

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

IN THE MATTER OF THE CLAIM OF

ARLIE E. WEEKS

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU-3277

Decision No. CU 3233

Counsel for claimant:

Thomas H. Dyer, Esq.

PROPOSED DECISION

Claimant, ARLIE E. WEEKS, who owned a stock interest in Compania Cubana, S.A. and two 3% Cumulative Income Debentures issued by Consolidated Railroads of Cuba, 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 the said two Companies.

In our decision entitled the Claim of George E. Sanford (Claim No. CU-2923 which we incorporate herein by reference), we held that the properties owned by Compania Cubana were nationalized or otherwise taken by the Government of Cuba on August 6, 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 \$78.0443.

On the basis of evidence of record in the instant case, the Commission finds that claimant comes within the terms of the Sanford decision; that she was an American national at the requisite times;

that she has been the owner of 67 shares of stock in Compania Cubana, S.A. since prior to August 6, 1960; that she inherited 769 shares of said stock from United States nationals who had owned the shares prior to August 6, 1960; and that she succeeded to and suffered a loss in connection with the stock in the amount of \$65,245.03, within the meaning of Title V of the Act.

Concerning that portion of the claim based upon Debentures issued by Consolidated Railroads of Cuba, our decision entitled the Claim of Edward R. Smith (Claim No. CU-5001, also incorporated herein by reference) held that the properties of the Railroad were nationalized or otherwise taken by the Government of Cuba on October 13, 1960, and that this type of claim is compensable to a United States national under the facts and conditions set forth in Smith. We need not again detail here the reasons or the method used in determining that the value of each \$5,000.00 debenture on October 13, 1960 was \$5,945.41, interest included.

On the basis of evidence of record in the instant case, the Commission finds that this claimant comes within the terms of the Smith decision; that claimant was a United States national at the requisite times; that she inherited two 3% Cumulative Income Debentures in the total face amount of \$10,000.00 from American nationals who had owned the bonds since prior to October 13, 1960; and that she succeeded to and suffered a loss on the Debentures in the total amount of \$11,890.82, within the meaning of Title V of the Act, for a total loss on the stock and debentures of \$77,135.85. Further, the Commission finds that the amounts of loss sustained shall be increased by interest thereon at the rate of 6% per annum from the respective dates of loss to the date on which provision is made for the settlement thereof. (See Smith, supra.)

CERTIFICATION OF LOSS

The Commission certifies that ARLIE E. WEEKS 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 Seventy-seven Thousand One Hundred Thirty-five Dollars and Eighty-five Cents (\$77,135.85) with interest thereon at the rate of 6% per annum from the respective dates of loss to the date of settlement.

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

**OCT 30 1968**

*Leonard v. B. Nathan*  
Leonard v. B. Nathan, Chairman

*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).)