(1) The yield per acre of tobacco for the farm shall be designated by the appropriate Community Committee, subject to such adjustment by the County Committee as is necessary in order that the sum of the base tobacco production for the farms covered by work sheets in 1937 in any county or other specified area shall not exceed their proportionate share of the quota of tobacco production established for such county or other specified area by the Agricultural Adjustment Administration.

(2) Each farm covered by a work sheet will have been inspected by at least one member of the Community Committee, serving for the community in which the farm is located, who shall report the facts to the Community Committee before the yield is designated for the farm.

(3) The yield designated for any farm shall be that yield, subject to adjustments indicated in this subsection (b), which the Community Committee finds from all available facts to be the yield which could reasonably be expected from the land devoted to the production of tobacco on the farm. In designating the yield due consideration shall be given by such committee to the trend of yield per acre as well as to the type of soil, drainage, erosion, production practices, and general fertility of the land. Other facts bearing on the yield which might reasonably be expected, including abnormal weather conditions, shall also be given due consideration. Such findings shall be examined by the County Committee in the light of all available facts and approved or modified by it accordingly.

SECTION 47. *Peanut Base and Yield Per Acre.*—(a) *Peanut Base.*—

(1) For farms growing commercial peanuts prior to 1935 the peanut base in 1937 shall be the base which was or could have been established for the farm under the 1936 Agricultural Conservation Program, subject to necessary acreage adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs, and further adjustments that will result in a peanut base for the farm which is comparable with peanut bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(2) If, for causes other than flood, drought, or other abnormal weather conditions, the acreage planted to commercial peanuts on the farm in 1936 was less than 70 percent of the peanut base for the farm in 1936, the

peanut base for 1937 shall be adjusted downward by the County Committee but not lower than 118 percent of the 1936 acreage planted to commercial peanuts.

(3) For farms on which commercial peanuts were grown in 1936 for the first time or for which a peanut base could not have been established under the 1936 Agricultural Conservation Program and one whole acre or more of peanuts was grown on the farm for commercial purposes in 1935 for the first time since 1930 or in 1936 for the first time since 1932, a peanut base may be established on the basis of the acreage planted to commercial peanuts in 1936 (or in 1935 if no commercial peanuts were grown on the farm in 1936) subject to necessary adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a peanut base for the farm which is comparable with peanut bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(4) The sum of the peanut bases for farms covered by work sheets in 1937 in any county or other specified area shall not exceed their proportionate share of the quota of peanut acreage that is established for such county or other specified area by the Agricultural Adjustment Administration.

(b) *Determination of Yield Per Acre.*—

(1) The yield per acre of peanuts grown for commercial purposes on the farm shall be designated by the appropriate Community Committee, subject to such adjustment by the County Committee as is necessary in order that the sum of the base commercial peanut production for farms covered by work sheets in 1937 in any county or other specified area shall not exceed their proportionate share of the quota of commercial peanut production established for such county or other specified area by the Agricultural Adjustment Administration.

(2) Each farm covered by a work sheet will have been inspected by at least one member of the Community Committee serving for the community in which the farm is located, who shall report the facts to the Community Committee before the yield is designated for the farm.

(3) The yield designated for any farm shall be that yield, subject to adjustments, indicated in this subsection (b), which the Community Committee finds from all available facts to be the yield which could reasonably be expected from the land devoted to the production of commercial peanuts on the farm. In designating the yield due consideration shall be given by such committee to the trend of yield per acre as well as to the type of soil, drainage, erosion, production practices, and general fertility of the land. Other facts bearing on the yield which might reasonably be expected, including abnormal weather conditions, shall also be given due consideration. Such findings shall be examined by the County Committee in the light of all available facts and approved or modified by it accordingly.

