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ACCORD AND SATISFACTION

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 - [H-20547](#)
- *Surrender of interest coupons on bonds for lesser amount held accord and satisfaction-claim denied .*
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AID TO ENEMY

- *Voluntary aid to enemy of United States in World War II bars award according to Sec. 312.*
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AMENDMENT OF CLAIMS

- *Extent to which amendment of claims may be allowed after expiration of statutory filing time.*
 - [R-30601](#)

AMOUNT OF CLAIM

- *Claimants not limited to amount claimed since they often have no reliable data on which to base amount of claim, held they should receive whatever amounts found to be allowable even if in excess of original claim.*
 - [CZ-04628](#)
 - [Pan-00013](#)
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- *Where claimant asserts ownership of stock in Yugoslav corporation and real estate through intermediate German corporations, and sells an interest in an intermediate German corporation in 1954, after filing claim with Commission, held in final decision that since claimant has proved that such sale was not intended to include any portion of the claim, amount of claim would not be diminished because of sale.*
 - [Y-00595](#)
- *Awards under Sec. 305(a)(1) based on liens may not exceed the value of the encumbered property.*
 - [S-40000](#)
- *Where a claim has been assigned for value recited in the instrument assigning it as "\$2 and other valuable consideration", and Sec. 307 limiting awards. to actual consideration last paid applies, held limitation is to \$2 mentioned, claim denied as "de minimis".*
 - [S-40323](#)
- *Where award on claim would be less than \$3, Commission denies under principle of "de minimis non curat lex".*
 - [S-40323](#)

- *Where Government of German Federal Republic, under Equalization of Burdens Law (Lastenausgleich), pays claimant for loss found compensable by Commission, award reduced accordingly under Sec. 407.*
 - [CZ-01976](#)
- *Where Commission has found that claimant's claim against Czech corporation is allowable, award is reduced by amount previously collected by Claimant from Czech corporation under New York Judgment.*
 - [CZ-03246](#)
- *Where claimant has received compensation from the Office of Alien Property on account of loss incurred by nationalization of his corporation, such compensation deducted from Commission award.*
 - [CZ-01135](#)

ASSIGNMENT

- *Where claim continuously U.S. national owned, assignment of rights from one eligible as claimant to another recognized.*
 - [CZ-01966](#)
 - [Pan-00054](#)
 - [S-43038](#)
 - [Y-01570](#)
- *Where assignment of claim to U.S. national individuals by corporation incorporated in Switzerland but wholly owned by U.S. nationals, assignment recognized.*
 - [CZ-02770](#)
- *Where a claim has been assigned by one U.S. national to another for a consideration, the amount of the award cannot, under Sec. 307, exceed the actual consideration last paid, without interest.*
 - [S-40323](#)
- *Where claim has been assigned by a non-national after nationalization has occurred claim has not been continuously owned by U.S. nationals, claim denied.*
 - [CZ-02930](#)
 - [Y-00847](#)
- *Commission regulations do not recognize assignments made after filing of claims.*
 - [H-22320](#)
 - [S-40987](#)
- *Execution of a "notarial deed", although not recorded held under circumstances effective to transfer title to real property in Czechoslovakia.*
 - [CZ-01368](#)
- *"Renunciation" of share in Hungarian estate held under circumstances to be an assignment to other heirs.*
 - [H-21300](#)

- *Assignment made in 1948, unrecorded in Yugoslav land records, and without compliance with Yugoslav decree of 1946 regarding land ownership by foreigners held ineffective.*
 - [Y-01602](#)
- *Attempt to assign an interest in an otherwise compensable claim after filing deadline not recognized.*
 - [Y-00315](#)

BANK ACCOUNT

- *Soviet decrees confiscating bank accounts held taking as applied to bank deposits located within the Soviet Union; claim allowed for outstanding balance at rate of exchange prevalent on date of taking.*
 - [S-41857](#)
- *Where the right to payment of old koruna bank accounts Was annulled pursuant to Law 41/53 Sb. Commission held that such annulment was a taking of property; claim allowed in amount of deposit, converted at \$1 for 50 crowns. This also includes bank accounts created by compulsory deposits by insurance companies of the proceeds of policies payable to claimants or their predecessor.*
 - [CZ-01616](#)
 - [CZ-01791](#)
- *Although branches of American banks in Russia were not nationalized when Russian banks were nationalized, the restrictions placed on American owned accounts were such that on the entire record the Commission held that such accounts were taken by the Soviet Government, claim allowed.*
 - [S-41058](#)
- *Where claimant is an American bank, award allowed for net credit balance taken by Soviet Government.*
 - [S-41460](#)
- *Where claimant is an American insurance company, claim is reduced by liabilities of the company; payments made by company to insureds in the United States pursuant to judgments despite annulment of underlying policies in the Soviet Union held basis for additional allowance.*
 - [S-41029](#)
- *Where Yugoslav Government admits taking bank account pursuant to Yugoslav enemy property law in February 1945, but gives value of deposit in post-war dinars not introduced until after taking, Commission calculates amount in pre-war dinars and allows claim at rate of exchange prevalent on date of taking.*
 - [Y-00798](#)
- *Nationalization of banks and transfer of deposits to state-owned successor institutions held not taking as to depositors.*
 - [B-01005](#)
 - [Y-0580](#)

- *Blocking or restriction on transfer of deposits held not taking.*
 - [B-01005](#)
 - [H-20187](#)
 - [I-10567](#)
 - [R-30211](#)
 - [Y-00580](#)
- *Conversion from "old" to "new" leva orcerowns (in 1953) held not taking.*
 - [B-01283](#)
 - [CZ-02649](#)
- *Yugoslav Pre-War Obligations Settlement Law which reduced claimant's pre-war bank deposits by 90 percent held to be monetary reform law, not nationalization or other taking.*
 - [Y-00580](#)
- *Right to payment of bank accounts established in new koruna after Nov. 1, 1945 not annulled by Law 41/53 Sb. which annulled such rights as old koruna accounts; in absence of affirmative evidence of taking, claims based on such accounts denied.*
 - [CZ-01381](#)
- *Where evidence shows that accounts in new koruna were taken by Czech Government within the relevant period, claim allowed.*
 - [CZ-04647](#)
- *Where deposit was in a Russian bank outside Russia, Soviet decrees nationalizing Russian banks held ineffective; claim denied; on theory Soviet Government assumed liabilities held Soviets did not take foreign branches and did not assume liability; on theory Soviets confiscated deposits held no evidence, creditors received partial return on liquidation of foreign branches.*
 - [S-40520](#)
- *Where claimant is an American bank, and where the U.S. Government, as successor to the Soviet Government under the Litvinov Assignment, has sued to recover the balance due the Soviet Government, but suit failed due to expiry of the statute of limitations, amount sued for is a proper set off against the award; award reduced to balance above setoff.*
 - [S-41460](#)

BONDS

- *Kingdom of Bulgaria 7 percent Settlement Loan of 1920.*
 - Claim allowed on amounts payable prior to Sept. 15, 1947.
 - [B-01036](#)
 - Claim allowed on coupons alone.
 - [B-01066](#)
 - Failure of Bulgarian Government to pay sinking fund does not give rise to additional claim.
 - [B-01259](#)

- *Kingdom of Bulgaria 7 ½ Percent Stabilization Loan of 1928.*
 - Claim allowed on amounts payable prior to Sept. 15, 1947.
 - [B-01036](#)
- *Bond contains no provision for acceleration on default, claim based thereon denied.*
 - [B-01097](#)
- *Kingdom of Rumania 4 Percent Consolidation Loan of 1922.*
 - Claim allowed on amounts payable prior to Sept. 15, 1947.
 - [R-30000](#)
 - Bonds denominated in pounds with express alternative provision for payment in dollars held compensable.
 - [R-30031](#)
- *Kingdom of Rumania Monopolies Institute 7 Percent Guaranteed External Sinking Fund, Stabilization and Development Loan of 1929.*
 - Claim allowed on amounts payable prior to Sept. 15, 1947.
 - [R-30006](#)
 - Claim allowed on coupons alone.
 - [R-30099](#)
 - Failure of government concerned to pay principal on default does not give rise to additional claim in absence of showing of demand by 25 percent of holders as provided in bond contract.
 - [R-30468](#)
 - Austrian series converted into bonds payable in Austrian schillings by subsequent agreement held not payable in dollars, not compensable, however on failure of payment under subsequent agreement, parties relegated to underlying bonds which were expressed in dollars and are compensable.
 - [R-30592](#)
- *Kingdom of Rumania Monopolies Institute External Sinking Fund 7 ½ Percent Gold Loan of 1931.*
 - Claim allowed on amounts payable prior to Sept. 15, 1947.
 - [R-30189](#)
- *Government of Hungary treasury bills; claim allowed for unpaid principal and interest from date of default to late of law, less partial interest previously received.*
 - [H-20954](#)
- *State loan of Kingdom of Hungary 1924 7 ½ percent Sinking Fund Gold Bonds.*
 - [H-21234](#)
 - Claim allowed on amounts payable prior to maturity date in 1944 (interest to 1955).
 - [H-20070](#)
 - Bonds modified by superimposed legend; claim based on modification allowed as to amounts payable prior to Sept. 15, 1947.
 - [H-20000](#)
 - Claim allowed on partially paid coupons.
 - [H-21220](#)

- *Claims allowed on bonds payable in rubles and in currencies other than dollars.*
 - [S-40017](#)
- *Claim based on Imperial Russian ruble bonds allowed, if claimant otherwise eligible. This includes payment for coupons due before repudiation, but not for those due after repudiation.*
 - [S-40053](#)
 - This includes payment for detached coupons payable before repudiation.
 - [S-40921](#)
 - This does not include detached coupons payable after that date.
 - [S-41840](#)
- *Bonds compensable under 305(a)(2) include those of subdivisions of the Soviet Union, or of other entities, guaranteed by Imperial Russian Government.*
 - [S-40695](#)
 - [S-40244](#)
- *Bonds or participation certificates payable in dollars issued or guaranteed by the Imperial Russian Government are allowed at face value (if claimant otherwise eligible), plus any coupons unpaid prior to date of repudiation; interest runs from date of repudiation to date of Litvinov Agreement.*
 - [S-41925](#)
- *Certain Czech Government bonds, denominated in crowns, including Statni Unaritelna Unijicacni Pujcka, annulled by Law 41 /53 Sb. compensable.*
 - [CZ-01183](#)
- *7 Percent First Mortgage Sinking Fund Gold Bonds of First Bohemian Glass Works Ltd. found taken when Czech Government nationalized enterprise whose assets formed security for the bonds in question, Mar.17, 1947 award for face amount less payment on account made in January 1941.*
 - [CZ-03001](#)
- *Sterling bonds of Skoda Works found taken when Czech Government nationalized underlying property.*
 - [CZ-02232](#)
- *Bonds expressed in dollars to be compensable must be those of the Hungarian National Government.*
 - [H-20122](#)
- *Bonds of Austro-Hungarian State railroads denominated in Swiss francs are covered by agreement between Czech Government and bondholders; failure of Czech Government to abide by agreement on servicing bonds is not a taking, claim based thereon denied, but where bonds taken with other property pursuant to confiscatory decree, claim based thereon allowed.*
 - [CZ-02474](#)
 - [CZ-04419](#)

