

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

In the Matter of the Claim of

LUCIE SEWELL FISCHER  
2457 Silver Strand  
Hermosa Beach, California

Claim No. SOV-42,835

Decision No. SOV-998

Under Section 305(a) of the International  
Claims Settlement Act of 1949, as amended

FINAL DECISION

The Commission issued its Proposed Decision on this claim on November 20, 1957, a certified copy of which was duly served upon the claimant(s). No objections or request for a hearing having been filed within twenty days after such service and general notice of the Proposed Decision having been given by posting for thirty days, it is ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on this claim.

Washington 25, D. C.

JAN 16 1958

*Whitney Gilliland*  
*Paul Kiser*  
*Henry B. Clay*

*ZRR*  
*on 2/2*  
*[Signature]*

COMMISSIONERS

517

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

LUCIE SEWELL FISCHER  
2457 Silver Strand  
Hermosa Beach, California

Claim No. SOV-42,835

Decision No. SOV-998

Under the International Claims Settlement  
Act of 1949, as amended

gpc 16-72126-1

AMENDED PROPOSED DECISION

The Commission, on December 19, 1956, issued its Proposed Decision No. SOV-998 denying the claim herein for the reasons set forth in Proposed Decision No. SOV-230, In the Matter of the Claim of Charles D. Siegel. On May 9, 1957, the Commission (Commissioner Henry J. Clay dissenting) issued its Order No. SOV-230 vacating the Proposed Decision In the Matter of the Claim of Charles D. Siegel, and held that claims based on securities payable in currency other than United States dollars, issued by predecessors of the Soviet Government, are within the purview of Section 305(a)(2) of the International Claims Settlement Act of 1949, as amended.

However, under the aforesaid Section of the Act and under well-established principles of international law relating to claims espoused by the United States against other governments, eligibility for compensation requires, among other things, that the property which was the subject of damage or loss must have been owned by a United States national at the time the damage or loss occurred and that the claim arising as a result of such damage or loss must have been continuously owned thereafter by a United States national.

In the case of securities issued by predecessors of the Soviet Government, it is concluded that a claim arose on February 10, 1918, the date the Soviet Government formally repudiated all obligations of its predecessors.

Claimant asserts that she purchased the bonds upon which her claim is based, on April 10, 1919, but the record shows that she was not a citizen of the United States between August 30, 1912, the date of her marriage to an alien, and December 18, 1936, the date of her repatriation as a citizen of the United States.

Accordingly, the Commission finds that the claim was not continuously owned by a United States national.


For the foregoing reason the claim must be, and is hereby, denied.

Dated at Washington, D. C.

NOV 20 1957

ZRR  
on 28  
mgj

FOR THE COMMISSION:

  
Joseph Stein, Director  
Soviet Claims Division

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

In the Matter of the Claim of

LUCIE SEWELL FISCHER  
2457 Silver Strand  
Hermosa Beach, California

Claim No. SOV-42,835

Decision No. SOV 998

Under Section 305(a) of the International  
Claims Settlement Act of 1949, as amended

PROPOSED DECISION OF THE COMMISSION


This claim is based upon the loss allegedly sustained by claimant(s) as the owner(s) of bond(s), payable in currency other than United States dollars, issued by a predecessor of the Soviet Government.

For the reasons specified in the attached Proposed Decision, No. SOV-230, In the Matter of the Claim of Charles D. Siegel (SOV-40,017), this claim is denied.

Dated at Washington, D. C.

987  
56.  
DEC 19 1956

FOR THE COMMISSION:

  
Harold W. Matthews, Director  
Soviet Claims Division