

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

IN THE MATTER OF THE CLAIM OF

MARY E. SCOTT

Claim No. CU-0750

Decision No. CU -89

Under the International Claims Settlement
Act of 1949, as amended

Appeal and objections from a Proposed Decision entered June 28, 1967.
No oral hearing requested.

Hearing on the record held on October 18, 1967.

FINAL DECISION

This claim, for \$7,859.00, based upon the asserted ownership and loss of stock interests in Vertientes-Camaguey Sugar Company of Cuba, was denied by Proposed Decision dated June 28, 1967, for the reason that claimant had not met the burden of proof in that she had failed to establish ownership of rights and interests in property which was nationalized, expropriated, intervened, or otherwise taken by the Government of Cuba.

Claimant objected to the Proposed Decision and submitted a photo reproduction of portions of stock certificates showing the issuing corporation, the certificate numbers and the number of shares, but not indicating the name of the stockholder, the date of issue or any transfer of ownership.

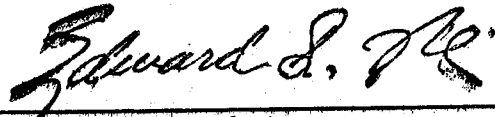
Upon consideration of the entire record, including claimant's objections and the material submitted thereafter, the Commission finds that claimant has not established by evidence of sufficient probative value that she is the owner of shares of stock in Vertientes-Camaguey Sugar Company which have been owned by a United States national from the asserted day of loss to the day on which this claim was filed, or that she is a national of the United States.

Accordingly, it is

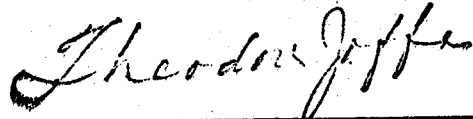
ORDERED that the Proposed Decision denying this claim be and it hereby is affirmed and entered as the Final Decision of the Commission on this claim.

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

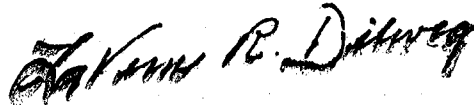
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Edward D. Re, Chairman



Theodore Jaffe, Commissioner



LaVern R. Dilweg, Commissioner

CU-0750

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OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

MARY E. SCOTT

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -0750

Decision No. CU 89

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, for \$7,859.00, was presented by MARY E. SCOTT based upon the asserted ownership and loss of a stock interest. Claimant states that she has been a national of the United States since her birth in Philadelphia, Pennsylvania, on August 30, 1905.

Under Section 503 of the International Claims Settlement Act of 1949, as amended (64 Stat. 12; 69 Stat. 562; 72 Stat. 527; 78 Stat. 1110; 79 Stat. 988), the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. That section provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

(a) . . . losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States, . . .

Section 504 of the Act provides, as to Ownership of Claims, that

(a) A claim shall not be considered under section 503(a) of this title unless the property on which the claim was based was owned wholly or partially, directly or indirectly by a national of the United States on the date of the loss

and if considered shall be considered only to the extent the claim has been held by one or more nationals of the United States continuously thereafter until the date of filing with the Commission.

The claim herein is based upon 300 shares of stock issued by the Vertientes-Camaguey Sugar Company of Cuba, which claimant asserts were purchased by her on January 9, 1952, for the sum of \$4,275.00. The amount of the claim includes the purchase price and interest on that amount at the rate of 6% per annum since the purchase date.

The Regulations of the Commission provide:

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim. (FCSC Reg., 45 C.F.R. § 580.8 (Supp. 1965).)

Claimant has submitted no documentation in support of her claim, although in a letter dated August 3, 1966, suggestions were made to her regarding the type of evidence to be submitted in order to establish her claim under the Act. Further requests were made to claimant for documentation to establish the claim on October 26, 1966 and November 28, 1966. However, no evidence has been received.

The Commission therefore finds that claimant has not met the burden of proof in that she has failed to establish ownership of

rights and interests in property which was nationalized, expropriated, intervened, or otherwise taken by the Government of Cuba. Accordingly, this claim is denied.

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

JUN 28 1967

Edward D. Re

Edward D. Re, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

LaVern R. Dilweg

LaVern R. Dilweg, Commissioner

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 upon the expiration of 30 days after such service or receipt of notice, the decision will be entered as the Final Decision of the Commission, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g) as amended, 32 Fed. Reg. 412-13 (1967).)