- *Where a claim has been assigned by one U.S. national to another for a consideration, the amount of the award cannot, under Sec. 307, exceed the actual consideration last paid without interest.*
 - [B-01231](#)
 - [H-20524](#)
 - [R-30661](#)
 - [S-42538](#)
 - Where bonds and coupons acquired after repudiation, bonds destroyed and claim based on coupons alone, held that since award would have been limited to purchase price of the bonds alone and no separate award for coupons, claim based on coupons alone denied.
 - [S-40587](#)
- *Where bonds (e.g. "Liberty Bonds") not traded on the market or generally circulated in the United States prior to repudiation, it is assumed that they were not owned by U.S. nationals and claim denied; where they were so traded (e.g. Imperial Russian Government 5~ Percent Short Term War Loan Bonds of 1915 and 1916) it is assumed they were owned by U.S. nationals and claim is allowed.*
 - [S-42538](#)
 - Where bonds bear notations showing that they were located outside the United States it is assumed, in the absence of other evidence, that they were not continuously U.S. national owned; claim as to such bonds denied.
 - [S-42037](#)
- *Various issues of bonds in various currencies not including dollars denied.*
 - [B-01095](#)
 - [H-22299](#)
 - [R-30092](#)
 - Contention that bonds not expressed in dollars may thereafter be converted to dollars insufficient; obligations must be expressed in dollars on their face.
 - [H-20886](#)
- *Claims based on contracts, bonds and other obligations incurred prior to Dec. 8, 1941 are recognized by Italy hence not compensable.*
 - [I-10086](#)
- *The Yugoslav Government is not a successor to the former Austrian Empire and has no responsibility for bonds issued by that Empire, claim denied.*
 - [Y-00729](#)
- *Bondholders' interests are not settled and discharged by Yugoslav claims agreement, hence not compensable.*
 - This includes bonds in dollars, dinars, and other currencies.
 - [Y-01561](#)
 - This includes interest on the bonds.
 - [Y-00675](#)
- *Treasury bills issued for 1-year-period in 1917 or thereabouts held to be in the nature of currency, expressly excluded from Soviet decree repudiating bonds, hence not compensable.*
 - [S-42290](#)

- *Claim based on bonds issued by the present Soviet Government and on which coupons were paid as late as 1941 could not have arisen prior to Nov. 16, 1933, hence not compensable under Sec. 305(a)(2), claim denied.*
 - [S-40976](#)
- *Czech Government and holders of certain dollars bonds agreed in 1946 to extend due dates and reduce interest on those bonds; interest paid by Czech Government 1945-52, then service defaulted by Czech Government, but no action taken to annul or confiscate; held bonds not nationalized, claim denied.*
 - [CZ-01551](#)
- *Where claimant owned Czech State Premium Housing Lottery Bonds and has failed to present them for payment within the period set by Czech law, the lapse of those bonds under Act 168 of June 16, 1949 is not a nationalization but a statute of limitations; claim denied.*
 - [CZ-01734](#)
- *Where claimant under Italian program holds Greek bonds, has shown no repudiation and has not exhausted local remedies, claim denied.*
 - [I-10385](#)
- *Under agreement between United States and Italian Governments, Italian Government has caused semi-governmental agencies to offer new bonds for principal and accrued interest of defaulted old bonds; this is deemed compensation, hence no claim.*
 - [I-10038](#)
 - Claim for difference in value between face value of postwar bonds and value received at exchange denied; election to exchange was voluntary, obligation of Government of Italy discharged; loss not attributable to Italy nor deemed war loss.
 - [I-10796](#)
- *Where U.S. national-organized bondholders' protective committee organized a Canadian corporation to hold bonds and enforce rights, and Canadian corporation owned bonds on Sept. 1, 1939, claim not U.S. national owned on that date within the meaning of Sec. 303(3) denied. Later formation of a Maryland corporation and U.S. nationality of original holders of debentures of Swedish corporation which had bought bonds irrelevant.*
 - [H-21800](#)
- *Where bonds sold afar claim filed, and rights to claim not reserved, expressly or by necessary implication, rights pass to purchaser, claim of seller denied.*
 - [S-42623](#)

BURDEN OF PROOF

- *Proof as to ownership adequate-claim allowed.*
 - [Pan-00003](#)

- *Detailed discussion of proof and circumstances in which claimant purported to withdraw from business located in Yugoslavia and Austria in 1938 to escape anti-Jewish laws by ostensibly transferring her interest to her mother who was married to an Aryan Yugoslav; held claimant retained her beneficial interest, daim allowed.*
 - [Y-01751](#)
- *Where claimant asserts ownership of stock in Yugoslav corporation and real estate through intermediate German corporations, and sells an interest in an intermediate German corporation in 1954, after filing claim with Commission; held in final decision that since claimant has proved that such sale was not intended to include any portion of the claim, amount of claim would not be diminished because of sale.*
 - [Y-00595](#)
- *Detailed discussion of proofs of claim in the ownership, through intermediate German corporation, of claimant's interest in "Odol," "Oroatian Odol," and real estate in Yugoslavia; held on final decision that proof sufficient.*
 - [Y-00595](#)
- *Discussion of elements of proof where claimant alleges assignment of shares of a Yugoslav corporation to him by his mother prior to taking--effect of 1954 court decree--Claim for fraction of shares found effectively assigned allowed.*
 - [Y-01517](#)
- *Where claim under sec. 305(a)(1) based on prior New York attachment alleged whole claim accrued in favor of an American national participant in a joint venture with non-nationals, held burden of proof under facts shown met to extent of a part of the claim, not met as to balance.*
 - [S-40000](#)
- *Detailed discussion of proof of transfer of the interest of claimant's parents in a Yugoslav corporation to claimant, shares being then in possession of a nominee; held burden met as to 1 block of shares, not met as to other.*
 - [Y-01478](#)
- *Where claimant claimed inheritance from parent presumption of death according to local law followed.*
 - [Y-00287](#)
- *Detailed discussion of proofs in the attempt to transform the Windisch-Graetz holdings in Fallersa into an American owned claim and the bona fides of the transactions there involved.*
 - [Y-00647](#)
- *Detailed discussion of proof of holdings of Pulzer/Weill/Sedlak in "Thonet-Croatian Furniture Factory Inc" through Swiss and Panamanian holding companies.*
 - [Y-01264](#)
- *Discussion of interrelation between Corn Products Refining Co, German and Yugoslav subsidiaries, as it affects proof of ownership of shares in subsidiaries.*
 - [Y-01205](#)

- *Discussion of burden of proof in proving beneficial ownership of stock in a Yugoslav corporation when such stock in name of claimant's brother.*
 - [Y-00338](#)
- *Detailed discussion of proof of ownership of the HATVANY family interests in Swiss corporation Union Nasic and Yugoslav corporation Nasic.*
 - [Y-001063](#)
- *Claimant having jailed to meet burden of proof, claim denied in whole or in part.*
 - [B-01030](#)
 - [CZ-04905](#)
 - [H-21225](#)
 - [I-10088](#)
 - [R-30259](#)
 - [S-40783](#)
 - [Y-00324](#)
- *Detailed discussion of proof of ownership and value of claimant's alleged \$5100,000 interest in Siberian gold mine, allegedly leased 6 days before expropriation. Held proof as to lessor's ownership, terms of lease, and value insufficient; claim denied.*
 - [S-40399](#)
- *Where claimant believes himself to have been born in the United States but furnishes no proof despite Commission request, held burden of proof not met, claim denied.*
 - [Pan-00066](#)
- *Where claimant claims as heir of former owner of tract but it appears that former owner deeded his interest to another, no will, no evidence of ownership filed, held burden of proof not met, claim denied.*
 - [Pan-00053](#)
- *Where it is established by oral testimony and affidavits of experts that an alleged "novation agreement" is clearly the result of fraud and duress and invalid under the law of the place where it was concluded (Switzerland) it will be disregarded.*
 - [Y-01259](#)
- *Detailed discussion of proof that a claimant held certain shares in various Yugoslav corporations, allegedly in trust for others. Held that Yugoslav law does not recognize the institution of trust; held also that insufficient evidence has been submitted that he remained owner of the shares in question.*
 - [Y- 01670](#)
- *Detailed discussion of proof of chain of ownership of New Jersey Industries Inc, in Omni-Promet (Yugo), which was confiscated. Held ownership not sufficiently proved, claim denied.*
 - [Y-01317](#)
- *Claimant alleged having received shares of stock of a Yugoslav corporation as security for a loan to a Yugoslav and to have exercised his option to. Ownership in default of payment; discussion of evidence presented; held actions of borrower and prior inconsistent statements of claimant do not show such ownership; claim denied.*
 - [Y-01190](#)

- *Detailed discussion of evidence tending to prove claimant's interest in Italian firm of F.A.L.L.E.R.S.A. allegedly in name of nominee. Held burden not met, claim denied.*
 - [Y-00644](#)
- *Claimant held bearer shares in Yugoslav corporation as security for debt owed by the corporation; Yugoslav Government reported that when corporation was nationalized the number of bearer shares in the corporation's safe was such that it must have included claimant's shares; no showing of foreclosure to acquire title in shares; held burden of proof to show ownership in property not met.*
 - [Y- 01018](#)

CLAIMS-CATEGORIES NOT COMPENSABLE

- *Property which has not been nationalized.*
 - [CZ-03969](#)
 - [Y- 01553](#)
- *Where property originally nationalized within the period covered by the claims agreement or statute is returned to the claimant subsequently, claim denied.*
 - [CZ-01320](#)
 - [Y-01097](#)
- *Property taken outside the period of time covered in the applicable claims agreement or statute.*
 - [CZ-03704](#)
 - [S-40248](#)
 - [Y-00316](#)
- *Claims based on obligations or actions of governments other than government involved in the claims program concerned.*
 - [S- 41109](#)
 - This includes actions of the Soviet Government in areas formerly Czech ceded to the Soviet Union by treaty in 1945.
 - [CZ-02794](#)
- *Property situated outside borders of Hungary as fixed in Peace Treaty as of Sept. 15, 1947.*
 - [H-20004](#)
 - Exception to above is Northern Transylvania which is deemed to be within Hungary for purposes of law although not a part of Hungary on Sept 15, 1947.
 - [H-22008](#)
- *Claims as to which compensation already paid under another Commission program.*
 - [I-10665](#)