SECTION 48. *Sugarcane Base and Yield Per Acre.*—(a) *Sugarcane Base.*—The sugarcane base for the farm in 1937 shall be the acreage used for the growing of sugarcane for sugar in 1937, provided that such base shall not exceed the total cropland for the farm less the general base or that part of the general base necessary for the production of food and feed crops required for home-consumption needs, whichever is the smaller. If the sugarcane base plus all other soil-depleting bases, including the rice base, exceeds the total cropland for the farm, all such other soil-depleting bases, including only that part of the general base in excess of home consumption needs, shall be adjusted downward to eliminate such excess.

(b) *Determination of Yield Per Acre.*—The yield per acre of sugarcane for sugar for the farm for 1937 shall be determined upon the basis of the average yield per acre of sugarcane for sugar grown on the farm for the years 1935 and 1936 except that, if sugarcane for sugar was not grown

<sup>9</sup> 143 percent shall be used for Georgia-Florida Type 62 tobacco.



on such farm in both such years, the yield per acre for the farm shall be determined upon the basis of the average yield of sugarcane for sugar for such years on similar farms in the same community. In determining such yield, due consideration shall be given to the type of soil, drainage, erosion, production practices, and general fertility of the land.

**SECTION 49. General Base and Productivity Index.**—(a) *Farms For Which a General Base was Established in 1936.*—

(1) The general base for the farm in 1937 shall be the general base which was established for the farm under the 1936 Agricultural Conservation Program, subject to necessary acreage adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a general base for the farm which is comparable with general bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(2) There shall also be included in the general base for 1937—

i. The normal acreage of small grains for grain or hay followed by legumes and classed as soil-conserving in establishing the general base for 1936;

ii. The normal acreage of corn interplanted with legumes and classed as soil-conserving in establishing the general base for 1936;

iii. The acreage of Sudan grass harvested for seed or forage and classed as soil-conserving in establishing the general base for 1936; and

iv. The normal acreage of peanuts harvested for nuts, rice, or tobacco, if grown for home use only.

(b) *Farms For Which a General Base Was Not Established in 1936.*—The general base for the farm in 1937 shall be the planted acreage of all crops in the general base for harvest in 1936, less such part of this acreage as was diverted in 1936 for payment from bases other than the general base, subject to necessary acreage adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a general base for the farm which is comparable with general bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(c) *Individual Farm Adjustments.*—In making adjustments in the general base for individual farms, such base cannot be adjusted below the farm's proportionate share of the total general base acreage for all farms in the county.

(d) *Productivity Index.*—The productivity index for the farm shall be determined upon the basis of the yield per acre established for the farm in 1937 for the crop(s) used in the county for this purpose under the 1936 Agricultural Conservation Program. The weighted average of the productivity indices for all farms diverting from the general base in the county shall not exceed 100, unless a variation therefrom is recommended by the State Committee and approved by the Director of the Southern Division.

**SECTION 50. Soil-Conserving Base.**—The soil-conserving base for the farm for 1937 shall be that acreage which is determined to be the acreage of soil-conserving crops grown on the farm under normal conditions as compared with the total soil-depleting base established for the farm, except that for any farm having a sugarcane base in 1937 the soil-conserving base shall not be less than 30 percent of the sugarcane base for such farm. The sum of the soil-conserving bases established for farms covered in 1937 by work sheets shall not exceed their proportionate share of the soil-conserving acreage quota for the county.

**SECTION 51. Other Provisions.**—No community or county committeeman shall have a voice in designating or approving any acreage or yield for any farm which he owns, oper-

ates, or controls; which is owned, operated, or controlled by his brother, sister, parent, child, or other near relative; or upon which he has a loan or other financial interest.

#### Part VI. Miscellaneous Provisions

**SECTION 61. Persons Who May Make Applications For Payment.**—(a) An application for payment may be made by (1) an owner, (2) an operator, and (3) such other persons as may be designated by the Secretary.

(b) Payment will only be made upon application filed with the County Committee within the prescribed time. Each person applying for payment will be required to show that work sheets have been filed with the County Committee covering all land in the county owned or operated by him in 1937. Any person applying for payment who owns or operates farms in more than one county in the same State may be required to file with the State Committee a list of all such farms.

