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Washington, Wednesday, August 24, 1938

*The President*

**EXECUTIVE ORDER**

**TRANSFERRING CERTAIN PERSONNEL, PROPERTY, AND APPROPRIATIONS FROM THE DEPARTMENT OF COMMERCE AND THE INTERSTATE COMMERCE COMMISSION TO THE CIVIL AERONAUTICS AUTHORITY**

By virtue of and pursuant to the authority vested in me by subsections (a) and (b) of section 203 of the Civil Aeronautics Act of 1938, approved June 23, 1938 (Public No. 706, 75th Cong., 3d Sess.), and in order to effectuate the purposes of said Act, it is hereby ordered as follows:

1. All officers and employees of the Bureau of Air Commerce of the Department of Commerce and the Bureau of Air Mail of the Interstate Commerce Commission who, at the close of business on August 21, 1938, are (a) in a pay status and whose names appear on the pay roll of their respective bureaus, (b) in a furlough status, and (c) in a when-actually-employed status, are hereby found and determined to have been employed by the Secretary of Commerce and the Interstate Commerce Commission in the exercise and performance of the powers and duties described in subsection (a) of section 203 of the Civil Aeronautics Act of 1938; and all such officers and employees as aforesaid shall be transferred to the Civil Aeronautics Authority as of the beginning of business on August 22, 1938. The Department of Commerce and the Interstate Commerce Commission shall furnish to the Civil Service Commission and to the Civil Aeronautics Authority, upon the appropriate civil service forms, a record of the officers and employees so transferred.

2. All of the unexpended balances of appropriations for use by the Secretary of Commerce in the exercise and performance of the powers and duties vested in and imposed upon him by the Air Commerce Act of 1926, as amended (44 Stat. 563; U. S. C., 1934 ed., title 49, sec.

171 et seq.), including the unexpended balances of portions of general administrative appropriations which have been allotted by the Secretary of Commerce to the Bureau of Air Commerce, and by the Secretary of Commerce and the Interstate Commerce Commission in the exercise and performance of the powers and duties vested in and imposed upon them by the Airmail Act of 1934, approved June 12, 1934, as amended (48 Stat. 933; U. S. C., 1934 ed., Supp. II, title 39, sec. 469 et seq.), are hereby found and determined to be necessary for the exercise and performance of the powers and duties of the Civil Aeronautics Authority, the Administrator, and the Air Safety Board under the Civil Aeronautics Act of 1938, and shall be transferred, effective August 22, 1938, to the Civil Aeronautics Authority. The Civil Aeronautics Authority shall assume the encumbrances and obligations outstanding against the funds so transferred and shall liquidate the same from applicable funds as settlements are required.

3. All real and personal property under the control and jurisdiction of the Department of Commerce (including, but not limited to, lands, buildings, air navigation facilities, depots, equipment, materials, supplies, office equipment, and all official records) which the records of that Department show to have been employed by the Secretary of Commerce in the exercise and performance of the powers and duties vested in and imposed upon him by the Air Commerce Act of 1926, as amended, and all property (including, but not limited to, office equipment and official records) under the control and jurisdiction of the Department of Commerce and the Interstate Commerce Commission which the respective records of the Department of Commerce and the Interstate Commerce Commission show to have been employed by the Secretary of Commerce and the Interstate Commerce Commission in the exercise and performance of the powers and duties vested in and imposed upon them by the Airmail Act of 1934, approved

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June 12, 1934, as amended, are hereby found and determined to have been so employed; and all such property as aforesaid shall be transferred to the Civil Aeronautics Authority as of the beginning of business on August 22, 1938.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
August 22, 1938.

[No. 7959]

[F. R. Doc. 38-2483; Filed, August 23, 1938;  
11:20 a. m.]

#### EXECUTIVE ORDER

##### RESERVOIR-SITE RESERVE NO. 20

##### TONGUE RIVER, MONTANA

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is hereby ordered as follows:

1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked in so far as it affects the following-described tracts of land in Montana:

##### PRINCIPAL MERIDIAN

T. 8 S., R. 40 E.,  
sec. 24, NW $\frac{1}{4}$  SW $\frac{1}{4}$ , and NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
sec. 34, SE $\frac{1}{4}$  SW $\frac{1}{4}$ .  
T. 9 S., R. 40 E.,  
sec. 3, NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; aggregating 160 acres.

2. Subject to the conditions expressed in the above-mentioned acts and to all

valid existing rights, the lands described in section 1 of this order are hereby withdrawn from settlement, location, sale, or entry and reserved for reservoir sites.

3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
August 22, 1938.

[No. 7960]

[F. R. Doc. 38-2481; Filed, August 23, 1938;  
11:19 a. m.]

#### EXECUTIVE ORDER

##### PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 1919 $\frac{1}{2}$ OF APRIL 21, 1914, AS AMENDED, WITHDRAWING PUBLIC LANDS

##### ALASKA

By virtue of and pursuant to the authority vested in me by the act of March 12, 1914, ch. 37, 38 Stat. 305, it is ordered as follows:

1. Executive Order No. 1919 $\frac{1}{2}$  of April 21, 1914, as amended by Executive Order No. 3672 of May 8, 1922, withdrawing and reserving lands in Alaska for town-site purposes is hereby revoked in so far as it affects the following-described land:

##### SEWARD MERIDIAN

T. 13 N., R. 3 W., sec. 6, lots 2 and 3,  
NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 129.66 acres.

2. Subject to valid existing rights and pursuant to Public Resolution No. 85, approved June 12, 1930, ch. 471, 46 Stat. 580, the vacant, unreserved public lands in the areas released from such withdrawal shall be open to entry, under the homestead laws applicable to Alaska, by qualified ex-service men under the terms and conditions of said resolution and the regulations issued pursuant thereto, for a period of ninety-one (91) days beginning with the sixty-third day from and after the date hereof; and thereafter the lands shall be subject to appropriation by the general public under any public land law applicable thereto. Subsequent to the date hereof and prior to the date of restoration for general disposition as herein provided, no right may be acquired to such lands by settlement in advance of entry or otherwise, except strictly in accordance with the provisions of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
August 22, 1938.