- *Claims already fully satisfied or as to which accord and satisfaction has been reached with claimant or former claimant.*
 - [B-01040](#)
 - [CZ-03341](#)
 - [H-20237](#)
 - [S-42086](#)
 - [Y-01550](#)
 - Tender by government concerned of full compensation in local currency is compliance with international law; no claim results.
 - [CZ-03120](#)
 - [H-22048](#)
 - This includes payment in local currency to the person holding claimant's power of attorney.
 - [Y-01550](#)
 - Where all of the owners of shares in a Czech corporation deposit their shares with the trustee of a British corporation and where such trustee, with shareholders, consent, applies to and receives award from British Foreign Compensation Commission pursuant to British-Czech agreement which provides that such agreement fully settled and discharged claims of British national, held U.S. national shareholder no longer has a Claim even though amounts received from British foreign Compensation Commission were not full amount of loss.
 - [CZ-02619](#)
 - This includes American claimant stockholder in a British corporation where the British corporation has filed under the British-Yugoslav agreement and received an award.
 - [Y-01049](#)
 - Where claim of American stockholder in British corporation, which has been compensated under British-Yugoslav agreement for nationalization in Yugoslavia, has been denied because of prior compensation, and he then limits his claim to the balance of the loss beyond the compensation paid to the British corporation; held after hearing, claim allowed, measured by difference in pre-nationalization and post-nationalization value of stock on the London Stock Exchange.
 - [Y-00976](#)
- *Damage due to German not Italian war action.*
 - [I-10395](#)
- *Claims for which provision was made in the Treaty of Peace with Italy.*
 - This includes war damage in Italy.
 - [I-10008](#)
 - This includes the Dodecanese Islands ceded by Italy to Greece under the Peace Treaty.
 - [I-10020](#)
 - This includes areas ceded to Yugoslavia by Italy under the Peace Treaty.
 - [I-10028](#)
- *Loss of profits or loss of use of property*
 - [H-20326](#)
 - [Y-00291](#)
- *Goodwill of enterprises nationalized.*
 - [CZ-02785](#)

- *Rent on property damaged; loss of use of property damaged; loss of prospective revenue or profits-too speculative.*
 - [I-10626](#)
- *Personal injuries or death of claimant or relative.*
 - [H-21925](#)
 - [R-30367](#)
 - Loss of health.
 - [H-22001](#)
- *Hospital expenses of claimant.*
 - [Y-01726](#)
- *Forced labor and suffering.*
 - [R-30003](#)
- *Mental and physical cruelty suffered by claimant.*
 - [Y-01726](#)
- *Death, personal injury or loss of health of non-national or of U.S. national under circumstances not showing a violation of the principles of international law (Italian program).*
 - [I-10549](#)
 - Exception: Personal injuries sustained by eligible claimant due to mistreatment by Italian forces under circumstances showing violation of principles of international law (Italian program).
 - [I-10837](#)
- *Internment by Italy of U.S. nationals unless principles of international law violated in the course of internment.*
 - [I-10089](#)
- *Deprivation of opportunity to earn wages.*
 - [R-30441](#)
- *Deprivation of opportunity to exercise claimant's profession.*
 - [CZ-04549](#)
- *Loss of employment or position.*
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 - [H-21362](#)
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- *Voluntary payment by claimant of termination allowances, pensions, and death benefits to personnel of nationalized subsidiary.*
 - [Y-00304](#)

- *Private transactions not involving the responsibility of the government against which claim is directed.*
 - [B-01006](#)
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- *Debts of private enterprises even if secured, and even if enterprises are subsequently nationalized.*
 - [B- 01309](#)
 - [CZ-04424](#)
 - [H-20190](#)
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 - [Y-00435](#)
 - Exception to above, claim allowed.
 - [R-30748](#)
- *Refusal of country concerned to permit export.*
 - Of personal property.
 - [CZ-02492](#)
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 - Of funds.
 - [CZ-04564](#)
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 - [Y- 00580](#)
- *Taxes imposed and paid prior to nationalization.*
 - [CZ-02042](#)
 - [H-20006](#)
 - Real estate taxes paid on property subsequently destroyed or taken or capital levy.
 - [CZ-02042](#)
 - [H-20337](#)
- *Where claimant owns a corporation which has contracts with suppliers, nationalization of the suppliers which destroy the value of the contracts is not an "other taking" within the meaning of the law, claim denied.*
 - [Y-00706](#)
- *Nationalization of land or mortgages which form security for issue of bonds is not taking of property within Sec. 303(2).*
 - [H-22020](#)
- *Revocation of a revocable license to do business where action is not coupled with a denial of justice to aliens .*
 - [H-21133](#)
- *Restrictions on business activities during the war.*
 - [R-30506](#)

- *Pecuniary loss on household goods sold to avoid expense of transport to United States.*
 - [R-30326](#)
- *Economic losses incurred in sales of businesses "motivated and spurred by the anti-Jewish climate" (1939) but without direct compulsion by the government claimed against.*
 - [H-20900](#)
- *Reduction in rental income on property owned by claimant due to rent control.*
 - [CZ-03863](#)
- *Devaluation of currency is neither nationalization nor an obligation expressed in dollars.*
 - [B- 01176](#)
 - [H-20422](#)
 - [L-10567](#)
 - [R-30091](#)
- *Devaluation of currency is not nationalization.*
 - [S-40492](#)
 - [Y-00580](#)
- *War damage claims, including personal property taken by occupation force; and damage to real property are not settled or discharged under the Yugoslav claims agreement, hence not compensable; this is so even though, in some cases, claimant's U.S. nationality bars him from participating in domestic Yugoslav war damage compensation.*
 - [Y-00257](#)
- *Claims involving war damage to property in Czechoslovakia, including damage to real and personal property, physical damage, looting, and actions by occupation authorities. Most of such actions or damage occurred before Jan. 1, 1946 hence outside time limit; none of it is nationalization or other taking by Czech Government.*
 - [CZ-03792](#)
- *War damage claim by Yugoslav corporation against Yugoslav government is not asset of that corporation in calculating the value thereof when said corporation is subsequently nationalized.*
 - [Y-00304](#)
- *Losses from World War I, even if fixed by Commission or government involved (in local currency).*
 - [R-30562](#)
- *Claim based on claimant's volunteer service in Serb Army in World War I, entitling volunteers by taking procedural steps to bonus in property or bonds where claimant has failed to take such steps and no property or bonds assigned by pre-World War I I Yugoslav Government.*
 - [Y-00423](#)
- *Proceeds of insurance policy where company has been nationalized, policies being expressed in Currency other than dollars and not acquired before Sept. 1, 1939.*
 - [H-20731](#)
 - [R-30021](#)

- *Where claimant bought property taken by occupation authorities from previous Jewish owners during the war, and Yugoslav government returns such property to former owners through restitution, claimants did not acquire valid title and deprivation is not compensable.*
 - [Y-00402](#)
- *Stock in company which was bankrupt or nearly so, stock worthless or nearly so--discussion of cost to Commission of full valuation compared to possible award to claimants award denied or small award based on estimate allowed.*
 - [Y-00310](#)
- *Where a claimant sells bond after filing with Commission and does not reserve rights to claim, claim passes to buyer, seller's claim denied.*
 - [S- 42623](#)
- *Drafts drawn and issued by American -banks against their credit in Russian banks, never presented by payee to the Russian banks held to be bills of exchange under Secs. 126 and 185 of the Uniform Negotiable Instruments Law. Such bills do not operate as an . assignment of funds in the hands of the drawees, and drawees are not obligated until bills are accepted or presented for payment. Here, since bills were not presented, no obligation by Russian banks, hence no claim.*
 - [S-41077](#)
- *Bondholders and creditors interests are not settled or discharged under the Yugoslav Claims Agreement hence not compensable.*
 - [Y-00362](#)
 - Advances made by special agents in the United States to master of a Yugoslav vessel, asserted as maritime liens, held made on credit of principal, not of vessel hence no maritime lien, agents are merely creditors whose claims are not discharged by Yugoslav claims agreement.
 - [Y-01695](#)
 - When same individual was both creditor and stockholder in the same enterprise, Commission held that claim for compensation for taking of stock interest operates to stop claimant from asserting creditor's claim; balance sheet. adjusted to omit liability to claimant, thus increasing value of stock, claim allowed for value of stock so increased.
 - Y-01454
- *Amount owed the United States for advance of the costs of repatriation.*
 - [I-10390](#)
- *Drafting of a U.S. citizen into the Soviet Navy did not amount to false imprisonment since claimant did not protest at the time and did nothing for 35 years after release.*
 - [S-41503](#)
- *Loss of personal property by U.S. military or naval personnel directly in active combat duty, where no proximate cause was in violation of international law.*
 - [I-10742](#)
- *Losses resulting from voluntary sale of personal effects or real property due to need or the exigencies of the war.*
 - [I-10089](#)

- *Funds spent in aiding allied prisoners of war.*
 - [I-10726](#)
- *Termination of subsidy paid by Italian Government under Allied direction to ex-internees in Italy.*
 - [I-10089](#)
- *Property commandeered by Yugoslav Army and destroyed in fighting between Yugoslav and Italian forces not compensable as chargeable to Italy.*
 - [I-10778](#)
- *Supplies and services requisitioned by Allied powers are not war damage within articles 24 and 25 of Peace Treaty with Rumania which are only ones to which law applies.*
 - [R-30140](#)
- *Supplies and services requisitioned by Allied powers are not war damage within article 23 of Peace Treaty With Bulgaria which is the only one to which law applies.*
 - [B-01051](#)
- *Supplies and services requisitioned by Soviet Army; these are covered in article 32 of Peace Treaty and are not war damage within articles 26 and 27, the only ones to which the law applies.*
 - [H-20367](#)
- *Requisitioning by Italian prefect in area then Italian is not taking by Yugoslavs under claims agreement.*
 - [Y-00969](#)
- *Requisitioning by Yugoslav Army in area which became Free Territory of Trieste through Italian Peace Treaty held not to give Yugoslavia permanent title not basis for claim.*
 - [Y-01309](#)
- *Failure of foreign government to pay for goods sold and delivered is not failure to carry out article 23 of Peace Treaty, the only one to which the law applies.*
 - [B-01128](#)
- *Actions of Allied Governments following capture of Italian (or Italian-colony) territory are not attributable to Italy and not compensable under the act.*
 - [I-10054](#)
- *Operating losses of American firms in Italian areas are not compensable.*
 - [I-10555](#)
- *Expenses of effecting return of property from Germany.*
 - [H-20367](#)
- *Expenses incurred in seeking compensation for claim.*
 - [CZ-02018](#)
 - [H-20006](#)
 - [I-10250](#)
 - [R-30120](#)

- *Legal expenses incurred due to nationalization of claimant's branches in Russia, defending actions, etc.*
 - [S-41261](#)
- *Attorney's lien on judgment against private corporation subsequently nationalized.*
 - [R-30404](#)
- *Damages for breach of employment contract.*
 - [R-30570](#)

CONTRACTUAL OBLIGATIONS

- *Contractual obligations of the government concerned, expressed in dollars allowed.*
 - [H-20216](#)
 - [R-30192](#)
- *Obligations not expressed in dollars denied.*
 - [B-01092](#)
 - [H-20264](#)
 - [R-30092](#)

