

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

IN THE MATTER OF THE CLAIM OF

MARIE URRUTIA HAUGH

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU-0181

Decision No. CU 3818

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was presented by MARIE URRUTIA HAUGH, for \$10,000,000.00 based upon the asserted ownership and loss of certain interests in real property identified as the Manglar de Urrutia lands in Havana, Cuba. Claimant, MARIE URRUTIA HAUGH, states that she has been a national of the United States since her birth.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964), 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

Claimant stated that she was the owner of an unspecified interest in certain land in Havana, Cuba, known as the Manglar de Urrutia land. She further stated that her interest in such property was lost in 1920 as a result of the "Gomez Mena Land Co. acquiring land without deeds of conveyance using spurious documents."

Title V of the International Claims Settlement Act does not provide for the determination by the Commission of all claims against the Government of Cuba. Section 503 of the Act (supra) is clear that, apart from other conditions, only those claims are within the purview of the Act which arose on or after January 1, 1959. A careful consideration of all evidence of record shows that any loss the claimant sustained in connection with the Manglar de Urrutia land in Havana occurred substantially prior to January 1, 1959.

In view of the foregoing, the Commission concludes that claimant has failed to establish that her loss occurred on or after January 1, 1959, as required by the Act for consideration of a claim.

Accordingly, the claim must be and it is hereby denied. The Commission finds it unnecessary to make determinations with respect to other elements of this claim.

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

**AUG 19 1969**

*Leonard v. B. Sutton*  
\_\_\_\_\_  
Leonard v. B. Sutton, Chairman

*Theodore Jaffe*  
\_\_\_\_\_  
Theodore Jaffe, Commissioner

*Sidney Freidberg*  
\_\_\_\_\_  
Sidney Freidberg, Commissioner

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).)