

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

ESTHER W. BRAUN  
1011 Sheridan Avenue  
Bronx 56, New York

Claim No. CZ-3,100

Decision No. CZ- 5

Under the International Claims Settlement  
Act of 1949, as amended

GPO 942329

PROPOSED DECISION

This is a claim against the Government of Czechoslovakia under Section 404 of the International Claims Settlement Act of 1949, as amended, by Esther W. Braun, who states she became a national of the United States by naturalization in the United States on December 7, 1953. The claim is based on the asserted nationalization of a grocery store and certain other personal property in Presov, Czechoslovakia.

The claimant states that the above-mentioned property was nationalized or otherwise taken in 1942 and that the owners at that time were nationals of Czechoslovakia.

Section 404 of the Act provides, inter alia, for the determination by the Commission, in accordance with applicable substantive law, including international law, of the validity and amount of claims by nationals of the United States against the Government of Czechoslovakia for losses resulting from the nationalization or other taking on and after January 1, 1945, of property, including any rights or interests therein, owned at the time by nationals of the United States.

Section 405 of the Act provides that:

CZ-1  
CZ-5



"A claim under section 404 of this title shall not be allowed unless the property upon which the claim is based was owned by a national of the United States on the date of nationalization or other taking thereof and unless the claim has been held by a national of the United States continuously thereafter until the date of filing with the Commission."

Since it has not been established that the property upon which this claim is based was owned by a United States national on the date of nationalization or other taking thereof, or that such nationalization or other taking occurred after January 1, 1945, the claim must be and hereby is denied. The Commission finds it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

NOV 13 1959

BY DIRECTION OF THE COMMISSION:

*Francis T. Masterson*

Francis T. Masterson  
Clerk of the Commission

THIS DECISION WAS ENTERED AS THE COMMISSION'S  
FINAL DECISION ON

JAN 18 1960

*Francis T. Masterson*  
Clerk of the Commission

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