[No. 7961]

[F. R. Doc. 38-2482; Filed, August 23, 1938;  
11:19 a. m.]

### Rules, Regulations, Orders

#### TITLE 7—AGRICULTURE

#### AGRICULTURAL ADJUSTMENT ADMINISTRATION

[Cotton 225]

#### COUNTY NORMAL COTTON YIELDS FOR 1938

Pursuant to the authority vested in the Secretary of Agriculture under the Agricultural Adjustment Act of 1938 as amended, I hereby establish the following county normal yields of lint cotton in accordance with the provisions of section 301, subsection (b), paragraphs (13) (B) and (C), of said Act, for the purposes of the cotton marketing quota provisions (Part IV, Subtitle B, Title III) of said Act applicable with respect to the marketing year beginning August 1, 1938:

##### ALABAMA

##### County—Normal yield of lint cotton per acre

Autauga, 221; Baldwin, 247; Barbour, 190; Bibb, 240; Blount, 267; Bullock, 173; Butler, 230; Calhoun, 229; Chambers, 207; Cherokee, 273; Chilton, 253; Choctaw, 202; Clarke, 209; Clay, 211; Cleburne, 224; Coffee, 233; Colbert, 232; Conecuh, 227; Coosa, 214; Covington, 224; Crenshaw, 222; Cullman, 317; Dale, 213; Dallas, 183; DeKalb, 318; Elmore, 241; Escambia, 236; Etowah, 266; Fayette, 242; Franklin, 269; Geneva, 250; Greene, 171; Hale, 230; Henry, 242; Houston, 267; Jackson, 259; Jefferson, 224; Lamar, 246; Lauderdale, 230; Lawrence, 258; Lee, 192; Limestone, 245; Lowndes, 176; Macon, 209; Madison, 254; Marengo, 200; Marion, 263; Marshall, 316; Mobile, 252; Monroe, 245; Montgomery, 171; Morgan, 278; Perry, 181; Pickens, 234; Pike, 215; Randolph, 233; Russell, 176; St. Clair, 223; Shelby, 215; Sumter, 176; Talladega, 206; Tallapoosa, 193; Tuscaloosa, 229; Walker, 222; Washington, 237; Wilcox, 190; Winston, 270.

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165; Hot Spring, 168; Howard, 163; Independence, 167; Izard, 152; Jackson, 190; Jefferson, 223; Johnson, 144; Lafayette, 197; Lawrence, 207; Lee, 233; Lincoln, 207; Little River, 160; Logan, 140; Lonoke, 192; Marion, 155; Miller, 187; Mississippi, 389; Monroe, 189; Montgomery, 118; Nevada, 153; Newton, 132; Ouachita, 139; Perry, 158; Phillips, 245; Pike, 148; Poinsett, 336; Polk, 128; Pope, 139; Prairie, 164; Pulaski, 232; Randolph, 195; St. Francis, 262; Saline, 149; Scott, 120; Searcy, 147; Sebastian, 146; Sevier, 142; Sharp, 159; Stone, 134; Union, 157; Van Buren, 137; Washington, 186; White, 159; Woodruff, 205; Yell, 165.

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Done at Washington, D. C., this 19th day of August, 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-2475; Filed, August 22, 1938;  
12:49 p. m.]

BUREAU OF AGRICULTURAL  
ECONOMICSORDER OF DESIGNATION OF TOBACCO  
MARKETS

## SOUTH HILL, VIRGINIA

Whereas, the Act of Congress approved August 23, 1935 (49 Stat., 731; 7 U. S. C., Sup. 1, Chap. 21A) entitled "The Tobacco Inspection Act" contains the following provisions:

Sec. 2. That transactions in tobacco involving the sale thereof at auction as commonly conducted at auction markets are affected with a public interest; that such transactions are carried on by tobacco producers generally and by persons engaged in the business of buying and selling tobacco in commerce; that the classification of tobacco according to type, grade, and other characteristics affects the prices received therefor by producers; that without uniform standards of classification and inspection the evaluation of tobacco is susceptible to speculation, manipulation, and control, and unreasonable fluctuations in prices and quality determinations occur which are detrimental to producers and persons handling tobacco in commerce; that such fluctuations constitute a burden upon commerce and make the use of uniform standards of classification and inspection imperative for the protection of producers and others engaged in commerce and the public interest therein.

