

INTERNATIONAL CLAIMS COMMISSION OF THE UNITED STATES
DEPARTMENT OF STATE
Washington, D. C.

In the Matter of the Claim of

LYDIA PAGEN
416 Atlantic Avenue
Santa Cruz, California

Docket No. PAN-62

Decision No. 29

Under the Convention between the United
States and Panama, effective October 11,
1950 and the International Claims
Settlement Act of 1949

Counsel for Claimant:

MORRISON, HOWLAND, FOERSTER,
SHUMAN & CLARK
Crocker Building
San Francisco 4, California

PROPOSED DECISION OF THE COMMISSION

This is a claim by Lydia Pagen as sole devisee and legatee of the estate of Henry Hyde, deceased. The claim is based on the nullification on October 20, 1931 by the Supreme Court of Justice of the Republic of Panama, of Henry Hyde's title to 120 acres of land in the so-called "El Encanto Tract," located in the District of Bonoso, Province of Colon, Panama.

It is established by evidence of record ("Decree of Final Distribution" dated June 25, 1951, by the Superior Court for the County of Alameda) that Henry Hyde died on May 26, 1950, and that claimant succeeded to this claim.

The Agreement of October 21, 1950, between the Governments of the United States and Panama, pursuant to which this claim has been filed, settled claims "with respect to property losses suffered by several nationals of the United States of America in relation to the lands called El Encanto." It is clear, therefore, that a claimant to have standing before this Commission must establish that the owner of the property on which the claim is based, was a citizen of the United States on October 20, 1931, the date of the judgment of the

Supreme Court of Justice of the Republic of Panama, which judgment declared the El Encanto Tract the property of the Republic of Panama.

Henry Hyde was the owner of the property on October 20, 1931. Claimant, in her Statement of Claim, dated July 31, 1952, and in answer to the question "Person in whose favor claim initially arose acquired U.S. nationality by" gives Henry Hyde's birth date, and place of birth, as 1862, London, England. She also stated that he was not naturalized. No other information or proof with respect to citizenship was filed.

Therefore, the claim must be and is hereby denied.

Dated at Washington, D. C.

This 29th day of April, 1954

I hereby certify that the within is a true and correct copy of the original Proposed Decision on file with this Commission

A. C. Coates
Deputy Clerk of the Commission

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

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FINAL DECISION

Thirty days having elapsed since the Claimant herein was notified of the Proposed Decision of the Commission on the above Claim, and no objections thereto or notice of intention to file brief or request for hearing having been filed, such Proposed Decision is hereby adopted as the Commission's final decision on this Claim.

Dated at Washington, D.C.

AUG 23 1954

This is to certify that the within is a true and correct copy of the original Final Decision on file with the Commission.

A. C. Coates
Deputy Clerk of the Commission