CREDITOR CLAIMS

- *Sec. 305 while, deals with claims against the Soviet Union is broader and less restrictive than Sec. 303 which enumerates certain categories of claims against Hungary, Bulgaria, and Rumania; restrictions applicable under Sec. 303 do not apply to Sec. 805 hence creditor's claims recognized in Soviet program, claim allowed where there was denial of justice, subject to reduction for uncollectible bad debts.*
 - [S-41323](#)
- *Claimant's creditor's claim against nationalized corporation initially denied, but, on showing that nationalized corporation admitted its liability, Czech District Court rendered judgment against nationalized corporation, matter then referred by nationalized corporation to arbitrator which had right to "annul" "economically burdensome" obligations and did so, held claim is compensable.*
 - [CZ-02097](#)
- *Where a nationalized Czech enterprise has agreed to repay a debt owed to a Swiss corporation in Swiss francs, and the Czech Ministry of Finance refuses permission to pay (Swiss corporation being American owned) held creditor claim "annulled", compensable.*
 - [CZ-04347](#)
- *Creditor's claims unsecured are not "interests in property" within Sec. 404 of the International Claims*
- *Settlement Act; claim denied.*
 - [CZ-03978](#)

CURRENCY

- *Claim based on devaluation of currency denied; it is not a nationalization.*
 - [CZ-03476](#)
 - [I-10567](#)
 - [S-40492](#)
 - [Y-00580](#)
- *Claim based on devaluation of currency denied; it is neither a nationalization nor expressed in dollars.*
 - [B-01107](#)
 - [H-20422](#)
 - [R-30091](#)
- *Czech prewar currency ceased to be legal tender as of Nov.1, 1945 but could still be deposited in blocked bank accounts until Nov. 15, 1945. Where claimant has not so deposited them, they became worthless on that date and subsequent confiscation could occasion no loss; claim denied.*
 - [CZ-03459](#)
- *Claims based on holding of Kingdom of Yugoslavia dinar currency abroad denied; conversion by occupation authorities to occupat.on currencies and withdrawal of Kingdom of Yugoslavia dinars not action of Yugoslav Government; subsequent change to FPRY dinars not a nationalization. .*
 - [Y-00594](#)
- *Conversion from "old" to "new" leva held not taking.*
 - [B-01283](#)

DATE OF TAKING

- *Claims based on bonds issued by Soviet Government or predecessors arose on Feb. 10, 1918, the date of formal repudiation.*
 - [S-41379](#)
- *The date when owner lost dominion and control over property in Hungary is date of taking and not date of recordation.*
 - [H-21189](#)
- *Under Yugoslav Confiscation Law of June 9, 1945, the state becomes owner of confiscated property when criminal sentences become final*
 - [Y-01654](#)
- *Under the Yugoslav Enemy Property Law of Nov. 21, 1944, the date of taking is Feb. 6, 1945, effective date of that law.*
 - [Y-01333](#)
- *Where Yugoslav Government has taken property under the Abandoned Property Law of Aug. 2, 1946, held date of taking is Aug.17, 1947, date on which period expired during which owners could reclaim the property concerned.*
 - [Y-01667](#)

- *Where Nationalization Law of Apr. 28, 1948 provides that it shall take effect on date of enactment, held this date governs, not date of later decision of Municipal People's Committee of Municipality confirming nationalization; former date is within period covered by agreement-claim allowed.*
 - [Y-00324](#)
 - Similarly under "decree covering transfer into state ownership" of enemy property, state administration of property belonging to absent persons etc. of Feb. 6, 1945 held effective as of that date, not as of date in 1948 in which transfer of property was finally recorded.
 - [Y-00269](#)
- *Properly affected by Czech decree 100/45 Sb. held taken on date of decree, Oct. 27, 1945; subsequent dates of ending of national administration, of dismissal of appeals against taking, of decrees announcing the inclusion of particular enterprises under decree 100/45 Sb. Or transferring enterprises to national enterprises held not affecting date of taking.*
 - [CZ-04345](#)
- *Property affected by Decree 108/45 Sb. which ordered confiscation of property owned by non-Czechs and persons not loyal to Czechoslovakia held taken as of date of decision of local authorities ordering confiscation.*
 - [CZ-02033](#)
- *Where property was physically taken by the Czech Government in 1948 (when claimant was not a citizen) but recordation did not occur until 1956 (when claimant was a citizen) held date of physical act of taking, not recordation controls, claim denied.*
 - [CZ-01832](#)
- *Law 114/1948 Sb., enacted Apr. 28, 1948, was, by its terms, retroactive to Jan. 1, 1948; while Commission recognized the retroactive effect of this law in cases where businesses were under national administration, Commission holds where businesses owner-managed and owner continued in control, date of taking is date of cessation of owner's control.*
 - [CZ-03219](#)
 - [CZ-01848](#)
 - Holding as to Law 118/48 Sb. similar to that as to Law 114/1949 Sb. q.v.
 - [CZ-02122](#)
- *Commission, reversing previous stand in some instances, holds that, in the absence of evidence to the contrary, it will be presumed that agrarian property with an area of less than 50 hectares, owned by a U.S. national who was not present in person to till the land, was taken as of June 10, 1952.*
 - [CZ-04711](#)
- *Discussion of legislative history of Sec. 404, Title IV of the International Claims Settlement Act leads to the conclusion that it applies only to acts of taking which occurred between Jan. 1, 1945 and August 8, 1958, date of enactment of title IV. Claims based on taking occurring after Aug. 8, 1958 denied.*
 - [CZ-04583](#)

- *Despite provisions of Czech decree 100/45 Sb. that corporations whose property was taken thereby would receive compensation, held loss occurred on effective date of Czech decree and claim arose on that date.*
 - [CZ-04345](#)

DEBTS OF ENTERPRISES SUBSEQUENTLY NATIONALIZED

- *Not compensable; prior to nationalization debt is a private matter; subsequent to nationalization debt does not fall within 303(3) as being owed by government concerned prior to Sept. 1, 1939, and being expressed in dollars.*
 - [B-01309](#)
 - [R-30091](#)
- *Creditor's interests were not settled or discharged by the Yugoslav Claims Agreement; hence not compensable under the law.*
 - [Y-00435](#)

FORCED TRANSFER

- *Properly acquired from administrator appointed under anti-Jewish legislation by occupation authorities did not give claimant valid title under the laws of Yugoslavia.*
 - [Y-00402](#)
- *Where previous Jewish owner was forced by Nazis to sell to claimant, claimant did not acquire good title and subsequent deprivation of any rights is not compensable.*
 - [CZ-01599](#)
- *Concession rights to explore for oil in Czechoslovakia acquired by assignment from German company which had, received its rights from the German occupation forces not valid rights under Czech law, no claim on abrogation.*
 - [CZ-02739](#)

FOUNDATION

- *Where war-time occurrences had so depleted an Austrian family foundation that objective was frustrated and Czech government took remaining assets held, after discussion of Austrian, Czech and American law that title to claim reverted to those next of kin of settlor who were U.S. nationals.*
 - [CZ-03287](#)

GEOGRAPHICAL LIMITS

- *Claim based on ownership of real property in an area which was Czechoslovakia on Nov. 16, 1933 and was not ceded to the U.S.S.R. until June 29, 1945 did not arise against the Soviet Union until the latter date, hence not within Sec. 305(a)(2), denied.*
 - [S-40083](#)

- *Actions of the Yugoslav Government in territory which formed the Free Territory of Trieste after the Peace Treaty with Italy were those of a conqueror and Yugoslavia could not acquire permanent possession or title to such property; requisition by Yugoslav Army units in such area is not nationalization or other taking within the meaning of the claims agreement-claim denied.*
 - [Y-00683](#)
- *Includes acts of Italian Government in Shanghai, China, including damage to buildings leased; pre-war and forced payments exacted from American national firms.*
 - [I-10192](#)
- *Sec. 304 (Italy) differs from Sec. 303 (Bulgaria, Rumania, Hungary) in that the damage need not have occurred in the country in question. Since the Peace Treaty with Italy provides compensation for war damage in Italy and in the Dodecanese Islands ceded to Greece under the treaty, Commission's program virtually restricted to damage occurring outside this area due to Italian war action.*
 - [I-10805](#)
- *Status of "Highland Territories" as between Hungary and Czechoslovakia.*
 - [H-20004](#)
- *Where property lost situated outside territory of country concerned as fixed in Peace Treaty on Sept. 15, 1947; claim denied.*
 - [B-01051](#)
 - [H-20004](#)
 - [R-30781](#)
 - Exception to above is Northern Transylvania which is specifically included by the statute, although outside borders of Hungary as defined above.
 - [H-22008](#)
 - Where loss was in area administered by another government against whom a claims program is pending, claim redesignated as claim against that other government and transferred to that program.
 - [R-30229](#)

GIFT

- *Gift, inter vivos evidenced by a written instrument, with delivery of the instrument held valid to transfer ownership, even without delivery of the thing given (stock in a Yugoslav corporation).*
 - [Y-01282](#)

INDIRECT DAMAGE

- *Indirect damage (loss of profits) etc., not allowed if speculative, conjectural, not reasonably certain or not susceptible of accurate determination.*
 - [CZ-02785](#)
 - [H-20705](#)
 - [R-30487](#)
 - [S-40579](#)

INHERITANCE

- *Where recorded owner of tract in El Encanto tract died prior to judgment of Panamanian court taking the property, held the interest passed in accordance with the law of the situs--Panama. Claimants held qualified under the law.*
 - [Pan-00051](#)
- *While normally a judicial proceeding is required in Yugoslavia to pass title from decedent to heirs, Commission recognizes such rights which could be confirmed by such a proceeding and will grant awards in appropriate cases in accordance with the applicable law of descent and distribution.*
 - [Y-00454](#)
- *Where claimant dies after filing claim and Commission is unable to ascertain who is entitled to succeed to his property, claim denied.*
 - [Pan-00026](#)
- *A "usufruct" in the land of another continues only during the life of the holder and heir takes nothing; nationalization of land involved after usufructuary's death, therefore, irrelevant, claim of heir denied.*
 - [H-21117](#)
- *Where claimant has executed a renunciation of his share to an inheritance in Yugoslavia he no longer has a claim based on the nationalization of property involved; claim denied..*
 - [Y-00440](#)
- *Claimant's husband died in United States, leaving realty to claimant widow; 3 children in United States consented to probate, 4 children in Yugoslavia not cited in probate proceedings. Held that under local law of situs, latter could elect to take half their intestate share against the will; claim allowed less fractions which children in Yugoslavia could have elected to take.*
 - [Y-01801](#)
- *Where Yugoslav court, in probate proceedings, awards real property to person other than claimant, claimant cannot relitigate before Commission; if court had jurisdiction and no other invalidity, decree will be followed.*
 - [Y-01090](#)
- *Where an intestate heir renounces the inheritance in favor of another party, such action is in the nature of an assignment, and the rights of the grantee come into being as of the renunciation, not as of the death of the decedent. Where intestate successors or heirs are non-nationals, this breaks the national continuity; where renunciation is after taking, grantee not eligible as claimant.*
 - [Y-01065](#)
- *Where owner of claim to personalty dies in the United States as a domiciliary, the claim descends in accordance with the law of the domicile of decedent, including community property law if applicable.*
 - [Y-00315](#)