Sec. 5. That the Secretary is authorized to designate those auction markets where tobacco bought and sold thereon at auction, or the products customarily manufactured therefrom, moves in commerce. Before any market is designated by the Secretary under this section he shall determine by referendum the desire of tobacco growers who sold tobacco at auction on such market during the preceding marketing season. The Secretary may at his discretion hold one referendum for two or more markets or for all markets in a type area. No market or group of markets shall be designated by the Secretary unless two-thirds of the growers voting favor it. The Secretary shall have access to the tobacco records of the Collector of Internal Revenue and of the several collectors of internal revenue for the purpose of obtaining the names and addresses of growers who sold tobacco on any auction market, and the Secretary shall determine from said records the eligibility of such grower to vote in such referendum, and no grower shall be eligible to vote in more than one referendum. After public notice of not less than thirty days that any auction market



has been so designated by the Secretary, no tobacco shall be offered for sale at auction on such market until it shall have been inspected and certified by an authorized representative of the Secretary according to the standards established under this Act, except that the Secretary may temporarily suspend the requirement of inspection and certification at any designated market whenever he finds it impracticable to provide for such inspection and certification because competent inspectors are not obtainable or because the quantity of tobacco available for inspection is insufficient to justify the cost of such service: Provided, That, in the event competent inspectors are not available, or for other reasons, the Secretary is unable to provide for such inspection and certification at all auction markets within a type area, he shall first designate those auction markets where the greatest number of growers may be served with the facilities available to him. No fee or charge shall be imposed or collected for inspection or certification under this section at any designated auction market. Nothing contained in this Act shall be construed to prevent transactions in tobacco at markets not designated by the Secretary or at designated markets where the Secretary has suspended the requirement of inspection or to authorize the Secretary to close any market.

and

Whereas, pursuant to said Act a referendum has been held among the growers of flue-cured tobacco who sold tobacco at auction on the South Hill, Virginia market during the last marketing season, in which referendum said growers were given an opportunity to vote for or against the designation as provided in Section 5 of said Act; and

Whereas, more than two-thirds of the growers voting in said referendum and who sold tobacco at auction on said market during the last marketing season voted in favor of said designation,

Sec. 29.301 (i) *Designation of Tobacco Market*

Now, therefore, by virtue of the authority conferred upon me by Section 5 of The Tobacco Inspection Act and the affirmative results of the referendum conducted thereunder, the tobacco market at South Hill, Virginia is designated as a market where tobacco bought and sold thereon at auction, or the products manufactured therefrom, moves in commerce.

It is hereby ordered that, effective 30 days from this date no tobacco shall be offered for sale at auction on the above-named market until it shall have been inspected and certified by an authorized representative of the United States Department of Agriculture according to standards established under the Act; provided, however, that the requirement of inspection and certification may be suspended at such times as it is found impracticable to provide inspection or when the quantity of tobacco available for inspection is insufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the market designated herein. (49 Stat. 731; 7 U. S. C. Sup. I, Chap. 21A.)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be

affixed in the City of Washington, this 23rd day of August, 1938.

[SEAL] H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-2485; Filed, August 23, 1938;  
11:58 a. m.]

#### TITLE 20—FISH AND GAME

##### BUREAU OF BIOLOGICAL SURVEY

##### ORDER PERMITTING AND REGULATING FISHING WITHIN BIG LAKE RESERVATION, ARKANSAS

Pursuant to regulations 2 and 3 of the regulations of the Secretary of Agriculture, effective November 24, 1937, for the administration of National wildlife refuges,<sup>1</sup> it is hereby ordered until further notice that fish may be taken for commercial purposes under permit issued by the resident officer in charge, and with pole and line for sport or for family use without such permit, when and as permitted by the laws and regulations of Arkansas, except during the Federal open season on migratory waterfowl, from waters within Big Lake Reservation, Arkansas, subject to the following conditions, restrictions, and requirements:

1. *Licenses.*—Prior to the issuance of the above required Federal permit to fish on the Refuge, the applicant for the privilege shall be in possession of and exhibit to the resident officer in charge a valid State commercial fishing license, if such license is required, and any person to whom has been issued a Federal permit shall carry such permit on his person when exercising the privileges thereunder and, upon demand, shall exhibit his permit and license to any Federal or State officer authorized to enforce Federal and State fishing laws and regulations: Provided, that all fishing within the Refuge shall be done in such manner as will not interfere with the objects for which the Refuge was established.

2. *Nets and tackle.*—All nets and other set tackle, except limb lines, used for fishing on Big Lake Reservation in the State of Arkansas, shall be tagged with metal tags in accordance with the fishing laws of Arkansas. All persons are warned that untagged nets and other set tackle except limb lines will be subject to seizure.

3. *Routes of travel.*—Persons entering the Refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge.

4. *Suspension of fishing privileges.*—Whenever it shall appear, during the open season herein provided, that because of intensive fishing or other causes the supply of fish in any area or areas of the waters open to fishing is becoming excessively reduced, the Chief, Bureau of Biological Survey, may, in his discretion,

within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment be so affected; and all outstanding permits or authority hereunder for fishing in such area or areas shall thereupon become null and void.

5. *Reports.*—Each permittee authorized to take fish on the Refuge for commercial purposes shall within 10 days after the expiration or termination of his permit submit to the officer in charge, or his representative, a report correctly stating the kinds of fish and the quantity of each kind taken.

6. *Revocation of permits.*—Any permit issued under this order may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the Refuge or of any State of Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary of Agriculture.

Order of the Secretary of Agriculture issued August 19, 1936, (F. R. 1806) Permitting and Regulating Fishing Within Big Lake Reservation, Arkansas, is hereby revoked.

In testimony whereof I have hereunto set my hand and caused the official seal of the United States Department of Agriculture to be affixed in the City of Washington, this 23rd day of August, 1938.

[SEAL] H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-2494; Filed, August 23, 1938;  
11:58 a. m.]

