

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

IN THE MATTER OF THE CLAIM OF

RUTH I. HAUGAN and
FIRST NATIONAL BANK OF JANESVILLE,
WISCONSIN, TRUSTEES U/W OF
ADDISON HAUGAN FBO
HARRIET J. HAUGAN DOUGLAS

Claim No. CU-8139

Decision No. CU- 5741

Under the International Claims Settlement
Act of 1949, as amended

PROPOSED DECISION

HARRIET H. DOUGLAS (MRS. BRUCE B. DOUGLAS), who owned an interest in a 3% Cumulative Income Debenture and in an Accrual Certificate issued by the Consolidated Railroads of Cuba, asserted 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 Railroad.

In our decisions entitled the Claim of Edward R. Smith (Claim No. CU-5001) and Claim of Meyer Lobsenz (Claim No. CU-1005) which we incorporate herein by reference, we 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 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 \$5,000 bond of \$5,945.41 including interest to October 13, 1960; and the value of an Accrual Certificate as the face value thereof.

On the basis of evidence in the record in the instant case, the Commission finds that HARRIET H. DOUGLAS comes within the terms of the Smith and Lobsenz decisions and that she was an American national at the requisite times.

The record shows that ADDISON HAUGAN had been the owner of one 3% Income Debenture in the total face amount of \$5,000, and of an Accrual Certificate in the face amount of 1,450 pesos prior to October 13, 1960. ADDISON HAUGAN died, however, on February 7, 1960. Final Judgment was entered in his estate on December 1, 1961. Under the terms of his will one-half the residue of his estate, including the above described securities was devised to his widow, RUTH I. HAUGAN

and the remainder was placed in trust for the use and benefit of his daughter HARRIET J. HAUGAN. RUTH I. HAUGAN and the FIRST NATIONAL BANK OF JANESVILLE, WISCONSIN, were appointed as Trustees and are substituted as claimants in this matter.

The Commission has made numerous efforts to ascertain from the Trustees the interest of RUTH I. HAUGAN, whose nationality is not of record; and the status of the trust. However, no response has been received to these inquiries which were initiated on April 18, 1968, nor have they been returned to the Commission.

Accordingly the Commission finds that the securities above described had a value of \$7,395.41 on the date of loss, and that the Trustees of the trust under the will of ADDISON HAUGAN, for the benefit of HARRIET J. HAUGAN DOUGLAS, suffered a loss in the amount of \$3,697.71 within the meaning of Title V of the Act.

The Commission finds that HARRIET J. HAUGAN DOUGLAS has not established ownership of rights and interest in the remainder of the claim for loss of property which was nationalized, expropriated or otherwise taken by the Government of Cuba. Thus, the Commission is constrained to deny this part of the claim and it is hereby denied.

Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from October 13, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Smith, supra.)

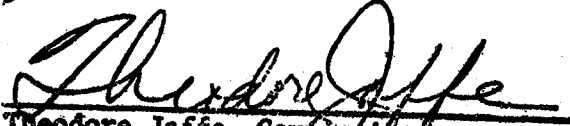
CERTIFICATION OF LOSS

The Commission certifies that RUTH I. HAUGAN and FIRST NATIONAL BANK OF JANESVILLE, WISCONSIN, TRUSTEES U/W OF ADDISON HAUGAN FBO HARRIET J. HAUGAN DOUGLAS 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 Three Thousand Six Hundred Ninety-Seven Dollars and Seventy-One Cents (\$3,697.71) with interest at 6% per annum from October 13, 1960 to the date of settlement.

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

AUG 19 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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