- *Where the recorded owner of a tract in Panama involved in the Commission program dies subsequent to the date of taking (Oct. 20, 1931), the claim is a property right which passes to the owner's descendants under the laws of intestacy of the owner's domiciliary state*
 - [Pan-00044](#)
- *Widow's share in Croatian family community deemed to be equivalent of life estate even though not recorded as such.*
 - [Y-01278](#)
- *"Renunciation" by heir in favor of co-heir deemed equivalent of assignment of heir's share to co-heir.*
 - [H-21300](#)

INSURANCE COMPANIES

- *Subrogees deemed real parties in interest.*
 - [I-10278](#)

INTEREST ON AWARDS

- *Interest allowed on awards from date of taking to date of claims agreement.*
 - [Y-01756](#)
- *Commission holds interest allowable on awards under Sec. 305 of act from the date the claim arose to the date of the Litvinov Assignment.*
 - [S-40000](#)

INTERMENT

- *Claims of civilian American internees against Italy compensable under Sec. 304 only if international law is violated.*
 - [I-10089](#)

LIMITATION OF TIME

- *Claims filed after prescribed period denied.*
 - [B-01357](#)
 - [CZ-05004](#)
 - [CZ-05010](#)
 - [H-22214](#)
 - [I-10795](#)
 - [R-30855](#)
 - [S-42716](#)
- *Where information regarding an additional item of property is received by claimant after deadline for filing, Commission under certain circumstances will permit amendment of timely filed claim to include additional item.*
 - [CZ-03373](#)

- *"Amendment" of claim introducing totally new claim denied because filed after expiration of statutory limit.*
 - [R-30601](#)
- *Enactment of Public Law 85-804 did not start a new filing period or make eligible persons who had not filed during the earlier filing period established in the act prior to amendment.*
 - I-10957
- *Where U.S. citizen who inherited a share in the estate of previous owner of claim attempts to assign the share to his claimant mother after issuance of proposed decision, held this is attempt to introduce new claim after expiration of time limits, denied.*
 - [Y-00315](#)
- *Where a bank originally filed a claim, including references to claims of other named persons, and Commission extended filing limits as to those named persons, held that extension of filing limits did not inure to the benefit of assignee for value of one of those persons which assignee had not timely filed; claim denied.*
 - [S-43234](#)

MILITARY PERSONNEL CLAIMS ACT

- *Claim within purview of Military Personnel Claims Act of 1945 (59 Stat. 225) does not preclude award under law if claimant has not filed thereunder and received compensation.*
 - [R-30012](#)

NATIONALITY-CORPORATION

- *Corporation qualifies as a claimant in its own right only if organized under the laws of the United States or State or Territory thereof and if natural, persons who are U.S. nationals own more than 50 percent of stock (Sec.301 (2)).*
 - [S-42528](#)
- *Where more than 50 percent of the assets of a U.S. organized corporation have been owned by U.S. nationals, except for a stated period during which more than 50 percent was owned by non-U.S. nationals, held that U.S. national ownership was not continuous, claim denied.*
 - [S-42528](#)
- *Under Yugoslav Claims Agreement, corporation qualifies as a claimant if organized in United States and 20 percent of securities of any class are owned by individual U.S. nationals.*
 - [Y-01113](#)
- *Where corporation itself is non-national,, 25 percent of stock must have been U.S. national, owned at time of loss for claim to be compensable under Sec. 311 (b) (prior to amendment thereof).*
 - [B-01300](#)
 - [H-21687](#)
 - [R-30250](#)
 - [S-40740](#)

- *Where corporation is non-national, 25 percent U.S. national ownership therein no longer required under Sec. 311 (b) (as amended by Sec. 3, P.L. 85-604).*
 - [B-01117](#)
 - [H-20028](#)
 - [R-30370](#)
 - [S-40740](#)
- *Corporation organized under the laws of foreign countries not eligible claimants under Sec. 301 (2)(b) or 401 (1)(B).*
 - [B-01128](#)
 - [CZ-02773](#)
- *Where claim is in the alternative by Panamanian corporation and American owner of more than 99 percent of stock, held corporation is not eligible since not organized in the United States but stockholder's claim recognized.*
 - [Pan-00013](#)

NATIONALITY-INDIVIDUAL

- *Claims not continuously owned by U.S. nationals denied.*
 - [CZ-02696](#)
 - [S-40791](#)
 - [Y-00910](#)
- *Claimant acquired U.S. nationality subsequent to relevant cutoff dates-claim denied:*
 - 303(1) date of armistice with country concerned.
 - [R-30877](#)
 - 303(2) date of loss.
 - [H-20594](#)
 - 303(3) Sept. 1, 1939 (Hungary and Rumania), Apr. 24, 1941 (Bulgaria).
 - [B-01108](#)
 - Declaration of intention to become a U.S. citizen does not confer nationality of the United States.
 - [B-01003](#)
 - [H-21425](#)
 - [R-30395](#)
 - [S-41057](#)
 - [Y-00503](#)
 - Where claimant became U.S. national after taking and before enactment of law, claim based on theory of continuing trespass denied.
 - [B-01124](#)
 - [R-30611](#)
 - Requirement in Sec. 303(3) that "contractual obligations of Hungary and Rumania must have been in U.S. national hands prior to Sept. 1, 1939, where default in bonds occurred after acquisition of nationality upheld.
 - [H-20506](#)
 - The term "United Nations Nationals" in the Treaties of Peace with Hungary, Bulgaria, and
- Rumania defined.
 - [H-20962](#)

- *In claim against Italy, claimant acquired U.S. nationality subsequent to date on which loss occurred; claim denied (based on Sec. 304 prior to amendment).*
 - [I-10332](#)
- *Nationality prerequisite with respect to claims against Italy amended to include claimants who had acquired U.S. nationality by Aug. 9, 1955 (Sec. 304 as amended by Sec. 2, P.L. 85-604).*
 - Italian claims denied under original provisions of Sec. 304 reopened. Payment of awards under amended section not to be made until after full payment of awards granted under original provisions.
 - [I-10640](#)
 - Where claimant acquired citizenship subsequent to date of loss, so that eligibility is governed by Sec. 2, Public Law 85-604, the requirements are: (1) U.S. nationality by Aug. 9, 1955, (2) claim originally arose in claimant's favor, (3) claimant succeeded to claim which originally arose in favor of a U.S. national and which claim, until each succession, has been continuously in U.S. national hands.
 - [I-10656](#)
 - Amendment of Sec. 304 by P.L. 85-604 authorized Commission only to reconsider claims previously timely filed and did not authorize the filing of new claims.
 - I-10957
- *Claim not shown to have been continuously U.S.-national owned; claim denied.*
 - This includes: Claimant is non-national; Claimant's nationality has not been established; Claim acquired by national from non-national; Although claim originally acquired from national, claim has passed through non-national hands between acquisition and filing.
 - [B-01209](#)
 - [CZ-03100](#)
 - [H-21205](#)
 - [I-10354](#)
 - [Pan-00062](#)
 - [R-30526](#)
 - [S-40092](#)
 - [Y-01757](#)
 - Where claimant lost U.S. nationality by expatriation, claim denied.
 - [B-01084](#)
 - [CZ-04887](#)
 - [H-20782](#)
 - [I-10320](#)
 - [R-30893](#)
 - [S-41743](#)
 - [Y-00268](#)
 - Where non-national claimant still alive, U.S. nationality of presumed "heirs" irrelevant, claim denied.
 - [R-30277](#)
 - [B-01124](#)
 - Where claimant has lost and reacquired U.S. nationality, claim denied.
 - [R-30606](#)
 - [S-42835](#)
 - [Y-00612](#)

- Where female claimant lost U.S. nationality by marriage to a foreigner (act of March 2, 1907) in 1922, she was entitled under Nationality Act of Oct. 14, 1940 to resume U.S. nationality upon termination of marriage "from and after taking oath of allegiance"; where oath taken after acquisition of claim, claim denied.
 - [H-20711](#)
 - Where female claimant lost U.S. nationality by marriage to a foreigner (act of Mar. 2, 1907) she could not benefit by the resumption of nationality provisions of the Nationality Act of Oct. 14, 1940 if her marriage to a foreigner still subsisted; hence she remained. Non-national, claim denied.
 - [H-21792](#)
 - [S-40866](#)
 - Where U.S.-born female loses U.S. nationality by marriage to an alien, she does not automatically reacquire such nationality upon his naturalization; failure to comply with the formalities required by the Nationality Act of 1940 results in her remaining an alien; claim denied.
 - [CZ-04644](#)
 - Where claimant's naturalization certificate cancelled, claim not continuously in U.S. national hands; claim denied.
 - [Y-01721](#)
 - Where original owner of claim was U.S. national and claim passed to non-national wife on death of claimant, held there was a break in the continuity of national ownership; claim denied.
 - [Y-00660](#)
 - Where original owner of claim, who was a U.S. national, died before claims agreement was concluded, leaving non-national heirs, death broke continuity of U.S. ownership; heirs could not qualify by keeping the estate open and advancing claim on behalf of decedent's estate.
 - [Y-01757](#)
 - Where claimant's predecessor (husband or father), a non-national, is convicted, sentenced to confiscation of property, held taking by Yugoslavia is from predecessor pursuant to sentence; claimant never acquired an interest; claim denied.
 - [Y-00513](#)
 - Where bonds bear a notation showing location outside the United States, held, in the absence of evidence to the contrary that they were not continuously U.S. national owned; claim denied.
 - [S-42037](#)
- *Where a claimant derives nationality from a spouse or parent, loss of nationality subsequently by that spouse or parent does not affect citizenship of claimant; claim allowed if otherwise qualified.*
 - [Y-00272](#)
 - *The appearance of the name of a claimant in the "book of declarants" (Verzeichnis der Volks und Reichsdeutschen Umsiedler die auf Grund des Abkommens vom 31 August 1941 aus der Provinz Laibach umgesiedelt wurden) does not per se establish loss of U.S. nationality.*
 - [Y-01376](#)