(c) A time limit for filing work sheets and applications for payment in each county will be designated by the State Committee subject to the approval of the Director of the Southern Division, and when so approved at least two weeks' public notice shall be given in advance of the expiration of such time limit.

**SECTION 62. Land Which May Be Covered by a Work Sheet and Application for Payment.**—(a) A work sheet shall cover all of one farm only, except as provided in the following subsections of this section 62.

(b) If two or more farms in the same county are under the same ownership and are operated by the same person, such farms may be covered by one work sheet.

(c) If two or more tracts of land in the same county are under different ownerships, even though they are operated by the same person, each such separately owned tract shall be covered by a separate work sheet.

(d) Tracts of land under the same ownership located in two or more adjoining counties and operated as a single farm in 1937 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, as located in the county in which the major portion of such farm is located.

(e) Except as provided in subsection (f) of this section 62 the land covered by an application for payment shall be the land covered by a single work sheet. The application for payment filed with respect to any land shall show the name and the extent of the interest of each person entitled to share in the payment with respect to such land. The amount of payment to any person with respect to the land covered by the application for payment shall, subject to the provisions of section 63 of this part VI, be determined by the performance on such land.

(f) If any person operates more than one farm in a county, such person may, subject to the conditions of this subsection (f), make one application for payment with respect to all such farms or several applications each covering one or more of such farms.

(1) An application for payment covering two or more farms in a county which are operated by the same person may be made only with the consent (indicated by signatures on the application for payment) of all persons who, as owner, share-tenant, or share-cropper, have an interest in the crops (or the proceeds thereof) grown in 1937 on any farm covered by the application; except that the signature of any person shall not be required in order to permit a grouping of such farms if such person would not receive a payment if each such farm were covered by a separate application for payment.

(2) In making determinations with respect to the amount of payment to be made under such application (in accordance with the provisions of this subsection (f)) all farms covered by one application for payment shall be considered as one farm.

**SECTION 63. Multiple Farm Holdings.**—If any person making application for payment in a county has an interest as



owner or operator in one or more farms in the same county which is not covered by an application for payment under which payment may be made, such person is required to furnish the County Committee a showing as to the acreage of soil-depleting crops grown in 1937 on each such farm. If the County Committee finds from evidence submitted to it and such measurement of such farms as is deemed necessary that any such person has materially increased the 1937 acreage of crops in any soil-depleting base above such base on any such farm, performance shall be checked on all such farms. The procedure shall be as follows:

(a) For each such farm multiply the 1937 acreage of cotton, tobacco, commercial peanuts, sugarcane for sugar, and crops in the general base by the respective rate per acre (determined pursuant to sections 11, 12, 13, 14, and 15, part III) and multiply each such result by the percentage (determined pursuant to the provisions of section 18, part III) due such person. Total the results thus obtained.

(b) For each such farm multiply the cotton, tobacco, peanut, sugarcane, and general bases by the respective rate per acre (determined pursuant to sections 11, 12, 13, 14, and 15, part III) and multiply each such result by the percentage (determined pursuant to the provisions of section 18, part III) due such person. Total the results thus obtained.

(c) If the total obtained under subsection (a) of this section 63 exceeds the total obtained under subsection (b) of this section 63, such excess shall be deducted first from any payment which otherwise would be made to such person with respect to farms in such county covered by an application for payment, and the remainder from any payment which otherwise would be made to such person with respect to rice in the State.

(d) The procedure outlined in this section 63 shall at the option of the Secretary be applied to all farms owned or operated by the same person in the State.

SECTION 64. *Appeals.*—Any person who has reason to believe that any recommendation of his County Committee concerning his farm in any matter of the kind set forth below is not equitable may request the County Committee to reconsider its recommendation. If such person fails to agree with the final recommendation of the County Committee, such person may appeal to the State Committee in accordance with instructions to be issued by the Secretary.

(a) Eligibility of person(s) to submit a work sheet or an application for payment.

(b) Eligibility of land to be covered by a work sheet and/or application.

(c) Any base, yield per acre, productivity index, or soil-building allowance.

