

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

IN THE MATTER OF THE CLAIM OF

MARY ANNE LIPPER ✓  
244 West 72nd Street ✓  
New York 23, New York ✓

Claim No. CZ-3,439 ✓

Decision No. CZ- 2433

Under the International Claims Settlement  
Act of 1949, as amended

GPO 942329

Counsel for Claimant:

COUDERT BROTHERS ✓  
488 Madison Avenue ✓  
New York 22, New York ✓

PROPOSED DECISION

This is a claim in the amount of \$58,000 against the Government of Czechoslovakia under Section 404 of Title IV of the International Claims Settlement Act of 1949, as amended, by MARY ANNE LIPPER, a national of the United States since November 18, 1946, the date of her naturalization.

The claim is based on the nationalization or other taking of a 9/20th interest in a house located at No. 17 Rybna Street in Prague, Czechoslovakia and on the proceeds of two life insurance policies. A portion of the claim originally asserted for the taking of two yeast plants has been subsequently withdrawn.

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

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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.

The Commission finds that claimant's former husband, Ludvik Strauss (now deceased), owned a  $\frac{3}{10}$ th interest in a house located at No. 17 Rybna Street in Prague, Czechoslovakia; that during World War II such property had been seized and turned over to German interests; that the aforementioned Ludvik Strauss died testate on August 6, 1945 leaving his entire property to the claimant; and that claimant instituted restitution proceedings with respect to her inherited fractional interest in the house in Prague, but that such proceedings were never completed.

The Commission concludes that claimant's  $\frac{3}{10}$ th interest in the house was taken by the Government of Czechoslovakia on December 21, 1949 when the Czechoslovakian Government suspended favorable action on restitution proceedings instituted by United States citizens. The Commission further concludes that the value of claimant's  $\frac{3}{10}$ th interest in the house at the time of taking was \$2,700.00.

Claimant asserts title to an additional  $\frac{3}{20}$ th interest in the aforesaid house which she allegedly inherited from her father-in-law, Josef Strauss, who owned during his lifetime a  $\frac{6}{10}$ th interest therein. The Commission, however, finds that claimant failed to submit any persuasive evidence indicating that she inherited any interest in the house formerly owned by Josef Strauss. Accordingly, that portion of the claim based thereon is denied.

The Commission further finds that claimant was the beneficiary of two life insurance policies of her late husband, Ludvik Strauss; that



one of such policies was issued by the Phenix Insurance Company of Prague and its cash value as of December 31, 1945 amounted to 56,380 Czech crowns; and that the other policy was issued by the "Riunione" Adriatica de Sicurita, an insurance company of Prague, and its cash value as of December 31, 1945 was 32,027 Czech crowns.

A study of the history of events with respect to proceeds arising from life insurance policies in Czechoslovakia reveals that the proceeds of the policies were placed in blocked accounts at their cash value on December 31, 1945, and that such blocked accounts were annulled by the Government of Czechoslovakia by Law No. 41/53 Sb., effective June 1, 1953. Therefore, the Commission concludes that 88,407 Czech crowns, the cash value on December 31, 1945 of the above-described life insurance policies were taken without compensation by the Government of Czechoslovakia on June 1, 1953.

Accordingly, claimant is entitled to compensation for her interest in the house No. 17 Rybna Street in Prague, and for the cash value on December 31, 1945 of the life insurance policies at the rate of \$1.00 for 50 Czech crowns under Section 404 of the Act, as specified below:

Item	Value in Kc.	Value in U. S. \$	Date of Taking	6% Int. from Date of Taking	Total
House 17 Rybna St.		\$2,700.00	12/21/49	\$1,398.14	\$4,098.14
Life Insurance Policies	88,407.00	<u>1,768.14</u>	6/ 1/53	<u>550.19</u>	<u>2,318.33</u>
		\$4,468.14		\$1,948.33	\$6,416.47

A W A R D

Pursuant to the provisions of Title IV of the International Claims Settlement Act of 1949, as amended, an award is hereby made to MARY ANNE LIPPER in the principal amount of Four Thousand Four Hundred Sixty-Eight

Dollars and Fourteen Cents (\$4,468.14) plus interest thereon at the rate of 6% per annum from the above stated dates of taking to August 8, 1958, the effective date of the Act, in the amount of One Thousand Nine Hundred Forty-Eight Dollars and Thirty-three Cents (\$1,948.33) for a total award of Six Thousand Four Hundred Sixteen Dollars and Forty-Seven Cents (\$6,416.47).

Dated at Washington, D. C. BY DIRECTION OF THE COMMISSION:

JUN 20 1961

*Francis T. Masterson*

Francis T. Masterson  
Clerk of the Commission

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HPS  
THIS DECISION WAS ENTERED AS THE COMMISSION'S  
FINAL DECISION ON ~~JUL 19 1961~~

*Francis T. Masterson*

Clerk of the Commission