- *Where Yugoslav Government alleges th.at a claimant voted in Yugoslav elections and thereby lost his U.S. nationality, submitting as evidence the declarations of Yugoslav residents of-the area, held that the law which covered expatriation by voting (8 U.S.C. 801) did not take effect until January 1941: Since claimant is an ethnic German and such persons were expelled from Yugoslavia shortly after the end of hostilities it is unlikely that claimant voted thereafter; the declarations submitted by the Yugoslav Government are not specific as to date of claimant's voting, hence it will be presumed voting preceded effective date of law, nationality not lost.*
 - [Y-00690](#)
- *Where loss of citizenship due to voting in a foreign election, to prolonged residence abroad, or to other act of expatriation is alleged but claimant proves voting was due to duress, or otherwise overcomes presu.mptio11- of loss of citizenship, claim allowed.*
 - [Y-00460](#)
- *Where claimant, a U.S. national on date of loss and continuously to date of filing, dies after filing with the Commission, the fact that one of several distributees of the estate is a non-national will not invalidate claim.*
 - [Y-00990](#)
- *While U.S. nationality is required from date of loss (except in cases covered on P .L. 85-604 where beginning date of nationality required is Aug. 9, 1955) to date of filing, it is not required thereafter so that payment is authorized to administrator of U.S. national claimant who dies after filing, even though beneficiary is non-national.*
 - [I-10554](#)
- *Where beneficiaries of a trust set up by a U.S. national were wife (U.S. national until death in 1940) and daughter (U.S. born, U.S. national until marriage to alien in 1921, marriage terminated by divorce in 1930, regained U.S. citizenship by act of June 25, 1936 49 Stat. 9917 which provided automatic regaining of citizenship to U.S.-born women whose marriages to aliens had terminated) held there was continuous U.S. nationality, claim allowed.*
 - [S-41676](#)
- *Where U.S. national claimant acquires Russian bonds by purchase from a broker after repudiation, and no evidence as to nationality of previous owners is filed, it is assumed that bonds not generally circulated or traded in the United States were owned by non-nationals; and that bonds which were generally circulated and traded in the U.S. market were owned by nationals.*
 - [S-42538](#)
- *Claims under Sec. 305(a) (1) originally accruing in favor of a joint venture between American nationals and non-nationals allowable to the extent of the portion which, accrued in favor of the U.S. nationals.*
 - [S-40000](#)

- *Yugoslav law which provides for nationalization of property of foreigners held to be applicable only to those whom Yugoslav authorities recognize as having lost Yugoslav nationality. Property of claimants who have acquired U.S. nationality but have not lost Yugoslav nationality under law of Yugoslavia not nationalized, claims based thereon denied.*
 - [Y-01111](#)
 - Discussion of dual nationality; from the U.S. point of view the sole criterion as to nationality is possession of U.S. nationality on the date of taking of property and additional possession of Yugoslav nationality under Yugoslav law is therefore irrelevant.
 - [Y-00309](#)
 - Former citizen of Austria-Hungary who was naturalized in the United States in 1916 claimed he never acquired Yugoslav citizenship and therefore could not be considered as a Yugoslav by Yugoslav authorities. Held that since he did not take the affirmative steps required by Austro-Hungarian law to divest himself of that citizenship at the time of his naturalization, the local authorities continued to regard him as Hungarian and when area became Yugoslav after World War I Yugoslav authorities have a right to regard him as having acquired Yugoslav citizenship and therefore exempt his property from nationalization; claim denied.
 - [Y-01112](#)

NATIONALITY-LEGAL AND BENEFICIAL OWNER

- *Where legal owner or nominee is non-national, but beneficiary is a U.S. national, claim allowed if otherwise eligible.*
 - [I-10862](#)
 - [R-30548](#)
- *Where legal owner or trustee is U.S. national, but beneficiary or cestui que trust is non-national, claim denied.*
 - [B-01179](#)
 - [CZ-01340](#)
 - [H-20540](#)
 - S-41877
 - [Y-01235](#)
 - Where family trust conveys to U.S. national claimant a fraction of the undivided family holdings in excess of that to which he may be entitled under an accounting, excess is held on behalf of non-national family members, claim denied as to excess.
 - [Y-01063](#)
- *Where claimant is U.S. national executor of decedent but remaindermen under will and beneficiaries of trust created by will include non-nationals, award granted but with direction that this be used solely for use and benefit of remaindermen and beneficiaries who are U.S. nationals.*
 - [CZ-03439](#)
- *Where claimant is a "sleeping" partner in an Austrian or a Slovak partnership, and "official" partner is non-national, claimant is a mere creditor of the partnership and nationalization of partnership assets did not give rise to valid claim of creditor.*
 - [CZ-02452](#)

- *Swiss law does not recognize trusts, hence Swiss corporation could not have been a trustee; American-national stockholders have individual claims in proportion to their stock in Swiss corporation, while Swiss corporation itself and nonnational stockholders have no claim.*
 - [Y-01036](#)
- *Claimant, a bank, had claims against a Russian bank and assigned these to a non-national who obtained an attachment and a judgment, then reassigned attachment and judgment to bank; claimant contends that Non-national was merely acting as bank's trustee but assignment to non-national was unconditional in form and claim of non-national's trustee status based only on oral transactions. held that lien acquired by non-national was not in favor of bank (finding required by law on preferential claims).*
 - [S-41261](#)

NORTHERN TRANSYLVANIA

- *Deemed to be part of Hungary for purpose of statute although not within Hungary as defined in Treaty of Peace as of Sept. 15, 1947.*
 - [H-22009](#)

OCCUPIED TERRITORY

- *Territory occupied by forces of a belligerent does not become a part of occupant's territory for purposes of law.*
 - Loss of property or damage caused by occupant's forces in such area is not basis for claim against occupant government.
 - [B-01086](#)

PERSONAL INJURIES

- *Personal injuries sustained by U.S. national under circumstances which violate principles of international law may be basis of valid claim.*
 - [I-10837](#)
 - [S-41044](#)

PERSONAL PROPERTY

- *Taken while U.S. national owned.*
 - Value of interest shown, including appraisals by Yugoslav Government and for Commission investigators, award based on such value.
 - [Y-00466](#)

- *Taken while U.S. national owned.*
 - Value of interest shown, award based on such value.
 - [B-01289](#)
 - [CZ-04957](#)
 - [H-22286](#)
 - [R-30369](#)
 - [S-42187](#)
 - Insufficient showing of value of interest-exercise of Commission discretion in allowing nominal award.
 - [B-01324](#)
 - [CZ-03948](#)
 - [H-21665](#)
 - [I-10354](#)
 - [R-30841](#)
 - [S-40921](#)
 - Nationalization by Government of Hungary of corporation which owned property in Rumania does not affect ownership by claimant in Rumanian corporation.
 - [R-30714](#)
- *Rights of United States to claim compensation for planes and a jeep destroyed when the aircraft were shot down by Yugoslav forces in AU[Just 1946 expressly recognized by claims agreement--claim allowed.*
 - [Y-01057](#)
- *Loss of personal property on ships in transit as a result of Italian action held compensable under statute where compensation by Italians refused.*
 - [I-10000](#)
 - [I-10524](#)
 - Claim by insurance company which has paid claim of cargo owner whose property was taken by Italians allowed as subrogee.
 - [I-10278](#)
- *Discussion of transaction in which seller sold to claimant shares in a Yugoslav corporation in 1942 at which time the shares were physically located in Yugoslavia (transaction barred at the time by Executive order, subsequently rescinded). Held that claimant was owner of contingent interest in some of the shares at time of taking.*
 - [Y-01243](#)
- *Where shares of stock in a Yugoslav corporation are held for a claimant by a Swiss bank as security for a debt owed to claimant by that Yugoslav corporation, and said corporation is nationalized, the claim for the value of the stock so held will be allowed.*
 - [Y-01259](#)
- *Soviet decree of Dec. 27, 1917, nationalizing Russian banks and expropriating property, and decree of March 4, 1919, annulling pre-nationalization obligations held taking; claim allowed.*
 - [S-40092](#)
- *Soviet decrees confiscating bank deposits held taking, claim allowed for face value, at rate of exchange prevalent at time of taking.*
 - [S-41058](#)

- *Where claimant has claim against the Czar, whose properties were confiscated by Soviet Decree dated July 13, 1918, and claim also subject to Soviet Decree of July 28, 1919, annulling all claim against the state in connection with World War I, held property taken, claim allowed.*
 - [S-40409](#)
- *Seizure by Soviet authority of personal property, including safe deposit box and contents, of claimant or predecessor held taking, claim allowed; where property includes foreign currency rate of exchange to dollars on date of taking governs.*
 - [S-41241](#)
 - *Where safe deposit box contains bonds already repudiated, physical seizure of bonds irrelevant; claim arose on date of repudiation, rate of exchange of that date governs.*
 - [S-41241](#)
- *Where claimant makes a deposit in a New York bank to the credit of the Russian Finance Ministry pursuant to agreement by which said Ministry was to deposit rubles in Russia and counter deposit never made due to revolution, held this constitutes confiscation, claim allowed in face amount.*
 - [S-42301](#)
- *Pillaging and looting by groups of Czarist soldiers under command of their officers is responsibility of the czarist government; annulment of the claim by the Soviet Government created a compensable claim.*
 - [S-42185](#)
- *Failure of Government of Czechoslovakia to return to claimant property transferred under duress during World War II held to be a taking of property on Dec. 21, 1949, the date on which restitution proceedings were ordered suspended.*
 - [CZ-02090](#)
- *Payment of premiums for voluntary social security insurance to Czech State Office for Social Security held taken when Czech Government under Law 55/1956 "repealed" such insurance.*
 - [CZ-04032](#)
- *Property taken from parachuted U.S. airman allowed under Sec. 303(1) of law despite cognizability of such a claim under Military Personnel Claims Act of 1945 (59 Stat. 225).*
 - [R-30012](#)
- *Property taken from parachuted U.S. airman--allowed valuation.*
 - [B-01140](#)
- *Where government leaves ownership nominally in claimant, but nationalized business using property in question, prohibits entering, use, enjoyment, etc., held taking for purpose of law.*
 - [H-20068](#)
- *Claim allowed for personal property is to be reduced by amount owed others.*
 - [H-20014](#)

- *Lost or damaged by Italian military operations; award allowed in amount of damage shown.*
 - Value of interest shown, award based on such value.
 - [I-10814](#)
- *Lost or damaged as a result of World War II while U.S. national owned, no compensation paid by government involved; award allowed under Sec. 303(1) of two-thirds of damage sustained without interest.*
 - [B-01118](#)
 - [H-21755](#)
 - [R-30017](#)
- *Insufficient showing of value of interest—exercise of Commission discretion in allowing nominal award.*
 - [H-21932](#)
 - [R-30122](#)
- *Taken by Yugoslavia subsequent to the period specified in the Yugoslav Claims Agreement of 1948; not basis of valid claim.*
 - [Y-00316](#)
- *Where corporation in which claimant is stockholder is dissolved and full dinar compensation placed in account for stockholder, no nationalization, hence no award.*
 - [Y-00526](#)
- *Where corporation owned by claimant has contracts with suppliers and such suppliers are nationalized, this is not an "other taking" within the meaning of the law (citing Omnia Commercial Co. v. U.S. 261 U.S., 502), claim denied.*
 - [Y-00971](#)
- *Where claimant has executed a renunciation of his interest in an inheritance involving personal property in Yugoslavia, he no longer has a claim based on nationalization of this inheritance, claim denied.*
 - [Y-00440](#)
- *Where claimant vendor sold property to a Yugoslav firm f.a.s. New York, ship in which property was en route to Yugoslavia requisitioned by Royal Yugoslav Government, property sold, proceeds not paid to claimant, held title passed on delivery to carrier, claimant has no further interest, claim denied.*
 - [Y-01593](#)
- *The claim which a Yugoslav corporation may have against the Yugoslav Government for war damage is not an asset for which compensation must be paid when that corporation is subsequently nationalized.*
 - [Y-00304](#)
- *Where Czech Government takes shares in or bonds issued by corporations organized in other countries not in the Soviet bloc, claimants are not precluded from having their interest recognized by the corporations by appropriate proceedings, hence claim denied.*
 - [CZ-03489](#)