(d) Division of payment among interested persons.

SECTION 65. *Deductions for Expenses.*—There shall be deducted pro rata from the payment to any person with respect to a farm or farms all or such part, as the Secretary shall prescribe, of the estimated administrative expenses incurred and to be incurred in the field in carrying out the 1937 program.

There shall be credited for the payment of administrative expenses the sum of \$2.00 for each application for a farm on which the total payment (prior to deduction of any administrative expenses) as estimated by the Agricultural Adjustment Administration will be \$20.00 or less.

SECTION 66. *Applicability to Farms Under Special Programs.*—The Secretary may designate one or more counties in any State for which special programs for 1937 will be developed under the Soil Conservation and Domestic Allotment Act. In the event that any such county is designated the allowances, rates, and conditions of payment for such county will be set forth in a special bulletin and the provisions of this bulletin shall not be applicable in such county.

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 approved for the farm prior to performance by the County Committee in accordance with instructions issued by the Secretary.

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 31st day of December 1936.

[SEAL]

H. A. WALLACE, *Secretary.*

[F. R. Doc. 37-26; Filed, January 4, 1937; 12:42 p. m.]

SR—B-101, Amendment 1 Southern Division, December 31, 1936

1937 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN 101

*Amendment 1*

Section 33, part IV of Southern Region Bulletin 101<sup>1</sup> is hereby amended by adding at the end thereof the following new subsection:

(d) Each acre of Georgia-Florida type 62 tobacco will be classified as eight-tenths ( $\frac{8}{10}$ ) of an acre used for the production of type 62 tobacco and two-tenths ( $\frac{2}{10}$ ) of an acre diverted to the production of soil-conserving crops if—

(1) An average of at least four top leaves are left on each stalk on all acreage of type 62 tobacco on the farm and all such stalks are cut and either left on the land or plowed under within seven days after the harvesting of the other tobacco leaves is completed, and

(2) A cover crop of sorghum, cowpeas, velvet beans, or crotonaria, or any mixture of these is seeded in 1937 before or following the completion of harvesting the tobacco on all land planted to type 62 tobacco and a reasonably good stand of such cover crop is attained and is plowed under or disked in before December 31, 1937, and after it has obtained at least three months' growth, provided that neither the seeding nor plowing under or diskings in of any such cover crop shall qualify for a class II payment or contribute toward the soil-building allowance.

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 31st day of December 1936.

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

[F. R. Doc. 37-27; Filed, January 4, 1937; 12:42 p. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

APPROVAL OF FORMS S-14, S-14a AND 73

DECEMBER 3, 1936.

In concurrence with the recommendation of the Committee on Regulations and Forms, Director O'Connor moved approval of the following forms<sup>2</sup> submitted, and that they be filed in the jacket of this meeting:

(1) Forms S-14 and S-14a, "Location of Offices."

(2) Form 73, "Report of Earnings and Dividends."

Director Goldsborough seconded the motion and it was carried.

[SEAL]

W. G. LOEFFLER,  
*Assistant Secretary to the Board of Directors of the Federal Deposit Insurance Corporation.*

[F. R. Doc. 37-21; Filed, January 4, 1937; 10:53 a. m.]

<sup>1</sup>See p. 14.

<sup>2</sup>These forms, together with Form 64—Call No. 6, were filed with the Division of the Federal Register; copies are available upon application to the Federal Deposit Insurance Corporation.



APPROVAL OF FORMS 545C AND 555C

DECEMBER 3, 1936.

Director Goldsborough moved approval of the Certified Statement Forms,<sup>1</sup> described below, which have been approved by the Committee on Regulations and Forms:

Form 545C—Certified Statement—Part One. Based on Deposits for the Six Months Ending December 31, 1936; in quadruplicate;

Form 545C—Amended Certified Statement—Part One. Based on Deposits for the Six Months Ending December 31, 1936, in quadruplicate;

Form 555C—Recapitulation of the Monthly Totals of Certified Statement—Part Two for the Six Months Ending December 31, 1936, in duplicate.

