

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

IN THE MATTER OF THE CLAIM OF

LULU LEISEMER WHITE and  
MARIE LOUISE VOSE WHITE VEST  
Executrices and Trustees under the  
Last Will of EDWIN ELLIS WHITE, dec'd.  
1122 Eleventh Avenue  
Huntington, West Virginia

Claim No. SOV-41,058

Decision No. SOV-801

Under the International Claims Settlement  
Act of 1949, as amended

GPO 16-75120-1

FINAL DECISION

The Commission issued its Proposed Decision on this claim on  
**May 28, 1958**, a copy of which was duly served upon the  
claimant. 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, and it is further

ORDERED that the award granted pursuant thereto be certified to  
the Secretary of the Treasury.

Washington 25, D. C.

JUL 16 1958

*Whitney Hilliland*

*Henry L. Clay*

COMMISSIONERS

Commissioner Clay dissents.

*S-18*

*S-34*

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1122 Eleventh Avenue  
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Under the International Claims Settlement  
Act of 1949, as amended

Claim No. SOV-41,058

Decision No. SOV-801

gpo 16-72126-1

AMENDED PROPOSED DECISION

The Commission, on December 19, 1956, issued its Proposed Decision No. SOV-801 denying the claim of the Estate of Edwin Ellis White, deceased, 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. A copy of the Commission's Order No. SOV-230 and Commissioner Clay's dissent thereto are attached.

The Commission finds it established that Lulu Leisemer White and Marie Louise Vose White Vest are the Executrices and Trustees under the Last Will and Testament of Edwin Ellis White, deceased, and therefore the proper claimants before the Commission; that the decedent was a national of the United States from the date of his birth in Boston, Massachusetts on August 18, 1883, until his death; that in 1917 he was the owner of a deposit in the amount of 6,666.67 rubles in cash with the Russian Bank for Commerce and Industry in Petrograd, and of bonds of the

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5½% Imperial Russian Government Short Term War Loan of 1915 in the amount of 5,000 rubles; that the cash on deposit with the bank was confiscated by the Soviet Government on December 28, 1917; that on February 10, 1918 the bonds were formally repudiated by the Soviet Government; that Edwin Ellis White died and that the beneficiaries of his estate are nationals of the United States; and that the claimants have a valid claim for compensation under Section 305(a)(2) of the Act.

The Commission's records show that the exchange rate of the ruble in New York during the period December 1917 through February 1918, was quoted at 13 cents for 1 ruble.

Accordingly, the Commission concludes that the claimants are entitled to an award for the cash deposit in the amount of \$866.67 plus interest thereon from December 28, 1917, the date of confiscation of such deposit, and for the bonds in the amount of \$650.00 plus interest thereon from February 10, 1918, the date of repudiation of the bonds, until November 16, 1933, the date of the Litvinov Assignment.

A W A R D

On the above evidence and grounds, this claim is allowed and an award is hereby jointly made to LULU LEISEMER WHITE AND MARIE LOUISE VOSE WHITE VEST, Executrices and Trustees under the Last Will of EDWIN ELLIS WHITE, deceased, claimants herein, in the amount of one thousand five hundred sixteen dollars and sixty-seven cents (\$1,516.67) plus 6% interest per annum on the amount of \$866.67 from December 28, 1917 to November 16, 1933, and on the amount of \$650.00 from February 10, 1918 to November 16, 1933, in the aggregate interest amount of one thousand four hundred forty dollars and eighty-four cents (\$1,440.84). No determination is made with respect to interest for any period subsequent to November 16, 1933.

Payment of the award herein, in whole or in part, shall not be construed to have divested claimants herein, or the Government of the

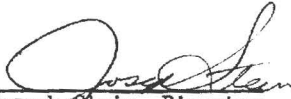
United States on their behalf, of any rights against the Government of the Soviet Union for the unpaid balance, if any, of the claim.

Dated at Washington, D. C.

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FOR THE COMMISSION:

  
Joseph Stein, Director  
Soviet Claims Division

D I S S E N T

Commissioner Clay dissents from the proposed award with respect to the bank deposits upon the grounds that, under established practices in settlement of international claims, bank accounts are not a proper subject of espousal and as such should not be considered here by the Commission.

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

In the Matter of the Claim of

Estate of EDWIN ELLIS WHITE, deceased  
by IULIU LEISEMER WHITE, Trustee  
1122 Eleventh Avenue  
Huntington, West Virginia

Claim No. SOV-41,058

Decision No. SOV-801

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

PROPOSED DECISION OF THE COMMISSION

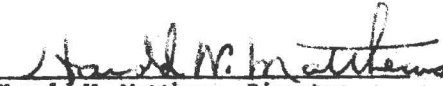
This claim is based upon the loss allegedly sustained by  
claimant(s) as the owner(s) of bond(s), payable in currency other  
than United States dollars, issued by a predecessor of the Soviet  
Government.

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.

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FOR THE COMMISSION:

  
Harold W. Matthews, Director  
Soviet Claims Division