PREFERENTIAL CLAIMS

- *Where claimant or predecessor had secured attachment in an American court, claim held preferred where otherwise eligible, award certified by Commission under Sec. (305) (a) (1), Secretary of the Treasury is to make full payment under Sec. 310(a)(1).*
 - [S-40000](#)
- *Claimant obtained a judgment in a New York court against a Russian company or individual, but no attachment, judgment returned unsatisfied. Held no lien attached against property in the United States taken pursuant to Litvinov agreement; preferential, claim denied without prejudice to non-preferential claim.*
 - [S-40181](#)
- *Where, in the course of litigation, a claim is assigned to a non-national who assigns a share in the proceeds, when collected, back to a national, held non-national assignee is real party in interest, and equitable interest in proceeds is insufficient for national claimant to assert a preferred claim; preferred claim denied.*
 - [S-40092](#)
- *Failure to meet burden of proof that claim originally arose in favor of a U.S. national results in denial of preferential claim.*
 - [S-40783](#)
- *Where claimant, a bank, held funds of a Russian bank and itself had claims against that bank, then assigned its claim to a non-national who obtained an attachment and a judgment, later reassigned to the bank, held that attachment and judgment was not rendered in favor of a U.S. national, hence not a preferential claim under Sec. 305(a)(1).*
 - [S-41261](#)

PRINCIPAL AMOUNT OF AWARD

- *Commission held that "principal amount of award" within the meaning of Sec. 310(a) (1) includes: (a) value of the claim when it arose, (b) interest from the time the claim arose to the date of the Litvinov Assignment (c) costs and disbursements.*
 - [S-40000](#)

PRIVATE TRANSACTIONS

- *Claims based on private transactions not involving responsibility of governments claimed against denied.*
 - [B-01006](#)
 - [CZ-02047](#)
 - [H-20154](#)
 - [I-10677](#)
 - [S-42472](#)
 - [Y-00349](#)

- *Where Soviet Government nationalizes a corporation and such elements as are outside the Soviet Union continue business under a pre-nationalization power of attorney, advances made to such elements without authority or consent of Soviet Government are not compensable.*
 - [S-40839](#)

RATE OF EXCHANGE

- *1938 rate of exchange of 44 dinars to \$1 established.*
 - [Y-01756](#)
- *Russian bond bearing a guaranteed rate of exchange into dollars used in determining value.*
 - [S-40003](#)

REAL PROPERTY

- *Taken while U.S.-national owned.*
 - Value of interest shown, award based on such values.
 - [B-01003](#)
 - [CZ-03756](#)
 - [H-22286](#)
 - [R-30043](#)
 - [S-41788](#)
 - Insufficient showing of value of interest—exercise of Commission discretion in allowing partial award.
 - [B-01156](#)
 - [CZ-01982](#)
 - [H-20541](#)
 - [R-30312](#)
 - Real property taken during pooling and redistribution and partial compensation granted in form of other property, amount of award will be reduced by value of property received by claimant in exchange.
 - [H-20512](#)
- *Taken while U.S. national owned.*
 - Value of interest shown, including appraisals by Yugoslav Government and/or Commission investigators, award based on such value.
 - [Y-00324](#)
- *Expropriated by judgment of the Panamanian Court—claim allowed.*
 - [Pan-00003](#)
- *Taking by Yugoslavia under Enemy-Property Law held effective even though claimant was not an enemy national.*
 - [Y-00291](#)

- *Restrictions imposed by Czech Law 80/52 Sb. which compelled owners of buildings with annual gross rentals of 15,000 koruna or more to deposit the rents in special accounts, held to have reduced owners to little more than collecting agents for the Czech Government despite nominal ownership and presumptive taking as of the date of such law found.*
 - [CZ-04904](#)
 - Presumption of taking on Jan. 1, 1953 may be rebutted on showing contrary facts such as continuance of owner in control until subsequent action of Czech Government; placing building under national administration in 1956 may be such subsequent action.
 - [CZ-03386](#)
- *Nationalization by the Soviet Government of property on which claimant holds a mortgage is a taking of the security for the mortgage and is compensable in the amount of the unpaid balance.*
 - [S-41074](#)
- *Mortgage on property taken by Czech Government held to be compensable; charges for costs in case of foreclosure not compensable.*
 - [CZ-02161](#)
 - Where alleged mortgage is not recorded, there is no lien on the real estate under Czech law and claimant has a personal debt claim only; such claims are not compensable.
 - [CZ-01236](#)
- *Where government leaves title nominally in claimant, but nationalizes business located thereon, prohibits entering, use, enjoyment, etc., held taking for purpose of law.*
 - [H-20068](#)
- *Under Yugoslav law a mortgage on real, property is an interest in real, property; nationalization of the property held a taking of the interest in the property, value as computed by exchange is compensable.*
 - [Y-00861](#)
- *Failure of Czech Government to return to owner or his successors in interest property alienated under duress during World War II constitutes a taking as of Dec. 21, 1949, the date on which restitutions were suspended by the Czech Government, in absence of evidence to contrary.*
 - [CZ-03303](#)
- *Damage due to Italian war action.*
 - Value of damage shown, award based on such value.
 - [I-10805](#)
 - Insufficient showing of amount of damage; exercise of Commission discretion in allowing partial award.
 - [I-10634](#)

- *Damaged as a result of World War II while U.S. national owned, no compensation paid by government involved, award allowed, under Sec. 303(1) of two-thirds of damage actually sustained without interest.*
 - [B-01175](#)
 - [H-21755](#)
 - [R-30046](#)
 - Insufficient showing of value of interest; exercise Commission discretion in allowing partial award.
 - [H-20395](#)

- *Where property taken has been inherited, value of property taken is original value less amount of applicable inheritance taxes.*
 - [Y-01528](#)
 - Except where *de minimis* applies.
 - [Y-00758](#)
 - Payment of inheritance taxes after taking is ignored, since value of property taken on date of taking is actual value less inheritance taxes payable; award reduced by amount of taxes despite later payment.
 - [Y-00921](#)
 - While as a general rule value of property must be decreased by amount of inheritance taxes, where American national decedent leaves property to an American hospital because this comes under exemption from Yugoslav inheritance taxes no deduction is made.
 - [Y-01627](#)

- *Value of real property is reduced by unpaid amount of mortgage.*
 - [CZ-01639](#)
 - [H-21469](#)
 - [Y-00597](#)
 - Where amount of mortgage exceeds appraised value of real estate, claim denied.
 - [Y-00272](#)
 - Where property located in territory ceded by Italy to Yugoslavia under the Treaty of Peace, mortgages expressed in lire owed to Italian banks were acquired by the Yugoslav Government; held deduction of dinar equivalent of lira should be made from value.
 - [Y-00381](#)
 - In determining unpaid balance of a mortgage, interest is added only for the number of years which would not be barred by the applicable statute of limitations.
 - [Y-01226](#)
 - Principle of *de minimis* applied; no deduction for mortgage in such case.
 - [Y-01122](#)
 - Confiscatory mortgages disregarded.
 - [Y-01205](#)
 - Mortgage placed on property regarded as Jewish-owned after record owners are killed and where on date of entry of mortgage the land is in Hungarian-occupied territory, held to be the result of anti-Jewish legislation of occupying power and disregarded in absence of evidence to the contrary.
 - [Y-01107](#)
 - Mortgages placed on property after taking disregarded.
 - [Y-00989](#)

- Cancellations of and additions to mortgages made by occupation authorities during World War II and subsequently voided by Yugoslav authorities considered void by Commission.
 - [Y-01641](#)
- Statement in 1954 that no mortgage is then owed speaks only as of that date and is not evidence that no mortgage was owed as of date of taking; deduction for mortgage recorded made.
 - [Y-01293](#)
- *Forced sale by German-ethnic claimants transferred from Italian-occupied to German-occupied Slovenia to "Emona", held invalid both under Yugoslav post-war legislation and by Commission.*
 - [Y-01147](#)
- *Yugoslav enemy property law of Nov. 21, 1944 was effective as to non-nationals of Yugoslavia only in territory then Yugoslav, not in areas ceded to Yugoslavia after that date.*
 - [Y-00291](#)
- *Remarriage of a widow extinguishes a life estate according to the law of the Vojvodina area of Yugoslavia, awards to claimants (children) adjusted accordingly.*
 - [Y-00787](#)
- *Rental, income taken by Yugoslav Government, amount of rental, proved, claim allowed.*
 - [Y-01091](#)
- *Where claimant originally made only a partial payment towards the purchase price of a tract of land in the El Encanto Tract and title had not passed to him, he did not own a compensable interest when the tract was taken; claim denied.*
 - [Pan-00027](#)
- *Where Yugoslav Government alleges property not nationalized because claimant, despite U.S. nationality is still Yugoslav, and there has been no actual interference with the property, claim denied.*
 - [Y-00394](#)
 - Where Yugoslav Government alleges property not nationalized because claimant, despite U.S. nationality is still Yugoslav, but property administered by local authorities, no attempt to return to claimant's control, no accounting as to use or income, held nationalization, hence compensable.
 - [Y-00260](#)
 - Where a decedent who is considered by Yugoslav authorities not to have lost his Yugoslav citizenship leaves his property to an American hospital, Commission holds that nationalization has become effective despite Yugoslav contention to the contrary because property now owned by an American entity.
 - [Y-01627](#)
- *Nationalized by Yugoslavia after the close of the period covered in the Yugoslav Claims Agreement of 1948; claim denied.*
 - [Y-01757](#)

- *In Yugoslavia recorded ownership of land is conclusive evidence until modified by a court; claim to equitable ownership denied.*
 - [Y-00591](#)
 - Where husband and claimant resided in the United States, husband died leaving interest in Yugoslav real property to claimant under will probated in state of residence, Commission will recognize the passing of the interest despite non-recording in Yugoslavia.
 - [Y-00657](#)
 - Yugoslav law does not recognize tenancies by the entirety; real property recorded in names of husband and wife in equal shares treated as such despite allegation that husband paid all and claim that despite non-nationality of wife he should receive full award.
 - [Y-01055](#)
 - Attempted transfer of ownership from non-national father to national claimant son in 1941 by means of document signed only by father, lacking acceptance, notarization, recordation and all other formalities required by Yugoslav law held insufficient to change recorded ownership particularly where grantee has never seen or exercised ownership over property since document drawn, and father remained in possession.
 - [Y-01186](#)
 - Where claimant attempted to purchase property in 1943, transfer unrecorded, litigation in Yugoslavia in which claimant asked that property be recorded in his name resulted in decree that attempted purchase was void, confirmed recordation in name of state, claimant has not established ownership, claim denied.
 - [Y-00461](#)
 - Where Yugoslav court, in probate proceedings has awarded real property to someone other than claimant, claimant cannot re-litigate before the Commission, absent showing lack of jurisdiction in the Yugoslav court of other invalidity, its decision will be followed—claim denied.
 - [Y-01090](#)
 - Widow's share in Croatian family community deemed to be equivalent of life tenancy even though not so recorded.
 - [Y-01278](#)
- *Where Yugoslav owner attempts to transfer title to American by deed made in the United States and unrecorded in Yugoslavia, and has failed to comply with Yugoslav Decree of July 19, 1946, which provides that legal acts involving transfer to non-Yugoslavs of title or long-term leases are null and void if not approved, held insufficient to establish ownership, claim denied.*
 - [Y-01497](#)
 - Attempted sale by claimant's attorney in fact of property in Yugoslavia, but approval of authorities for sale involving foreigner never asked for and not obtained, sale unrecorded, held sale not consummated.
 - [Y-00337](#)
- *Purported sale of real property in Czechoslovakia by deed executed in United States and sale not recorded in Czechoslovakia, not effective to pass grantor's interest, grantee's claim denied.*
 - [CZ-03936](#)