Director O'Connor seconded the motion and it was carried.

[SEAL]

W. G. LOEFFLER,

Assistant Secretary to the Board of Directors of the Federal Deposit Insurance Corporation.

[F. R. Doc. 37-22; Filed, January 4, 1937; 10:53 a. m.]

RESETTLEMENT ADMINISTRATION.

[Administration Order 40 (Rev. 2) (Suppl. 2)<sup>2</sup>]

INSPECTION OF CONSTRUCTION ON PROJECTS UNDER THE JURISDICTION OF COOPERATIVE ASSOCIATIONS

DECEMBER 31, 1936.

1. *Purpose.*—(a) The purpose of this Supplement is to inform all personnel concerned of the responsibilities of the IS Division for the inspection of construction on projects under the jurisdiction of cooperative associations or other bona fide group agencies hereafter referred to as cooperative associations, whether such construction is done by an agency which is part of the RA, by contract with an agency not part of the RA, or by direct force account by employees of the cooperative associations.

2. *General.*—(a) Inasmuch as the property of cooperative associations is the physical basis for such liens as are posted as collateral for RA loans to cooperative associations, inspection of the construction under the jurisdiction of cooperative associations is necessary and will be made by engineer inspectors of the IS Division.

3. *Responsibilities.*—(a) The responsibility of the IS Division will be the same for the inspection of construction undertaken by or within the jurisdiction of cooperative associations as for the inspection of construction undertaken by the RA. The procedure established for inspection of construction on RA projects will apply to such construction. This will include the inspection of all construction work so undertaken coming within the scope of the MA and RS Divisions. All such construction coming within the scope of the RR Division will be inspected only as the Administrator may require.

4. *Preliminary Steps When Construction Is Contemplated.*—(a) The Director of the MA, RS, or RR Division, as the case may be, will notify the Director of the IS Division when a loan involving construction requiring inspection pursuant to paragraph 3a of this Supplement has been approved by the Administrator.

(b) After a loan involving such construction has been approved by the Administrator, the division involved will furnish the IS Division with copies of plans, specifications, contracts or other documents necessary for proper inspection.

(c) The letter of approval issued in connection with any RR loan, which provides for construction to be performed with proceeds of the loan, will state whether inspection will be required, but failure to make such requirement at that time does not preclude a later requirement to that effect. If inspection is required, the Loan Agreement will contain a

<sup>1</sup> These forms were filed with the Division of the Federal Register; copies are available upon application to the Federal Deposit Insurance Corporation.

<sup>2</sup> Supplements par. 13a III B of AO 40 (Rev. 2)—9/26/36.

statement to that effect, and construction contracts entered into by the cooperative association must contain appropriate provisions for inspection.

5. *Instructions for Inspection.*—(a) Upon receipt of notification of contemplated construction, the Director of the IS Division will provide for regular inspection.

(b) If a resident engineer inspector is not assigned to the project, the Director of the IS Division will arrange to have such periodic inspections as are necessary, but in all cases at least once each calendar month. Copies of the inspection reports will be forwarded to the regional director, Budget Section of the FC Division, director of the division involved, the manager of the cooperative association and the agency or contracting party performing the construction.

6. *Final Inspection.*—(a) A final inspection and acceptance of all construction undertaken by a cooperative association which requires inspection pursuant to paragraph 3a of this Supplement will be made before the cooperative association makes the final payment on any construction contract entered into with any individual, partnership, corporation, or other contracting party. All MA and RS Loan Agreements and such RR Loan Agreements as the Administrator may require shall provide for such final inspection, and shall also provide that all construction contracts entered into by the cooperative associations shall make similar provision.

(b) Such final inspection will be made according to the procedure established for final inspections. A copy of the final inspection report and certificate of acceptance will be furnished to the regional director, director of the division concerned, Budget Section of the FC Division, the manager of the cooperative association, the agency or contracting party performing the construction for the cooperative association (if there be such an agency or contracting party), and the regional loan approving office to file with other documents concerning the project.

