

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

ALICE TEE AUSTIN

ALICE ELIZABETH AUSTIN

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -4859

Decision No. CU 3109

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was presented by ALICE TEE AUSTIN and ALICE ELIZABETH AUSTIN based on their interests in a bond issued by the Association of the Religious Community of the Company of Jesus of Bethlehem College of Havana and upon their ownership of common stock interest in Cia. Azucarera Vertientes-Camaguey de Cuba.

In our decisions entitled the Claim of Gustavus Basch, Claim No. CU-0972, and the Claim of Ruth Anna Haskew, Claim No. CU-0849 (which we incorporate herein by reference), we held that the properties owned or controlled by the aforementioned Bethlehem College and Vertientes-Camaguey Sugar Company of Cuba were nationalized or otherwise taken by the Government of Cuba on May 3, 1961 and August 6, 1960, respectively, and that these types of claims are compensable to American nationals under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per unit of the subject bonds and stock.

On the basis of evidence in the record in the instant case, the Commission finds that these claimants come within the terms of the Basch and Haskew decisions; that they were American nationals at the requisite times; that they are and, since prior to May 3, 1961, have been the owners as tenants in common of a bond in the original face amount of \$500.00 issued

by the Association of the Religious Community of the Company of Jesus of Bethlehem College of Havana, and known as 5-1/4% First Mortgage Six Year Gold Bonds, due February 1, 1934, under an Agreement of May 22, 1928, with the Bankers Trust Company, Trustee; that they are and, since prior to August 6, 1960, have been the owners as tenants in common of 25 shares of common stock of Cia. Azucarera Vertientes-Camaguey de Cuba (Vertientes-Camaguey Sugar Company of Cuba); and that they suffered losses, within the meaning of Title V of the Act, in the amounts and on the dates set forth herein below:

Claimant, ALICE TEE AUSTIN:

<u>Date of Loss</u>	<u>Amount</u>
August 6, 1960	\$579.94
May 3, 1961	114.79

Claimant, ALICE ELIZABETH AUSTIN:

<u>Date of Loss</u>	<u>Amount</u>
August 6, 1960	\$579.93
May 3, 1961	114.80

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the respective dates of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and it is so ordered.

CERTIFICATION OF LOSS

The Commission certifies that ALICE TEE AUSTIN suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Six Hundred Ninety-four Dollars and Seventy-three Cents (\$694.73) with interest thereon at 6% per annum from the respective dates of loss to the date of settlement; and

the Commission certifies that ALICE ELIZABETH AUSTIN suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Six Hundred Ninety-four Dollars and Seventy-three Cents (\$694.73) with interest at 6% per annum from the respective dates of loss to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

SEP 25 1968

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimants establish retention of the securities for the loss here certified.

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The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)