#### TITLE 24—HOUSING CREDIT

##### HOME OWNERS' LOAN CORPORATION

[Administrative Order]

##### PART 2.—LOAN SERVICE

##### REVISION OF LOAN SERVICE CHAPTER

It is hereby ordered, That Sections 2.03-21.1, 2.03-21.4, 2.03-29, 2.03-29.2, 2.03-33, 2.03-36, 2.03-37, 2.03-39, 2.03-41, 2.03-43, 2.03-44, 2.03-48, 2.05-14, 2.05-19, 2.05-22.1, 2.05-23, 2.06-7, 2.11-1, 2.11-2, 2.12-1, 2.13-1, 2.13-2, 2.13-4, 2.13-5, 2.14-1, 2.14-2.1, 2.15-1, 2.15-2 of Part 2 of Chapter IV of Title 24 of the Code of Federal Regulations and all the Articles of Chapter II of the Manual are hereby revoked and the following procedure is hereby promulgated to be effective as of September 1, 1938, and to be numbered as follows:

Sec. 2.03-19 (Manual Article 203-19). If it appears to the Regional Manager, after consideration of the recommendation of the Analysis and Review Section and the evidence in the case, that foreclosure or the acceptance of a deed in lieu of foreclosure is necessary, he is authorized to so direct the Regional

<sup>1</sup> 2 F. R. 2537 (2951 DI); 3 F. R. 1087 DI.



Counsel, by appropriate notice to foreclose, provided it can be legally accomplished. The Regional Manager shall also simultaneously send "Notice of Foreclosure" to all other interested departments, divisions, and sections.

Except in rare and unusual cases where in the opinion of the Regional Manager the circumstances of the case and the best interests of the Corporation warrant it, or where a home owner has offered a voluntary proposal for the adjustment of his account, no effort shall be made by the Loan Service Division to service any account or to instigate the sale of the real estate for the home owner after "Notice of Foreclosure" has been issued.

Sec. 2.03-20.1 (Manual Article 203-20.1). Before temporary or other suspension is directed, the home owner should ordinarily be required to remit a sum at least equivalent to the costs and expenses which have been incurred, but cases will arise in which such remittance cannot be made immediately by the home owner, and in such cases the Regional Manager or the State Manager should determine whether the required sum will be paid in full within a short time and whether temporary or other suspension without the immediate payment of such sum will be in the best interests of the Corporation.

Where foreclosure has not progressed to final judgment or sale under power, the Regional Manager, with the advice of the Regional Counsel, should generally require a payment at least equivalent to all costs and expenses and a demonstration of the home owner's ability to maintain a satisfactory schedule of payments before directing withdrawal, but may in his discretion order "withdrawal" in any case where, in his opinion, such action is in the best interest of the Corporation. It is not desirable to keep the case in suspense longer than is necessary for this purpose.

Where foreclosure proceedings have progressed to final judgment or sale under power, but not to acquisition of complete title by the Corporation, the Regional Manager, with the advice of the Regional Counsel, should generally require a payment equivalent to the total of all costs and expenses, all delinquency existing when foreclosure was commenced, the amount which would have matured up to the date of withdrawal had foreclosure not been commenced, and all costs of reinstatement before directing withdrawal. However, cases will arise in which by reason of the legal factors involved or the circumstances of the case it appears in the best interests of the Corporation to withdraw such proceedings without requiring the present payment of a sum equivalent to the total of such items. In these cases the Regional Manager may, if he considers it to be in the best interest of the Corporation, direct withdrawal without the present payment of such sum.

The Regional Manager should forward to the Regional Counsel with the "Notice of Withdrawal" a statement of the outstanding indebtedness and the terms upon which it is to be repaid. The Regional Manager should generally prescribe the plan of payment and maturity of indebtedness which would have existed had foreclosure not been commenced. Where the Regional Manager makes an exception to this general rule, he shall not fix more liberal terms of payment than he is now or may hereafter be authorized to grant in the case of an extension if no foreclosure were involved.

Regional Managers are directed to use extreme care in authorizing a withdrawal or suspension of foreclosure, giving particular attention to the ability of the home owner to continue in a current status with the terms of his obligation. The danger of third parties taking advantage of both the home owner and of the Corporation should be fully considered in each case.

No proposal of the home owner should be accepted unless in the opinion of the Regional Counsel the Corporation will maintain or secure a lien or rights equal to that held before withdrawal. Other persons liable for the payment of the indebtedness should not be released except upon the approval of the Regional Manager. The right of the Corporation to resume or recommence foreclosure upon failure of the home owner to carry out his proposal shall be preserved during all suspensions.

Sec. 2.03-27 (Manual Article 203-27). Application for partial release or for execution of any instrument affecting the lien, the value of the security, or any right arising under any covenant in the security instrument (except discharges based upon payment in full) shall be made by the home owner on the approved form in duplicate. The information required on this form shall be fully and clearly set forth and, where necessary, the consents of all co-makers, endorsers, or other persons personally liable for the payment of the indebtedness to the Corporation shall be obtained.

Unless it is shown that the execution of any such instrument will be decidedly to the best interests of the Corporation, the State or Regional Manager shall decline the request. Any land or interest therein received by the home owner in, or any enhancement in value resulting therefrom, a transaction in connection with which any such instrument is to be executed shall inure to the benefit of the Corporation, and any funds received by the home owner or by the Corporation as mortgagee or assignee shall be credited or disbursed in accordance with Section 215 and the Articles thereunder and Chapter VIII.

Sec. 2.03-28 (Manual Article 203-28). When application is for the partial release, sufficient information regarding identification and description of the entire property covered by the Corpora-

tion's lien instrument and the portion to be released, including the location of any and all improvements thereon, in the form of a plat or survey or such other form as may be acceptable to the Regional Manager and Regional Counsel, shall be furnished by the applicant and made part of the original application.