7. *Inspection Costs.*—(a) All costs incidental to inspection of construction under the jurisdiction of a cooperative association will be paid from administrative funds of the RA.

R. G. TUGWELL, Administrator.

[F. R. Doc. 37-19; Filed, December 31, 1936; 4:20 p. m.]

[Administration Order 188 (Suppl. 1)<sup>1</sup>]

DELEGATION OF AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY ON LAND USE PROJECTS

GRANTING EASEMENTS ON LANDS ACQUIRED AND IN THE PROCESS OF BEING ACQUIRED

DECEMBER 30, 1936.

1. *Purpose.*—(a) This Supplement outlines the procedure for approving and granting easements for lands acquired or in the process of being acquired within land use projects.

2. *General.*—(a) All requests for easements will be referred to the regional director.

(b) Whenever a public agency, corporation or an individual makes a request for an easement for the purpose of constructing highways, power lines, telephone lines, irrigation and drainage ditches, or for any other purpose on land within a land use project, the regional director will have an investigation made to determine the effect of the easement upon the completion of the development work and upon the proposed use and future administration of the land within the project. The regional director will also determine the probable effect of the easement upon the surrounding community.

(c) If the granting of the proposed easement will result in a benefit to the project, a financial consideration need not be required.

(d) If the granting of the proposed easement will not result in a benefit to the project, a financial consideration shall be required which, however, may be nominal.

<sup>1</sup> Supersedes FI-LU 34—3/9/36 Supplements AO 188—8/13/36 (1 F. R. 1558).



3. *Request for an Easement Before the Account in Payment for the Land Has Been Submitted to the General Accounting Office or to the Treasury Department.*—(a) When an easement is requested on land for which the account in payment for the land has not been sent to the G. A. O. or to the Treasury Department, the regional director will submit to the Administrator, Resettlement Administration, Washington, D. C., Refer to: Land Utilization Division, a statement which will show the effect of the easement on the project.

(b) If the Assistant Administrator in charge of LU determines that the easement will benefit the project, he will notify the regional director. Upon receipt of the notification, the regional director will:

(I) Approach the vendor of the land involved to determine whether or not the vendor is willing to grant the easement.

(II) If the vendor is willing to grant the easement, he will:

(A) Execute the easement on a form approved by the regional attorney.

(B) Execute a Form RA-LU 56, Rev., "Agreement for Cancellation of Contract", as outlined in FI-LU 26.

(C) Sign a new option. In the space on the option form for the description of the land, he will include a statement of the easement granted by the vendor.

(1) The person in the regional office authorized to execute Form RA-LU 56, Rev., "Agreement for Cancellation of Contract", will not execute this Form for the Government until the new option is obtained from the vendor. This is particularly important when the land involves a tract in the project purchase area which is essential to the completion of the project.

(III) If the vendor is not willing to grant the easement, action in regard to the request for the easement may be delayed until title to the lands involved is actually vested in the U. S. If it is necessary and advisable to take immediate action in regard to an easement on land which has not been acquired and which cannot be handled in accordance with the procedure outlined above, the advice of the Assistant Administrator in charge of LU should be obtained by the regional director through proper channels.

(c) If the Assistant Administrator in charge of LU determines that the easement will not benefit the project he will so notify the regional director.

4. *Request for an Easement After the Account in Payment for the Land Has Been Submitted to the General Accounting Office or to the Treasury Department.*—(a) When an easement is requested on land for which the account in payment for the land has been sent to the G. A. O. or to the Treasury Department, the regional director will submit to the Administrator, Resettlement Administration, Washington, D. C., Refer to: Land Utilization Division, the following information for administrative action:

(I) The name and number of the project in connection with which such an easement is requested.

(II) The name of the public agency, corporation or individual requesting the easement, together with a statement regarding the purpose and nature of the easement.

(III) The tract numbers and the names of the vendors of the land to be covered by the easement.

(IV) A map of the purchase area of the project showing the relationship of the land to be covered by the easement to the project area as a whole and to the surrounding community.

