

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES

WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

JAMES EARLY AND WORCESTER
COUNTY NATIONAL BANK, EXECUTORS,
ESTATE OF ROSE S. EARLY, DECEASED

Claim No. CU - 7336

Decision No. CU - 4768

Under the International Claims Settlement
Act of 1949, as amended

Represented by Cia. Azucarera Atlantica del Golfo

Counsel for Cia. Azucarera Atlantica del Golfo: Dewey, Ballantine, Bushby,
Palmer & Wood
By William C. Bush, Esq.

AMENDED PROPOSED DECISION

By Proposed Decision dated April 22, 1970, the Commission certified that ROSE S. EARLY suffered a loss in the amount of Twenty-Seven Thousand Two Hundred Forty-Four Dollars and Eighty Cents (\$27,244.80) with interest thereon at 6% per annum from August 6, 1960 to the date of settlement based on her ownership of 800 shares of Cia. Azucarera Atlantica del Golfo which was nationalized by the Government of Cuba on August 6, 1960. Thereafter, evidence was submitted to the Commission to establish that the claimant, ROSE S. EARLY, died on November 8, 1969, subsequent to filing this claim with the Commission and that JAMES EARLY and the WORCESTER COUNTY NATIONAL BANK were appointed as the Executors of her estate. Upon consideration of this matter, it is

ORDERED that the Proposed Decision be and it is hereby amended as follows:

On the basis of the evidence of record, the Commission finds that ROSE S. EARLY, the former claimant herein, died on November 8, 1969, and that JAMES EARLY and the WORCESTER COUNTY NATIONAL BANK were appointed as the Executors of her estate and in this capacity succeeded to the claim of ROSE S. EARLY, deceased, and accordingly, are substituted as claimants in this matter.


The certification of loss, as restated below, will be entered and in all other respects the Proposed Decision is affirmed.

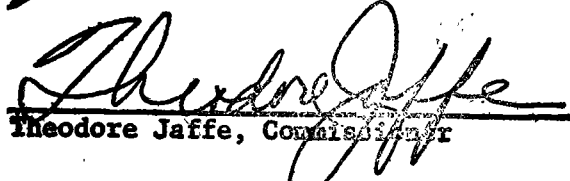
CERTIFICATION OF LOSS

The Commission certifies that JAMES EARLY AND THE WORCESTER COUNTY NATIONAL BANK, EXECUTORS OF THE ESTATE OF ROSE S. EARLY, DECEASED, succeeded to and 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 Twenty-Seven Thousand Two Hundred Forty-Four Dollars and Eighty Cents (\$27,244.80) with interest thereon at 6% per annum from August 6, 1960 to the date of settlement.

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

MAY 27 1970


Lytle S. Garlock, Chairman


Theodore Jaffe, Commissioner


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 Amended 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).)

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

IN THE MATTER OF THE CLAIM OF

ROSE EARLY

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-7336

Decision No. CU 4768

Represented by Cia. Azucarera Atlantica del Golfo

Counsel for Cia. Azucarera Atlantica del Golfo:

Dewey, Ballantine, Bushby, Palmer & Wood - By William C. Bush, Esq.

PROPOSED DECISION

Claimant, ROSE EARLY, who owned a stock interest in the Cia. Azucarera Atlantica del Golfo, asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Company.

In our decision entitled the Claim of Helen M. Dye (Claim No. CU-0807 which we incorporate herein by reference), we held that the properties owned by the Company were nationalized or otherwise taken by the Government of Cuba on August 6, 1960, and that this type of claim is compensable to an American national 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 share of \$34.056.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Dye decision; that she was an American national at the requisite times; that she has been the owner of 800 shares of stock in the Cia. Azucarera Atlantica del Golfo since prior to August 6, 1960, and that she suffered a loss in the amount of \$27,244.80 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from August 6, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (Dye, supra.)

CERTIFICATION OF LOSS

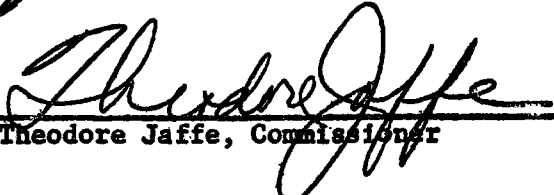
The Commission certifies that ROSE EARLY suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Twenty-seven Thousand Two Hundred Forty-four Dollars and Eighty Cents (\$27,244.80) with interest at 6% per annum from August 6, 1960 to the date of settlement.

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


APR 22 1970



Lyle S. Garlock, Chairman



Theodore Jaffe, Commissioner



Sidney Freidberg, Commissioner

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