Where the Corporation is requested to release a portion of the property covered by its lien description, because of error in including more property than was owned by the home owner, the State Manager shall ascertain the party responsible for such error and require such party or parties, if still in the employ of the Corporation, to pay the expenses incident to the release. If the party responsible for the error is not in the employ of the Corporation, such steps as the State Manager deems advisable shall be taken to obtain from such party reimbursement for the expense incident to the correction. However, the collection of the expenses as provided herein shall not be considered as a condition precedent to the granting of the release. If, in the opinion of the State Counsel and Regional Counsel, the Corporation has acquired any substantial interest in the property, by virtue of advances made, or otherwise, for which it has a right of recovery, either in law or equity, the release shall not be executed unless in the opinion of the State Counsel, State Manager, Regional Counsel, and Regional Manager, the release would be for the best interests of the Corporation.

If the value of the portion to be released is nominal, an inspection and report by a Service Representative preferably one who has qualified as a Field Appraiser may be substituted for an appraisal.

Deposits for expenses of the transaction shall not be accepted with the application. Any costs or expenses incurred in connection with the transaction shall be deducted from the proceeds or charged to the home owner's account in accordance with the provisions of the application form.

Sec. 2.03-36 (Manual Article 203-36). No substitution of security involving the removal of the improvements to, or the rebuilding of such improvements on, substituted security shall be entered into without the consent of junior lienors. The requirements of similar consents from co-makers, endorsers, or other sureties shall be within the discretion of the Regional Manager and Regional Counsel.

Sec. 2.03-37 (Manual Article 203-37). Cases involving the substitution of security shall be processed through the channels provided for the handling of partial releases and prepared and submitted to the Regional Manager and Regional Counsel, with such adaptation as may be necessary, on such approved form as may be provided for this purpose. There shall be attached to said form in addition to the appraisals therein pro-



vided for, an appraisal of the entire property to be held as security by the Corporation, after the substitution is consummated, and an agreement by the home owner that, in case of rejection of his request, all expenses incurred by the Corporation (normal overhead expenses excepted) shall be charged to his account and secured by or included in the principal of his loan or sales instrument to the Corporation.

Sec. 2.03-39 (Manual Article 203-39). In cases involving a full release of the original security or in which the Regional Manager and Regional Counsel deem it advisable to take a new mortgage covering both the new security and the portion of the old security to be retained, releasing the old mortgage in full, a new note or bond and a new mortgage shall be taken bearing the date of the transaction. The new note or bond shall represent the amount of the unpaid balance of principal and interest of the original loan and also the unpaid balance of any advances, including advances made in connection with the substitution. It shall be in the discretion of the Regional Manager and Regional Counsel whether amounts that are delinquent at the time may be included in the principal of the note or bond and amortized with that portion of the indebtedness not due, or whether the note or bond shall be in terms payable as the original note or bond, leaving any amounts previously delinquent as payable on demand. Said note or bond or the unmaturing portion thereof shall be amortized over a period not to exceed 15 years from the date of the original loan. However, in the event the foregoing procedure can not be followed under the laws and practices in any particular state, such procedure may be followed as will be in conformity with such laws and practices.

Sec. 2.03-41 (Manual Article 203-41). A bond approved by the Regional Manager and Regional Counsel unconditionally guaranteeing the performance and completion of the contract to remove and relocate improvements free and clear of all mechanics' and materialmen's liens shall be required, unless other forms of protection are authorized by the General Counsel or an Associate General Counsel. Workmen's Compensation and Public Liability Insurance, a bond against levies upon or attachment of the improvements by creditors, junior lienholders or other claimants, or such other protection as will in the opinion of the Regional Manager and Regional Counsel adequately provide against risks involved in the removal and relocation of the improvements, shall be required in each case.

Sec. 2.03-43 (Manual Article 203-43). All disbursements made for expenses incurred by the Corporation in cases subsequently rejected shall be charged to the account of the home owner.

Sec. 2.03-44 (Manual Article 203-44). The Regional Manager, with the advice

of the Regional Counsel, may direct the division of security the allocation of indebtedness to each parcel, and the execution of instruments evidencing and securing the separate debts for the purpose of permitting a sale of a parcel, or parcels, of the property and the assumption of the indebtedness allocated thereto by a financially responsible purchaser, thereby placing the home owner in a better position to retain his home and to keep his account current subject to the procedure herein set forth.

Sec. 2.03-48 (Manual Article 203-48). The Regional Manager with the advice of the Regional Counsel shall decide whether the present mortgage shall be released in full and two or more new mortgages taken in lieu thereof or whether the present mortgage shall be released in part and a new mortgage taken for the part released. Whether released in whole or in part, any new mortgage must be executed by the present home owner and the new mortgage on the property purchased must be assumed by the purchaser in the conveyance or otherwise. When the foregoing procedure pertaining to instruments to be taken cannot be followed under the laws and practices in any particular state, such procedure may be followed as shall be in conformity with such laws and practices. The total indebtedness secured by said mortgages shall equal the balance due the Corporation less any credits to the loan arising from the transaction. The Regional Manager, with the advice of the Regional Counsel, shall fix the amortization rate on any new mortgages and the terms of any supplemental agreement with the home owner providing for revised amortization of the indebtedness not assumed by the purchaser, in conformity with Section 213, Subsection 5 (d). No instrument shall be executed the effect of which will be to release or modify the rights of the Corporation against sureties or other parties secondarily liable without the express approval of the Regional Manager with the advice of Regional Counsel. When the transaction is consummated, the indebtedness to the Corporation shall be secured by liens valid in the opinion of the State Counsel, who shall make a certificate to that effect.

