

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

IN THE MATTER OF THE CLAIM OF

NELLIE C. TURNER and ST. LOUIS
UNION TRUST COMPANY, Executors of the
ESTATE OF MARGARET LUCY TURNER, Dec.

Claim No. CU -7990

Decision No. CU-4858

**Under the International Claims Settlement
Act of 1949, as amended**

Represented by Cia. Azucarera Atlantica del Golfo

Counsel for Cia. Azucarera Atlantica del Golfo:

Dewey, Ballantine, Bushby, Palmer & Wood - By William C. Bush, Esq.

AMENDED PROPOSED DECISION

By Proposed Decision dated May 13, 1970, the Commission certified that MARGARET TURNER suffered a loss in the amount of Two Thousand Seven Hundred Twenty-Four Dollars and Forty-Eight Cents (\$2,724.48) with interest thereon at 6% per annum from August 6, 1960 to the date of settlement, based on her ownership interests in Atlantica del Golfo Sugar Company stock which was nationalized by the Government of Cuba on August 6, 1960. The decision was entered as final on June 16, 1970. Thereafter, evidence was submitted to the Commission to establish that the claimant, MARGARET TURNER, died on September 28, 1969, subsequent to filing this claim with the Commission, and that NELLIE C. TURNER and the ST. LOUIS UNION TRUST COMPANY were appointed as the Executors of her estate.

Accordingly the Final Decision is set aside and the Proposed Decision is hereby amended as follows:

On the basis of the evidence of record, the Commission finds that MARGARET LUCY TURNER, the former claimant herein, died on September 28, 1969, and that NELLIE C. TURNER and the ST. LOUIS UNION TRUST COMPANY were appointed as the Executors of her estate and in this capacity succeeded to the claim of MARGARET LUCY TURNER, deceased, and accordingly, they are substituted as claimants in this matter.

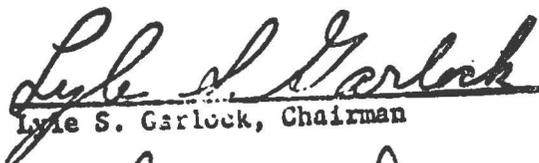
The certification of loss, as restated below, will be entered and in all other respects the Proposed Decision is affirmed.

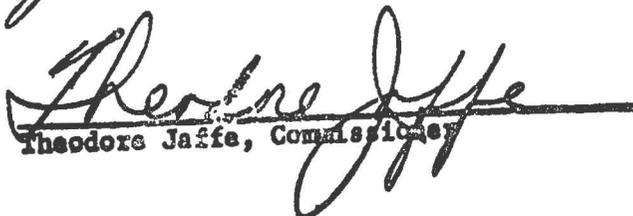
CERTIFICATION OF LOSS

The Commission certifies that NELLIE C. TURNER and ST. LOUIS UNION TRUST COMPANY, Executors of the ESTATE OF MARGARET LUCY TURNER, Deceased, 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 Two Thousand Seven Hundred Twenty-Four Dollars and Forty-Eight Cents (\$2,724.48) with interest thereon at 6% per annum from August 6, 1960 to the date of settlement.

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

DEC 16 1970


Lyle S. Garlock, Chairman


Theodore Jaffe, 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 Amended 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 notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 551.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)

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

IN THE MATTER OF THE CLAIM OF

MARGARET TURNER

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -7990

Decision No. CU

4858

Represented by Cia. Azucarera Atlantica del Golfo

Counsel for Cia. Azucarera Atlantica del Golfo:

Dewey, Ballantine, Bushby, Palmer & Wood - By William C. Bush, Esq.

PROPOSED DECISION

Claimant, MARGARET TURNER, who owned a stock interest in the Cia. Azucarera Atlantica del Golfo, 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 said Company.

In our decision entitled the Claim of Helen M. Drye (Claim No. CU-0807 which we incorporate herein by reference), we held that the properties owned by the Company 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 \$34.056.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Drye decision; that she was an American national at the requisite times; that she has been the owner of 80 shares of stock in the Cia. Azucarera Atlantica del Golfo since prior to August 6, 1960, and that she suffered a loss in the amount of \$2,724.48 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 6, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (Drye, supra.)

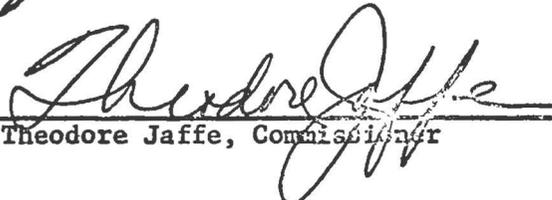
CERTIFICATION OF LOSS

The Commission certifies that MARGARET TURNER 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 Two Thousand Seven Hundred Twenty-four Dollars and Forty-eight Cents (\$2,724.48) with interest at 6% per annum from August 6, 1960 to the date of settlement.

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

MAY 13 1970


Lyle S. Garlock, Chairman


Theodore Jaffe, Commissioner


Sidney Freidberg, Commissioner

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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.

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