

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

IN THE MATTER OF THE CLAIM OF

WILLIAM CHISHOLM

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU- 2572

Decision No. CU 5396

Counsel for claimant:

Sebastian Rivera R., Esquire

PROPOSED DECISION

Bertha E. Hewitt, now deceased, who owned a stock interest in John C. Goodwin, S.A., a Cuban corporation, and her heirs, Lois M. Beckman, WILLIAM CHISHOLM and Robert L. Chisholm, asserted this 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. All of the heirs of Bertha E. Hewitt, except WILLIAM CHISHOLM, filed other claims based on Goodwin stock. Accordingly, their interests, inherited from Bertha E. Hewitt will be treated in their individual claims, and WILLIAM CHISHOLM remains as claimant herein.

In our decision entitled the Claims of Myrtle Brock Goodwin and John H. Goodwin (Claim No. Cu-2579 and Claim No. CU-2580), we held that the properties owned by the Company were nationalized or otherwise taken by the Government of Cuba on August 1, 1960, 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 share of \$7,521.2609.

The evidence of record in this and related claims establishes that the decedent, a national of the United States since birth, died in Missouri in 1963; that she owned ten (10) shares of stock of John C. Goodwin, S.A. which she had held since 1935; and that under the closing and final distribution of

her estate, as decreed by the Probate Court of Nodaway County, State of Missouri, on December 12, 1964, her heirs, seven in number and all nationals of the United States since birth, inherited interests as follows:

<u>Heir</u>	<u>Share of Estate</u>	<u>Claim No.</u>
Robert L. Chisholm	1/15	CU-2581
Lois M. Beckman	1/15	CU-2582
WILLIAM CHISHOLM	1/15	No claim filed
Mary M. Ottman	1/5	CU-2584
Ivah I. C. McNamara	1/5	CU-2585
Aurel E. Thompson	1/5	CU-2586
Emma N. Hutchinson	1/5	CU-2587

Accordingly, the Commission finds that WILLIAM CHISHOLM comes within the terms of the Goodwin decision; that he was an American national at the requisite times; and that he inherited a claim for loss of approximately .667 of the said 10 shares of stock of this corporation and that he thus suffered a loss in the amount of \$5,014.17 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from August 1, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Goodwin, supra.)


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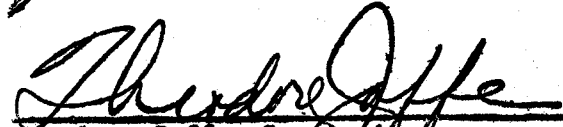
CERTIFICATION OF LOSS

The Commission certifies that WILLIAM CHISHOLM 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 Five Thousand Fourteen Dollars and Seventeen Cents (\$5,014.17) with interest at 6% per annum from August 1, 1960 to the date of settlement.

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

**JUL 29 1970**

  
Lyle S. Garlock, Chairman

  
Theodore Jaffe, Commissioner

  
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 or 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).)

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