When the division proposed involves properties upon which the Corporation holds a sales instrument, the transaction shall be completed upon such instruments as the Regional Counsel shall approve.

Sec. 2.05-10 (Manual Article 205-10). It should be recognized that the home owner, without other source of income, may realize sufficient income from the rental of his property to carry his obligation, or may salvage his equity by the sale thereof. Such possible solutions to his problem should be carefully considered by him as a means of protecting his own interests, but neither shall be considered as a requirement of the Corporation. If he indicates a desire to fol-

low such a course, he should appoint his own agent and should enter into such a contract with him as best suits his own purposes and provide the Corporation with copies thereof for its information.

When a home owner indicates his intention to offer his property for sale Form 528 shall be executed and Form 153 may be furnished the home owner if he does not have available a form agreeable to himself and his agent. When a home owner indicates his desire to appoint an agent to collect rents he may use any agreement suitable to himself and his agent or may execute Form 152. In either event the case shall be processed in conformity with Article 205-13.

Sec. 2.05-15 (Manual Article 205-15). When home owners are contacted at their home the condition of the property and necessity of repairs should be indicated on Form 525. When inspection of property reveals the necessity of repairs for the preservation of the Corporation's security or where property is found to be unoccupied, vacant or abandoned, Property Inspection Report Form 529 should be executed as indicated in Forms Manual. Necessary Repairs are confined to repairs necessary to protect the interests of the Corporation and shall provide only for those defects which if neglected would impair the Corporation's security.

The home owner's attention should be directed to the necessary repairs, and his intentions regarding them reported.

Sec. 2.05-17 (Manual Article 205-17). The Service Representative shall be responsible for the execution of Transfer of Property by Borrower Form 530 and Report on Deceased Borrower Form 531 in accordance with instructions in the Forms Manual in all such cases coming to their attention or referred to them by the Regional Office.

All requests for the written consent of the Corporation to the transfer of property on which it holds a security instrument or instalment contract or to the assignment of an instalment contract shall be referred to the Regional Control Supervisor.

Where such written consent is not requested, but information is received from any source relative to a proposed transfer, reasonable effort shall be made to have the grantee assume the obligation in the instrument of conveyance or by separate instrument concurrently executed as the Regional or State Counsel may approve.

All cases of transfers of property on which the Corporation holds a loan or sales instrument and which comes to the attention of the field, either before or after the transfer has been consummated, shall be reported to the Regional Office on Form 530.

Sec. 2.05-18 (Manual Article 205-18). When an officer or employee of the Corporation desires to enter into a contract with a home owner to purchase any property on which the Corporation holds



a loan or sales instrument, such officer or employee shall submit to the nearest State Office a statement of the proposed sale contract, with a statement by the home owner or other satisfactory evidence that said home owner has been informed of the purchaser's relationship to the Corporation and that the proposed sale agreement is voluntarily entered into. All statements and other information relating to the transaction shall be forwarded through the Partial Release and Property Transfer Section of the Regional Office to the Regional Manager. If the Regional Manager recommends approval of the transaction, he shall forward all information with respect to the proposed sale, together with the loan docket and his recommendations to the Property Committee in Washington. The Property Committee shall report the matter with its recommendations to the General Manager for final action.

Sec. 2.06-7 (Manual Article 206-7). The Tax Section will provide the Loan Service Division with lists of home owners accounts in cases where they are preparing to pay taxes, assessments, or other levies or charges or ground rents, to protect the Corporation's security, or to avoid excessive penalties or otherwise as the General Counsel may direct. These lists will be prepared at the time the Tax Section requests bills from the tax collectors and will show loan number, surname of account, and the taxes which they are planning to pay. Ordinarily, such lists will be received by the Loan Service Division thirty days or more before payment is ordered. Upon receipt of such lists the Analysis and Review Section will review the account and recommend, on Form 532, to the Regional Manager the plan of repayment in connection with such advances. If time permits and there is not sufficient information available, the case may be referred to the field for contact with the home owner. The plan of repayment will follow the policy stated in Article 609-6. In these cases Form 532 must carry an appropriate notation for the guidance of the Regional Accountant that the plan of repayment is in connection with an advance to be made by the Tax Section as stated herein.

Sec. 2.11-1 (Manual Article 211-1). Additional security may be a factor in the solution of some delinquent cases. It is not desirable to take physical possession of personal property nor an absolute conveyance of real property because of the difficulties and expense of custody and servicing of such property. Therefore, additional security must be in the form of a mortgage or other lien on personal or real property which property will be converted into cash by the home owner or his agent at some reasonably certain future date.

Sec. 2.11-2 (Manual Article 211-2). A memorandum shall be prepared by the field describing the additional security

available under these provisions, the arrangements for its liquidation, the date when cash will be available, and any other pertinent information, and forwarded with the regular service reports through the usual channels to the Analysis and Review Section. If the Analysis and Review Section does not consider the proposal acceptable, it shall so notify the field through the Control Supervisor. If considered acceptable, the Analysis and Review Section shall submit the file with its recommendation to the Regional Manager for approval. If approved, the Regional Manager shall forward the file to the Regional Counsel for consideration of the legal phase of the case, the preparation of an agreement and such lien instruments as may be required to consummate the transaction, and specific instructions as to the manner of execution, recordation and other similar details. When such papers and instructions have been prepared and such papers executed where necessary on behalf of the Corporation, they shall be forwarded to the field for execution by the home owner and recordation if necessary. Except as provided in Section 212, if recordation is required, the home owner shall be required to deposit the cost of recordation before being permitted to execute any agreement or lien instrument. If, in the opinion of the Regional Counsel, the additional security offered should not be accepted, the file, together with his legal opinion in writing, will be returned to the Regional Manager.

