TITLE 6—AGRICULTURAL CREDIT
Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans
[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES
AVERAGE VALUES OF FARMS; MARYLAND AND NEW HAMPSHIRE

On October 14, 1957, for the State of Maryland and on October 15, 1957, for the State of New Hampshire, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 331.17, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties (subdivisions). Redesignations of Mayaguez and Yauco were made on August 9, 1957, and appear at 22 F. R. 6549.

PUERTO RICO Average value
County: Average value
Mayaguez ........................................... $20,000
San German ....................................... 25,000
Yauco .............................................. 24,000

(Doc. 41, 50 Stat. 528, as amended; 7 U.S.C. 1010)

Dated: October 25, 1957.
[Seal] K. H. Hansen,
Administrative
Farmers Home Administration.
[F. R. Doc. 57-9026; Filed, Oct. 30, 1957; 8:53 a.m.]

TITLE 7—AGRICULTURE
Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Ammdt. 2]
PART 728—WHEAT
SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR 1958 CROP

REVISION OF OLD FARM AND NEW FARM DEFINITIONS

Basis and purpose. The amendments herein are issued under the Agricultural Adjustment Act of 1938, as amended, and (Continued on p. 8779)
in addition to, the amount of the award or settlement. If the award or settlement is $500 or more the fee shall not exceed 10 per centum of the amount of the award or settlement. Any attorney who receives more than the amount allowed may be liable to a fine of not more than $2,000 or imprisonment of not more than one year, or both. Attorneys’ fees will be fixed only upon the written request of the claimant or his attorney.

SUBPART C—ACT OF AUGUST 1, 1956

§ 62.15 General. (a) The act of August 1, 1956 (70 Stat. 890; 5 U.S. C. Supp. IV, 1956, 1964, 23 U.S. C. 2072), as amended, when such claims arise in foreign countries in connection with Department of State operations abroad. Consequently, the Federal Tort Claims Act and Subpart B of this part are not applicable to claims filed under the act of August 1, 1956, except that no provision has been made in that act for the institution of suit if a claim is denied.

SUBPART D—ACT OF JUNE 19, 1939

§ 62.16 General. The act of June 19, 1939 (53 Stat. 841; 22 U. S. C. 277e), provides as follows:

The Secretary of State acting through such officers as he may designate, is further authorized to consider, adjust, and pay from funds appropriated for the project, the construction of which resulted in damages, any claim for damages occurring after March 31, 1939, caused to owners of land or other private property of any kind by reason of the operation of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the American Commissioner, International Boundary Commission, United States and Mexico, so that such claim does not exceed $1,000 and has been filed with the American Commissioner within one year after the damage is alleged to have occurred; and when in the opinion of the Commissioner such claim is substantiated by a report or a board appointed by the said Commissioner.

This act covers only claims for damages to lands or other private property and not claims for personal injuries. (Dec. 29, 1943, unpublished.) To the extent that claims for damages to lands or other private property are based upon negligence, the provisions of this act have been superseded by the Federal Tort Claims Act (36 Comp. Gen. 452, Decision B-61757, January 6, 1947). Hence claims cognizable under the act of June 19, 1939, are limited to damages occurring after March 31, 1937: (a) for damages to lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the Commissioner; (b) where such claims do not exceed $1,000; and (c) which claims are not based upon the negligence of any officer of the Government acting within the scope of his employment.

§ 62.17 Exclusion. Claims which are cognizable under the Federal Tort Claims Act are not cognizable under the act of June 19, 1939.

§ 62.18 Limitations. No claim will be considered by the Commissioner under this subpart unless filed with him within one year after the damage is alleged to have occurred.

§ 62.19 Action by claimant. The provisions of § 62.4 shall be applicable to claims for damages cognizable under this subpart, except those provisions relating to personal injury or death.

§ 62.20 Payment of claim. Upon receipt of a claim by the Commissioner, the Commissioner will forward a board to investigate the facts surrounding the claim and to make its report and recommendation to the Commissioner. The Commissioner will thereupon approve the claim in whole or in part or, disapprove the claim.

§ 62.21 Notice of decision. When the claim has been approved in whole or in part, and claimant accepts the settlement tendered by the Commissioner, the claimant will execute a release of his claim in the form prescribed by the Commissioner and will execute a release of the Commissioner and will execute a release of the claim.

§ 62.22 Notice of decision. The file on the case, including the claim, the findings of the board, the approval of the Commissioner, the release, and the decision, shall be transmitted by the Commissioner to the General Accounting Office for settlement.

§ 62.23 Notice of decision. This regulation shall become effective immediately upon publication in the Federal Register. The provisions of section 4 of the General Procedures Act (50 Stat. 238, 5 U. S. C. 1003) relative to notice of proposed rule making are inapplicable and unnecessary since the regulation involves in part the foreign affairs function of the United States and incorporates interpretive rules and procedures contained in Department Regulation 108.3, which was published in the Federal Register on November 1, 1947 (12 F. R. 7100).

DATED: October 18, 1957.

For the Secretary of State.

LOY W. HENDERSON,
Deputy Under Secretary for Administration.

[FR Doc. 57-9976; Filed, Oct. 30, 1957; 8:45 a.m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter S—Monies, Tribal and Individual

PART 223—JUDGMENT FUNDS, SHOSHONE TRIBE OF THE WIND RIVER RESERVATION, WYOMING

MISCELLANEOUS AMENDMENTS

§ 223.54 to 223.70 are renumbered §§ 223.14 to 223.20 respectively.

§ 223.10 Trust status of property. Title to all real property to be acquired with restricted funds, when such property is situated with the diminished portion of the Wind River Reservation, shall be taken in trust for the individual. Title to personal property acquired pursuant to a purchase order shall be taken in trust. Livestock purchased and the offspring thereof shall be marked or branded with the individual brand of the owner. The provisions of this section are subject to the provisions of § 223.12.

4. Reversed sections containing references to other sections are amended to reflect changes in numbering as follows:

In § 223.55, renumbered § 223.6, the reference to § 223.53 is changed to § 223.4 and the reference to §§ 223.54 is changed to § 223.5.

In § 223.58, renumbered § 223.9, the reference to § 223.68 is changed to § 223.18.

In § 223.66, renumbered § 223.11, the reference to § 223.52 is changed to § 223.3.

In § 223.68, renumbered § 223.18, the reference to § 223.58 is changed to § 223.4.

Reference to §§ 223.50 through 223.55 is changed to §§ 223.1 through 223.6.

In § 223.69, renumbered § 223.19, the reference to § 223.68 is changed to § 223.18.


FRED A. SEATON,
Secretary of the Interior.

October 25, 1957.

[FR Doc. 57-9976; Filed, Oct. 30, 1957; 8:45 a.m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS’ RELIEF

Chapter I—Veterans Administration

PART 5—The Board on Waivers and Forfeitures and Committees on Waivers in Field Offices

MISCELLANEOUS AMENDMENTS

1. The headnote of Part 5 is amended as shown above.

2. Sections 5.0, 5.1, and 5.2 are revised to read as follows:

§ 5.0 Overpayments that may be considered. (a) The Board on Waivers and Forfeitures and the Committees on Waivers in the field offices have jurisdiction to determine whether there will be a waiver of recovery of overpayments any indebtedness of the kind specified in paragraph (d) of this section, and erroneous payments (hereinafter referred to as overpayments) under the General Law, the acts providing for service pension, the War Risk Insurance Act, the Vocational Rehabilitation Act, the World War Veterans' Act, 1924, Public Law 2, 73rd Congress, including World War I emergency officers’ retirement pay thereunder, Public Laws 78, 141, and 484, of