

INTERNATIONAL CLAIMS COMMISSION OF THE UNITED STATES  
DEPARTMENT OF STATE  
Washington, D. C.

In the Matter of the Claim of

RAYNE V. VEALE  
603 Locust Street  
Eurekafield, California

Bucket No, Pan-44

Decision No. 40

Under the Convention between the United States and Panama, effective October 11, 1950 and the International Claims Settlement Act of 1949

Counsel for Claimant:

HENRY J. ELSEFISCH  
Suite 921 Mills Building  
220 Montgomery Street  
San Francisco 4, California

PROPOSED DECISION OF THE COMMISSION

This is a claim by Rayne V. Veale, widow and sole beneficiary of the Estate of William North Veale, deceased. The Claim is based on the nullification on October 20, 1931, by a judgment of the Supreme Court of Justice of the Republic of Panama, of William North Veale's title to approximately 160 acres of land in the so-called "El Encanto Tract", located in the District of Denoso, Province of Colon, Panama.

William North Veale, a national of the United States by birth, on October 13, 1870, was the owner of 64.76 hectares or approximately 160 acres of unimproved land in the El Encanto Tract, when such land was declared the property of the Republic of Panama, by a judgment of the Supreme Court of Justice of the Republic of Panama, on October 20, 1931. (Used dated September 17, 1918 and recorded November 26, 1918 in the Office of Registry of Property, Section of Colon) As evidenced by two affidavits of claimant, William North Veale died intestate on April 16, 1945, leaving surviving him his widow, claimant herein, and a daughter, both nationals of the United States; all of the decedent's property at the time of his death

was community property of the decedent and his widow; decedent left no will and there was no probate of his estate; under the law of California, Section 201 of the Probate Court of California, claimant, the surviving spouse of the deceased, is entitled to succeed to all property standing in his name or to any money or property that he had been entitled to collect if he were alive. Thus, Kayne V. Veale, surviving spouse of William North Veale, succeeded to the claim herein.

Pursuant to the Convention dated October 11, 1950, between the Governments of the United States and Panama, the latter, without admission of any liability, agreed to pay to the United States the total sum of \$400,000 in settlement of all claims of American citizens who had acquired land in the El Encanto Tract. It is, therefore, unnecessary for this Commission to inquire into the circumstances or legality of the nullification.

The principal issue in this claim, and the 66 other claims before the Commission based upon the taking of land in the El Encanto Tract, is that of value. In the Memorial, filed by the United States with the General Claims Commission, United States and Panama (Under the Conventions of July 23, 1926 and December 17, 1932), on behalf of the Mariposa Development Company and 55 other claimants for approximately 114,000 hectares, or approximately 95% of the entire tract, the land was valued at \$12.50 a hectare. That value was supported by evidence that some 50 parcels had been sold at that price to individual purchasers. There is also evidence of sales at \$10.11 a hectare, \$6.50 a hectare, \$2.70 a hectare, etc. It is also shown that approximately 50,000 hectares, claimed by the Mariposa Development Company, were assessed for tax purposes from 1921 to 1924 at a little less than \$3.00 a hectare; from 1925 to 1928 at \$11.25 a hectare, and from 1929 to 1932 at a little more than \$3.00 a hectare.

After the denial of the claims of the Mariposa Development Company, and others, by the General Claims Commission in 1933, on jurisdictional grounds, extended discussions and negotiations were had between representatives of the Governments of the United States and Panama for

the lump sum settlement of all claims of American nationals who had acquired property in the El Encanto Trust. The final sum fixed by the two Governments, in the Convention of October 11, 1950 was \$100,000 for the entire tract of approximately 120,000 hectares, or about \$3.33 a hectare. No evidence has been filed with the Commission indicating that any of the land in the Trust was improved or that it varied in value.

On consideration of all evidence and data of record, the Commission is of the opinion that all of the land in the El Encanto Trust was worth at least \$1.00 per hectare on October 20, 1931, the date of the final judgment of the Supreme Court of Panama, and that all meritorious claims should be allowed at that value. Inasmuch as there is only the lump sum of \$100,000 available, less authorized deductions for administration expenses, for the satisfaction of all the claims, it is apparent that an award for a larger amount, or an award of interest, could not be satisfied from the proceeds of such fund.

AWARD

On the above evidence and grounds, this claim is allowed and an award is hereby made to Yago V. Vozlo, claimant, in the amount of \$259.04 without interest.

Dated At Washington, D. C.

MAY 21 1954

I hereby certify that the within is a true and correct copy of the original Proposed Decision on file with this Commission

A. C. Coates  
Deputy Clerk of the Commission

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

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In the Matter of the Claim of

**MAYNE V. VRALE**  
603 Locust Street  
Haberfield, California

Docket No. FAH-44

Decision No. 40

Under the Convention between the United  
States and Panama, effective October 11,  
1940, and the International Claims  
Settlement Act of 1949

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**Counsel for Claimant:**

**HENRY J. KLERFISCH**  
Suite 921 Mills Building  
220 Montgomery Street  
San Francisco 4, California

**FINAL DECISION**

Thirty days having elapsed since the Claimant herein was notified of the Proposed Decision of the Commission on the above Claim, and no objections thereto or notice of intention to file brief or request for hearing having been filed, such Proposed Decision is hereby adopted as the Commission's final decision on this Claim.

Dated at Washington, D. C.

AUG 23 1954

I hereby certify that the within is a true and correct copy of the original Final Decision on file with this Commission.

A. C. Coates  
Deputy Clerk of the Commission