

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

IN THE MATTER OF THE CLAIM OF

ST. LOUIS UNION TRUST COMPANY,  
TRUSTEE U/IND/TRUST,  
JOHANNA F. PUSCH, DECEASED

Claim No. CU-1603

Decision No. CU

4304

Under the International Claims Settlement  
Act of 1949, as amended

PROPOSED DECISION

Claimant, ST. LOUIS UNION TRUST COMPANY, TRUSTEE U/IND/TRUST, JOHANNA F. PUSCH, DECEASED, who owned a "Belen" bond issued by the Association of the Religious Community of the Company of Jesus of Bethlehem College of Havana, 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 Gustavus Basch (Claim No. CU-0972 which we incorporate herein by reference), we held that the properties of the College were nationalized or otherwise taken by the Government of Cuba on May 3, 1961, 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 \$1,000 bond of \$459.17 including interest to May 3, 1961.

On the basis of evidence in the record in the instant case, the Commission finds that JOHANNA F. PUSCH (now deceased) came within the terms of the Basch decision; that she was an American national at the requisite times; that she had been the owner of two Belen bonds since prior to May 3, 1961; and that she suffered a loss in the amount of \$918.34 within the meaning of Title V of the Act. JOHANNA F. PUSCH entered into a Trust Agreement with ST. LOUIS UNION TRUST COMPANY on February 19, 1963. Grantor died on February 20, 1965. Under the terms of the Indenture, Trustee remains in control of the trust estate for a specified period. The beneficiaries and remaindermen are nationals of the United States.

The Commission further finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from May 3, 1961, the date of loss, to the date on which provisions are made for the settlement thereof. (See Basch, supra.)

CERTIFICATION OF LOSS

The Commission certifies that ST. LOUIS UNION TRUST COMPANY, TRUSTEE U/IND/TRUST, JOHANNA F. PUSCH, 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 Nine Hundred Eighteen Dollars and Thirty-four Cents (\$918.34) with interest at 6% per annum from May 3, 1961 to the date of settlement.

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

DEC 10 1969

*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 for 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).)