- *Where real property is nationalized during the period of the claims agreement, but subsequently returned to the claimant, claim denied.*
 - [Y-01097](#)
 - Where property is taken by Yugoslav Government because that Government thought claimant owner had lost Yugoslav citizenship, belated decision that claimant is still Yugoslav coupled with offer to restore naked ownership is not enough, held property was "otherwise taken", award allowed.
 - [Y-00732](#)
- *Purchase of real property taken by occupation authorities from previous Jewish owners during the war and Yugoslav Government returns such property to former Jewish owners through restitution did not convey valid title to purchaser and subsequent deprivation may not be the basis of valid claim.*
 - [Y-00402](#)
- *Taking by Italian prefect in area then Italian held not nationalization or other taking by Yugoslavia, claim denied.*
 - [Y-00969](#)
- *Purchaser of property from "trustee" appointed by occupation forces for former Jewish owner did not acquire good title and subsequent deprivation is not compensable.*
 - [CZ-01599](#)
- *Since states have the right to bar non-nationals from inheriting property, decision of Czech Notarial to allot real property of Czech decedent to Czech heir and not to United States national heir is not a taking as to the United States national heir and claimant; claim denied.*
 - [CZ-04177](#)
- *Law applicable to ownership of real estate is lex loci rei sitae, hence rights of claimant's husband under French law (situs of marriage) irrelevant.*
 - [CZ-03386](#)
 - Where lex loci has no trust law, relations between alleged "equitable" owner and recorded owner are contractual only; where recorded owner non-national at time of taking, interest of alleged "equitable" owner also denied.
 - [CZ-03993](#)
- *Claim for rent on real property damaged denied; too speculative.*
 - [I-10626](#)
- *Claim for loss of rent after date of nationalization denied because after that date the nationalizing government, not the claimant owned the property; however compensation was due on date of nationalization, claimant has suffered loss of use of compensation monies, award of interest on value found taken compensates for this loss of use.*
 - [B-01155](#)
 - [H-20016](#)
 - [R-30369](#)
 - [Y-00291](#)
 - Claims for rent or other benefits after date of nationalization denied.
 - [Y-00418](#)

- *Claims for loss of rent on real property nationalized by the Czech Government denied, no proof of rent and amount thereof prior to date of nationalization; thereafter Czech state and not claimant owned the property; however compensation was due on date of taking and claimant has suffered loss of use of compensation monies due between that date and date of title IV of act; award for interest for that period compensates for such loss of use.*
 - [CZ-01512](#)
 - Where Czech Government was obligated to pay rent to railroad corporation and failed to do so, rent due was part of assets of corporation and when nationalized by Czech Government, per share value found taken is correspondingly increased.
 - [CZ-03823](#)
- *Rumanian law-unrecorded interests of real property are not recognized; followed by Commission.*
 - [R-30490](#)

RELEASE OF CLAIM

- *Release of nationalization claim following award by Swiss Government commission operates as release under law; claim denied.*
 - [B-01220](#)

RUMANIAN LAW

- *Sales under duress are voidable, not void.*
 - [R-30515](#)
- *Unrecorded interests in real property are not recognized.*
 - [R-30039](#)

SOVIET DECREES-EXTRA TERRITORIAL EFFECT

- *Claim that recognition of Soviet Union retroactively validates decrees nationalizing enterprises, hence Russian banks whose assets had been attached in New York had been dissolved and lacked capacity to be sued, held that court in United States v. Pink had expressly excepted prior attachments, and legislative history of P.L. 285 was based on assumption attachments still valid.*
 - [S-40000](#)
- *Soviet decrees expropriating Russian banks held not to have affected branches operating in countries outside the Soviet Union.*
 - [S-40520](#)

SUBROGATION

- *Insurance companies with subrogation claims are deemed real parties in interest.*
 - [I-10278](#)
 - [I-10370](#)

SUCCESSION OF STATES

- *Yugoslav Government is not the successor to the former Austrian Empire and has no responsibility for bonds issued by that Empire, claim denied.*
 - [Y-00729](#)
- *Yugoslav Government is not the successor to the war-time puppet government of Croatia and has no responsibility for the confiscation, injuries or other actions for which the Croatian Government was responsible.*
 - [Y-00304](#)
- *Yugoslav Government is not the successor to the war-time puppet government of Serbia and has no responsibility for the confiscations, injuries or other actions for which the Serbian Government was responsible.*
 - [Y-00493](#)
- *Unsuccessful revolutionaries (or counter-revolutionaries) cannot bind the government which defeats them. Hence obligations of Kolchak-Siberian Government are not those of the Soviet Government.*
 - [S-41789](#)

TRANSFER OF CLAIM

- *Where claim made against one government relates to property situated in an area under war-time administration by another government against whom claims program is pending, claim transferred to second program (claim against Rumania for loss in Northern Transylvania transferred to Hungarian program).*
 - [R-30076](#)

TREATY OF PEACE

- *Article 26, par. 4(e) of Treaty of Peace with Hungary does not effect an extension to include losses occurring outside of Hungary or Northern Transylvania under Sec. 303(1) of act.*
 - [H-20894](#)
- *Claims which are provided for in the Peace Treaty with Italy are not compensable under Sec. 304.*
 - [I-10065](#)

UNITED STATES

- *As intervening co-claimant based on prior payment to claimant under private law.*
 - [B-01059](#)
 - [H-22253](#)
- *As claimant for the destruction of 2 transport planes and a jeep when the aircraft were shot down by Yugoslav forces in August 1946, claim allowed.*
 - [Y-01057](#)

VALUATION

- *Methods for evaluating real estate in Yugoslavia—discussion.*
 - [Y-00324](#)
- *Valuation of real property located in Czechoslovakia by establishing the German Equilization of Burdens Agency publication "Verzeichnis der Hektarsaetze."*
 - [CZ-03756](#)
- *Value of share of stock in nationalized enterprises; method of computation.*
 - [B-01117](#)
 - [CZ-04957](#)
 - [H-20028](#)
 - [R-30090](#)
 - [S-42187](#)
 - [Y-00729](#)
 - Use of nationalization balance sheet—Commission decision to adjust items further.
 - [R-30548](#)
- *Where Russian bonds were traded in the United States in quantity, average value of years in which purchased taken as valuation basis in absence of evidence to contrary.*
 - [S-40017](#)
- *Where Russian ruble bonds owned by claimant, or if not owned by claimant, have passed to him by inheritance or gift (i.e., where Sec. 307 does not apply) on date of repudiation, value is face amount plus face amount of unpaid coupons to that date converted at rate of exchange prevalent on that date.*
 - [S-40053](#)
 - Where bonds expressed in currencies other than rubles or dollars, rate of exchange is that on date of repudiation as between currency involved and dollars.
 - [S-40156](#)
- *Where a Russian bond bears a guaranteed exchange value into dollars, such value is used.*
 - [S-40003](#)
- *Value of life estate or usufruct, method of computation.*
 - [CZ-02931](#)
 - [H-22286](#)
 - [I-10762](#)
 - [R-30285](#)
 - [Y-00597](#)
 - Where widow has the usufruct until her remarriage the interest is less than a life estate; held where life estate is 39.679 percent of entire estate, interest as limited is 30 percent of entire estate.
 - [Y-01277](#)
 - Method of computation of a usufruct for a period of years less than life-use of law dealing with
- *taxation of usufructary rights.*
 - [Y-01153](#)

- *Value of oil, natural gas and gas liquid reserves in the subsoil of a concession area.*
 - Including exploited areas and undeveloped acreage.
 - [H-20367](#)
 - [R-30140](#)
- *Where property taken by Czech Government has been the subject of adjudication by the British Foreign Compensation Commission, the latter has calculated value by multiplying pre-war by 2 ½ to 3. The Foreign Claims Settlement Commission declines to follow this method of valuation and establishes value by other means.*
 - [CZ-03841](#)
- *Discussion of valuation of trader arks taken by Yugoslav Government.*
 - [Y-01206](#)
- *Discussion of the value of patents, both completed and pending taken by Czech Government, costs of patent application and subsequent benefit to Czech economy after taking.*
 - [CZ-04227](#)
 - Discussion of value of patents taken where Czech nationalized enterprise infringed patent, agreed on compensation payments but authorization refused by Czech national bank, patents subsequently taken.
 - [CZ-03440](#)
- *Valuation of land expropriated by Panamanian Court at \$4 per hectare.*
 - [Pan-00003](#)
- *Discussion of valuation of various industrial holdings.*
 - [CZ-04647](#)
 - [CZ-04227](#)
 - [CZ-02739](#)
 - [Y-01195](#)
 - [Y-01063](#)
 - [Y-00304](#)
 - [Y-00976](#)
 - [Y-01057](#)
 - [Y-01626](#)
 - [Y-01205](#)
 - [Y-01264](#)
 - [Y-00390](#)
 - [Y-00252](#)
 - [Y-01274](#)
 - [Y-01454](#)
 - [Y-00647](#)

ATTORNEY'S FEE

- *Attorney's fee of 10 percent awarded*
 - [Y-00554](#)

- *Attorney's fee in other amounts less than 10 percent awarded.*
 - [Y-01009](#)
- *Upon due cause shown, attorney's fee in excess of 10 percent allowed.*
 - [S-40243](#)
- *Order denying attorney's fee in excess of 10 percent.*
 - [I-10010](#)
- *Where claimant, before passage of International Claims Settlement Act of 1949 and Convention of 1950 with Panama, retained attorneys to press his claim against Panama and agreed to pay 35 percent of recoveries, and where none of the attorneys have acted for claimant before the Commission, and where claimant has requested the Commission to fix attorney's fees. Commission holds it is without authority to fix fees of attorneys who have not appeared before it, and would decline discretionary authority under Sec. 4(f) of the act if it had it.*
 - [Pan-00010](#)
- *Where claimant represented by 2 attorneys, 1 of whom files agreement allowing 10 percent of award but nothing furnished from which Commission could apportion fee between attorneys, Commission refuses to apportion counsel fees.*
 - [Y-00501](#)