

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

IN THE MATTER OF THE CLAIM OF

J. M. THOMSON, JR.

Claim No. CU-4971

Decision No. CU 2871

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 J. M. THOMSON, JR., and is based on the asserted loss of his interest in bonds issued by the Cuba Railroad Company. Claimant has been a national of the United States since his birth.

As is fully set forth in the original decision involving the subject bonds (See Claim of Joseph C. Gans, Claim No. CU-1720 which is hereby incorporated herein and made a part hereof by reference) this type of claim for loss of a bond interest is compensable under the conditions and facts set forth in Gans. There is no need to again detail herein the reasons for such a determination or the method arrived at in determining the value per share of stock which came to \$46.3946 per unit.

On the basis of the evidence of record, the Commission finds that claimant is, and since prior to October 13, 1960, has been the owner of four bonds in the original face amount of \$4,000.00, issued by the Cuba Railroad Company and known as First Mortgage Gold Bond, and has suffered a loss in the amount of \$1,971.44 in connection with his bond within the meaning of Title V of the Act.

Accordingly, the Commission concludes that the amount of loss sustained by claimant shall be increased by interest thereon at the rate of 6% per annum from October 13, 1960, the date of loss, to the date on which provisions are made for settlement thereof. (See Gans, supra).

CERTIFICATION OF LOSS

The Commission certifies that J. M. THOMSON, JR., suffered a loss as a result of action 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 One Thousand Nine Hundred Seventy-One Dollars and Forty-Four Cents (\$1,971.44) with interest thereon at 6% per annum from October 13, 1960 to the date of settlement.

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

AUG 21 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 claimant establishes retention of the securities or the loss here certified.

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).)