Sec. 2.12-1 (Manual Article 212-1). Any Regional Manager with the advice or approval of the Regional Counsel where required, may exercise the authority granted to the General Manager in Section 212. Pending further order, such authority shall not be exercised by any State or District Manager except as may otherwise be provided in this Manual, but State and District Managers shall make such recommendation to the Regional Manager as they may see fit in connection with their reports and other recommendations in any given case.

Sec. 2.13-1 (Manual Article 213-1). Extensions of time for the making of payments may be effected as authorized in the above and foregoing section, through the use of a new obligation and security instrument, an extension agreement, or such other agreement as will adequately serve and protect the interests of the Corporation, provided that forms employed shall have been approved as required, and provided further that the execution thereof and other necessary steps touching the Corporation's legal position shall be carried out in strict compliance with the instructions of the Legal Department.

It should be noted that Form 193 is adapted to use in all classes of extensions irrespective of the payment plan contemplated. In cases involving payment other than equal monthly payments over

the remaining period of the original obligation, care should be used in setting out the terms of the agreement.

In all cases falling within the purview of subsections 1 to 5 inclusive, payments other than the initial payment must be in equal amounts and must fall due at regular intervals. In cases falling within the purview of subsection 6 the above rule does not apply. Consideration should always be given to the question of costs involved in completing the transaction.

Sec. 2.13-2 (Manual Article 213-2). Any such extension may, and ordinarily should, embrace and cover all delinquencies, whether principal or interest, and all advances previously made, or made in connection therewith, for the benefit of the home owner and charged to his account, whether due or not; all such sums to bear interest at the rate applicable to the original obligation. Advances to cover taxes, assessments, or other levies or charges, and ground rents should not be made in connection with any such extension without thorough consideration of the facts of the case. When such advances are authorized by the Regional Manager payment shall be approved by the Regional Counsel. Advances may be made for repairs, reconditioning, or insurance premiums should be handled as separate transactions and not as a part of the extension. Such transactions shall be completed before the extension is granted or handled subsequently as a separate transaction. Legal or appraisal, and other expenses incidental to the closing of the extensions, shall either be collected at the time of closing or advanced and charged to the loan or vendee account after the extension transaction is completed. All legal fees and expenses shall be incurred, approved and paid as provided in Chapter VI.

Sec. 2.13-4 (Manual Article 213-4). All applications for extension of time for the making of payments shall be made by the home owner on the approved form, which contains the agreement of the applicant that any expenses incurred in connection therewith may be charged to the applicant's account.

Sec. 2.13-5 (Manual Article 213-5). The signatures of co-makers, endorsers and other persons liable with the maker of the obligation, though ordinarily required, may be dispensed with if the Regional Counsel has advised that they will not be released from liability or the Regional Manager has determined that their release from liability will not seriously impair the Corporation's position.

Sec. 2.14-1 (Manual Article 214-1). Whenever a home owner indicates a desire to execute a special deposits agreement to accumulate sufficient funds to provide for the payment of taxes now due or to become due, insurance premiums, or other items, he shall be referred to the Loan Service Division.



which shall investigate the circumstances and if it appears to be in the best interest of the Corporation have Form 168 Revised, or other approved form, executed in quintuplicate by the home owner.

Sec. 2.15-1 (Manual Article 215-1). The Regional Manager, with the advice of Regional Counsel, may permit the payment of taxes, assessments, other governmental levies and charges and ground rents, Attorneys' fees, surveys, appraisal fees, cost of reconditioning and charges or expenses necessary in connection with the consummation of the particular transaction before directing the application of any part of the funds referred to in the foregoing Section to the home owner's account. Where the consideration (whether land, interests therein, enhancement in the value thereof, or funds) exceeds the amount by which the value of the Corporation's security is reduced or diminished by a sufficient amount for the purpose, the Regional Manager, with the advice of the Regional Counsel, may permit the payment of such other items as he may deem proper to the extent of such excess from any funds involved in such consideration. Where such excess does not exist or where it is insufficient for the payment of such other items, they may not be paid except upon the direction of the General Manager with the advice of the General Counsel.

Sec. 2.15-3 (Manual Article 215-3). Application of all miscellaneous credits except those developing out of the closing of loans, sales or resulting from advances previously charged to home owners' accounts, or from excesses of less than \$25.00 in insurance loss cases after restoration of the property shall be referred to the Partial Release and Property Transfer Section of the Regional Office on Form 194 or by the Regional Insurance Supervisor on Form 125-A. Cases involving the application of miscellaneous credits which cannot be reported on these forms shall be referred to the Partial Release and Property Transfer Section in any manner acceptable to the Regional Manager and Regional Counsel. The Supervisor of Partial Release and Property Transfer Section shall consider each case so referred and recommend to the Regional Manager and Regional Counsel the action to be taken, as well as the application of miscellaneous credits resulting from such action. When the home owner's written direction for the application of funds to taxes or other items is required and has not already been given, such written direction shall be obtained. When miscellaneous credits are to be used for the payment of taxes, the Tax Section shall prepare the vouchers and certify the amount of such payment.

(Above procedure promulgated by General Manager and General Counsel

pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647) and particularly by sub-Sections a and k of Section 4 of said Act as amended.)

Promulgated by the General Manager and the General Counsel on August 17, 1938.

[SEAL] R. L. NAGLE,  
Secretary.  
[F. R. Doc. 38-2490; Filed, August 23, 1938;  
10:15 a. m.]

