

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

IN THE MATTER OF THE CLAIM OF

MARGARET CLANTON

Claim No. CU-2397

Decision No. CU 161

Under the International Claims Settlement
Act of 1949, as amended

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 MARGARET CLANTON in the amount of \$38,500.00 based upon the asserted confiscation of certain unimproved real estate located on the Isle of Pines, Cuba. Claimant states that she has been a national of the United States since her birth on January 10, 1904 in North Carolina.

Under Title V of the International Claims Settlement Act of 1949, [78 Stat. 1110 (1964), 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba, Section 503(a) of the Act 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

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.

This claim is based upon the confiscation of certain unimproved real property consisting of 17 lots located in Monterrey Manors and 40 acres of land located in Santa Rosalia, all situated in Nueva Gerona on the Isle of Pines, Cuba.

Although the claimant has the burden of proof in establishing her claim, suggestions were made to claimant as to evidence appropriate to submit in support of the claim. By Commission letter of June 16, 1967, it was suggested that there be submitted the original deeds to the real property as well as evidence that claimant was the owner of the property from the date of purchase until the property was nationalized by the Cuban Government. In addition, it was also suggested that evidence of the nationalization or other taking, the value of said property and proof of the United States nationality of the claimant be submitted.

No evidence in support of this claim has been furnished. By letter of July 7, 1967, claimant advised the Commission in substance that the subject claim will not be developed further for the reason that claimant either does not wish to or cannot supply the necessary evidence.

Consequently, it is clear that the claimant does not choose to establish that she has any claim against the Government of Cuba.

Accordingly, for the reasons stated above, the Commission concludes that this claim is not one within the purview of Title V of the Act, supra, and it is denied.

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

JUL 26 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, 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).)

CERTIFICATION

This is a true and correct copy of the decision
of the Commission which was entered as the final
decision on **AUG 25 1967**

CU-2397

Francis M. Masters
Clerk of the Commission