(V) An ownership map covering the particular tract of land for which an easement is requested and showing the exact area to be covered by the easement.

(VI) Detailed description of the benefits to the project and surrounding communities which will be derived through the easement.

(VII) The amount of the financial consideration to be paid for the easement.

(VIII) Specific recommendations of the project manager and the regional director regarding the granting of the easement.

(IX) A statement by the regional director of any other facts pertinent to the case which he may have obtained from the investigation made in accordance with paragraph 2b of this Supplement.

(X) A proposed form of easement prepared by the regional attorney, provided that the regional director approved the grant of the easement.

(b) The above information will be bound in a manila folder which will be labeled as follows:

Easement desired by \_\_\_\_\_  
(Name of public agency, corporation, or individual)  
Project name and number \_\_\_\_\_  
Region Number \_\_\_\_\_ State \_\_\_\_\_

5. *Preparation of Easement for Execution by the Government.*—(a) When the material requested in paragraph 4a of this Supplement is received, if the Assistant Administrator in charge of LU determines it is administratively desirable to grant the easement and that it will not interfere with the development work or future use of the land, he will notify the regional director and submit the entire folder to the General Counsel.

(b) If the General Counsel approves the form of the proposed easement he will transmit it to the regional attorney, and notify the Assistant Administrator in charge of LU of the transmittal.

(c) The regional attorney will submit the approved form to the regional director, and assist him in having it executed.

(d) When the regional director receives the approved easement from the regional attorney, he will have three copies executed by an authorized official of the public agency or corporation if a financial consideration is involved. If a financial consideration is not involved, only two copies need be executed. A statement will be attached to the easement which will show that the person executing the easement has proper authority to execute such documents.

(e) An easement requested by an individual will be executed in the same manner as for a public agency or a corporation.

(f) The easement will NOT be executed for the Government in the field.

(g) The regional director will transmit the two or three copies of the easement as executed for the agency or by the person requesting the easement (see paragraph 5d and 5e of this Supplement) to the Administrator, Resettlement Administration, Washington, D. C., Refer to: Land Utilization Division. If a financial consideration is involved, two unexecuted copies of the easement will be included with the three executed copies transmitted to the Administrator.

6. *Execution of the Easement for the Government.*—(a) When the Assistant Administrator in charge of LU receives the copies of the easement he will execute for the Government the copies executed by the public agency or corporation or by the individual if the easement meets with his approval provided that he first ascertains that title to the land over which the easement is granted has been completely vested in the Government.

(I) If a financial consideration is involved, he will transmit the original executed copy and the two unexecuted copies to the Administrative Audit Section, Finance and Control Division, Washington, D. C. The second executed copy will be returned to the regional director for the public agency, corporation, or person to whom is granted the easement; and the third executed copy will be retained in the fire resisting files of the LE Division, with other conveyances on the same project, for the proper protection of important original documents. The Chief of the LE Division files will make appropriate cross-reference sheets within the LE files and for the vendors' files, Vendors' Subunit, BM Division.



(A) The Administrative Audit Section will number, audit, and forward the original executed copy of the easement to the G. A. O., one unexecuted copy to the Treasury Accounts Office, Washington, D. C., and retain the other unexecuted copy pending receipt of monies due under the easement agreement.

(II) If no financial consideration is involved, the Assistant Administrator in charge of LU will execute for the Government the two copies of the easement executed by the public agency or corporation or by the individual. One executed copy will be retained in the fire resisting files of the LE Division in accordance with the procedure outlined in paragraph 6a I. The other executed copy will be returned to the regional director for transmission to the public agency, corporation or individual to whom the easement is granted.

(III) Any executed copies of easements of the type described in this Order, whether or not they have been granted and executed in accordance with the procedure outlined herein, will be forwarded to the files of the LE Division in accordance with the procedure outlined in paragraph 6a I.

7. Procedure for Collecting Payment for the Easement.—

(a) If a financial consideration is involved, payment will be made by the public agency, corporation or person requesting the easement at the time the easement is executed.