PART 6.—LEGAL  
BONDS OF INDEMNITY

Be it resolved, That sub-Section 6.04 (c) of Part 6 of Chapter IV of Title 24 of the Code of Federal Regulations and the corresponding sub-section 604 (c) of Chapter VI of the Manual are hereby amended to read as follows:

SECTION 6.04 (c) (Manual Section 604 (c)).

"The General Manager with the approval of the General Counsel is authorized to approve and accept bonds of indemnity offered to the Corporation for the purpose of protecting it against loss, and, with like approval, may effect their cancellation. Such authority may be exercised also by the Regional Manager with the approval of the Regional Counsel under procedure and limitations prescribed by the General Manager with the approval of the General Counsel."

Adopted by the Federal Home Loan Bank Board on August 18, 1938.

[SEAL] R. L. NAGLE,  
Secretary.  
[F. R. Doc. 38-2479; Filed, August 23, 1938;  
10:15 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF COUNTY FOR TENANT PURCHASE LOANS

WYOMING

AUGUST 23, 1938.

Purchase to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the Wyoming State Farm Security Advisory Committee, the following county is hereby re-

designated<sup>1</sup> as that in which loans, pursuant to said Title, may be made under the provisions of said Order for the fiscal year ending June 30, 1939:

Goshen.  
[SEAL] H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-2486; Filed, August 23, 1938;  
12:40 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 279]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 18, 1938.

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

Project designation	Amount
Arkansas R9014B1 Pope.....	\$100,000
Colorado R9007B1 Mesa.....	48,000
Colorado R9014B1 Alamosa.....	168,000
Colorado R9017B1 Prowers.....	303,000
Georgia R9008B1 Wilkes.....	217,000
Georgia R9017B1 Burke.....	160,000
Georgia R9039B1 Hart.....	229,000
Georgia R9066C1 Taylor.....	419,000
Georgia R9088A1 Telfair.....	234,400
Georgia R90090A1 Candler.....	290,000
Illinois R9023C1 Sangamon.....	110,000
Indiana R9009A3 Marshall.....	40,000
Indiana R9053A1 Steuben.....	278,000
Indiana R9059B1 Wayne.....	209,000
Iowa R9046A1 Pottowattamie.....	150,000
Kentucky R9023A1 Taylor.....	179,000
Kentucky R9034A1 Barren.....	191,300
Kentucky R9035A1 Warren.....	137,000
Louisiana R9008A1 Terrebonne.....	110,800
Michigan R9029B1 Ontonagon.....	249,000
Michigan R9028C1 Presque Isle.....	179,000
Michigan R9039B1 Van Buren.....	269,000
Michigan R9038B1 Cass.....	688,000
Minnesota R9032B1 Fillmore.....	573,000
Minnesota R9034B1 Stearns.....	490,000
Minnesota R9058A1 Kandiyohi.....	97,000
Minnesota R9061B1 Freeborn.....	286,000
Minnesota R9062B1 Wright.....	215,000
Mississippi R9040A1 Smith.....	593,000
Missouri R9024B1 Callaway.....	59,200
Missouri R9032A1 Atchison.....	217,000
Montana R9013B1 Flathead.....	91,000
New Jersey R9004B1 Monmouth.....	128,000
New Mexico R9009B1 Curry.....	106,000
Ohio R9024B1 Delaware.....	53,000
Ohio R9050B1 Union.....	61,100
Ohio R9059C1 Coshocton.....	294,000
Ohio R9059B1 Morrow.....	61,000
Pennsylvania R9006D1 Indiana.....	225,000
South Carolina R9013C1 Greenwood.....	93,000
Tennessee R9020C1 Gibson.....	192,500
Texas R9050B1 Grayson.....	173,000
Texas R9055A1 Floyd.....	189,000
Texas R9059A1 Lamb.....	161,000
Virginia R9031B1 Mecklenburg.....	215,000
Wisconsin R9043B1 Grant.....	257,000

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 38-2476; Filed, August 23, 1938;  
9:40 a. m.]

<sup>1</sup> 3 F. R. 599 DI.



[Administrative Order No. 280]

## ALLOCATION OF FUNDS FOR LOANS

AUGUST 13, 1938.

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

<i>Project designation</i>	<i>Amount</i>
Georgia 9067B1 Bacon.....	\$165,000
Iowa 9027B1 Buena Vista.....	389,000
Kentucky 9045A1 Anderson.....	190,800
Kentucky 9046A1 Harrison.....	201,500
Michigan 9020B1 Delta.....	260,000
Michigan 9041A1 Oceana.....	262,000

<i>Project designation</i>	<i>Amount</i>
Minnesota 9066C1 Nobles.....	356,000
Missouri 9034A1 Macon.....	343,500
Texas 9044B1 Hunt.....	61,700
Texas 9063B1 Navarro.....	168,500

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 38-2477; Filed, August 23, 1938; 9:40 a. m.]

[Administrative Order No. 281]

## ALLOCATION OF FUNDS FOR LOANS

AUGUST 18, 1938.

By virtue of the authority vested in me by the provisions of Section 5 of the

Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule.

<i>Project designation</i>	<i>Amount</i>
Georgia R9070W2 Mitchell.....	\$6,000
Indiana R9018W1 Rush.....	12,000
Iowa R9049W1 Hardin.....	5,000
Ohio R9032W1 Belmont.....	3,000
Ohio R9041W1 Licking.....	5,000
Ohio R9050W1 Union.....	2,400

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 38-2478; Filed, August 23, 1938; 9:40 a. m.]