(b) Payment will be made to the regional director or his representative by check or money order payable to the Treasurer of the United States. The amount of the check or the money order will be that stipulated in the easement. The cost of the money order must NOT be deducted from this amount.

(c) The check or money order will be transmitted together with the executed copies of the easement, by the regional director to the Assistant Administrator in charge of LU, who will forward such check or money order to the FC Division for proper disposition. If the check or money order does not accompany the easement agreement a covering letter will be attached stating what the payment covers.

R. G. TUGWELL, *Administrator.*

[F. R. Doc. 37-20; Filed, December 31, 1936; 4:21 p. 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 30th day of December A. D. 1936.

[File No. 2-2561]

IN THE MATTER OF SOUTH UMPQUA MINING COMPANY

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT ON REQUEST OF APPLICANT, AND DISMISSING STOP ORDER PROCEEDINGS<sup>1</sup>

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant received on December 21, 1936, consents to the withdrawal of the registration statement of South Umpqua Mining Company; and, the said registration statement being so withdrawn, the Commission further dismisses a certain proceeding under Section 8 (d) of the Securities Act of 1933, as amended, the said proceeding having been heretofore, on November 7, 1936, instituted and being until now pending with respect to the aforesaid registration statement; and to that effect

It is so ordered.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-29; Filed, January 4, 1937; 12:58 p. m.]

<sup>1</sup> F. R. 2275, 2322, 2400.

*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 29th day of December 1936.

[File No. 1-1433]

IN THE MATTER OF GENERAL PAINT CORPORATION, CLASS A STOCK, NO PAR VALUE

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

The General Paint Corporation, pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, having made application to withdraw from listing and registration on the San Francisco Stock Exchange and Los Angeles Stock Exchange its Class A Stock, No Par Value; and

The Commission having considered the application and information pertinent thereto, 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 January 8, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-28; Filed, January 4, 1937; 12:58 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 31st day of December 1936.

[File No. 37-16]

IN THE MATTER OF REPUBLIC SERVICE MANAGEMENT COMPANY (DECLARATION WITH RESPECT TO THE ORGANIZATION AND CONDUCT OF BUSINESS OF SUBSIDIARY SERVICE COMPANY PURSUANT TO RULE 13-22)

ORDER PURSUANT TO RULE 13-22 UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

A declaration having been filed with this Commission by L. B. Harvey, Helen McCoy, and Mildred Dimmick, as proposed incorporators of Republic Service Management Company, pursuant to Section 13 (b) of the Public Utility Holding Company Act of 1935 and Rule 13-22 adopted thereunder, with respect to the proposed organization and conduct of business of Republic Service Management Company as a subsidiary service company of Republic Service Corporation; a hearing on said declaration having been duly held pursuant to appropriate notice;<sup>1</sup> the record in this matter having been duly considered; and the Commission having filed its Findings herein:

It is found that if Republic Service Management Company shall be organized and conducted in the manner set forth in the amended declaration of said incorporators, and if the annual compensation of other employees referred to in paragraph 15 (b) (iii) of the declaration shall not exceed \$7,700, then upon the ratification of the said amended declaration by Republic Service Management Company, said Republic Service Management Company will be so organized and conducted as to meet the requirements of Section 13 (b) of the said Act with respect to reasonable assurance of efficient and economical performance of the services described in such amended declaration, for the benefit of associate companies, at cost fairly and equitably allocated among them.

No finding is made with respect to the rendering of any services differing materially from those described by said

<sup>1</sup> F. R. 2499.



amended declaration, as the services which Republic Service Management Company intends presently to render, nor with respect to construction work.

It is so ordered.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-30; Filed, January 4, 1937; 12:58 p. m.]

#### EXECUTIVE ORDER

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

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

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

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

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

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

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

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

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

2. The proposed Executive order or proclamation shall first be submitted to the Director of the Bureau of the Budget. If the Director of the Bureau of the Budget approves it, he

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

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

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

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

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

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

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

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

*February 18, 1936.*

[No. 7298]