

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

E.B.
JR
PS

IN THE MATTER OF THE CLAIM OF

SEIT BEQO
1609 North Wayne Road
Wayne, Michigan

Claim No. IT-10,862

Decision No. IT-817

Under the International Claims Settlement
Act of 1949, as amended

GPO 942329

Attorney for Claimant:

Dr. BRANKO M. PESELJ
912 Dupont Circle Building
1346 Connecticut Avenue, N. W.
Washington 6, D. C.

FINAL DECISION

The Commission issued its Proposed Decision on this claim on November 5, 1958, a certified copy of which was duly served upon the claimant. Objections were filed by claimant's attorney, together with a request for a hearing which was scheduled for February 11, 1959 and continued to March 4, 1959 at 2:00 P. M. at the office of the Commission, 7th and E Streets, N. W., Washington 25, D. C., and due notice thereof was given to the claimant's attorney. Full consideration was given to the objections and the evidence and the arguments presented at the hearing by claimant's attorney, and general notice of the Proposed Decision was given by posting for thirty days.

Claimant has submitted some documentary evidence that he transmitted to or for the account of his father, an Albanian national, certain sums of money to be used for improvement and repairs of the agrarian real property, subject of the claim, and for purchase of livestock, etc., from 1924 to 1935.

I-7

Upon reconsideration of all of the evidence of record, the Commission is of the opinion that the claimant has established his claim of beneficial ownership in the property in question and that such ownership existed prior to and at the time of damage.

The Commission, therefore, has concluded that the Proposed Decision should be set aside, and that an award in the principal sum of \$2,000.00 should be made to claimant. It is, therefore,

ORDERED that the Proposed Decision be, and it hereby is, set aside, and it is further

ORDERED that an award in the principal amount of \$2,000.00 be made to claimant, plus interest in the sum of \$890.00, being 6% per annum from November 22, 1940, the date of the loss, to April 23, 1948, the date of payment by the Government of Italy of \$5,000,000 pursuant to the Memorandum of Understanding dated August 14, 1947.

It is further ordered that this award be certified to the Secretary of the Treasury.

Washington 25, D. C.

JUN 1 1950

Whitney Hilliland

Pearl Pace

Robert L. Kunzig

COMMISSIONERS

E.L.

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

IN THE MATTER OF THE CLAIM OF

SEIT BEGO
1609 North Wayne Road
Wayne, Michigan

Claim No. IT-10,862

Decision No. IT- 817

Under the International Claims Settlement
Act of 1949, as amended

GPO 942329

Attorney for Claimant:

Dr. BRANKO M. PESELJ
912 Dupont Circle Building
1346 Connecticut Avenue, N. W.
Washington 6, D. C.

PROPOSED DECISION

This is a claim for \$12,500.00 by Seit Beqo, a citizen of the United States since his naturalization on May 13, 1930 at Windham, Connecticut (Certificate No. 3183552), and is for damage to real property (house in Selenice, Kolonje, Albania and a house in Pejani, Koritsa, Albania) and the loss of personal property (furniture and household effects located in the dwelling house in Pejani), as a result of the war in which Italy was engaged from June 10, 1940 to September 15, 1947.

Section 304 of the aforesaid Act provides for the receipt and determination by the Commission, in accordance with the Memorandum of Understanding and applicable substantive law, including international law, of the validity and amounts of claims of nationals of the United States against the Government of Italy, arising out of the war in which Italy was engaged from June 10, 1940 to September 15, 1947, and with respect to which provision was not made in the Treaty of Peace with Italy.

T-8

Under a well-established principle of international law, eligibility for compensation requires the property which was subject of the loss or sustained damages, must have been owned by a United States national at the time the damage or loss occurred, and that the claim arising as a result of such damage or loss must have been owned continuously thereafter by a United States national or nationals.

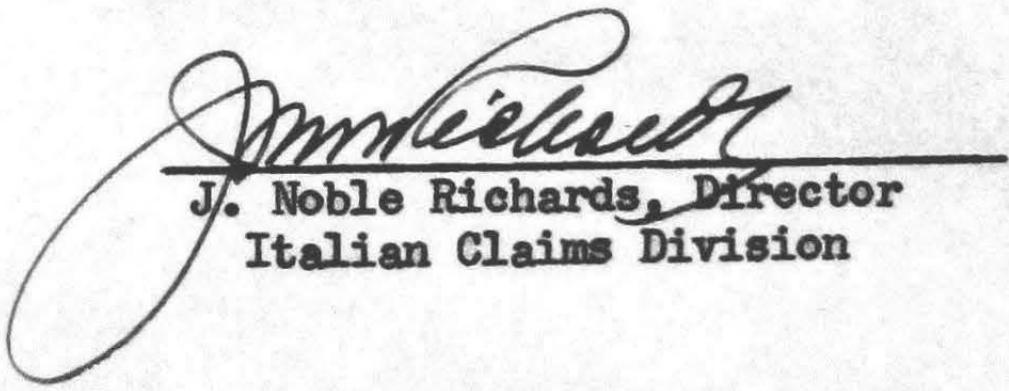
Claimant asserts that he inherited the two dwelling houses and personal property on the death of his father, whose death is alleged to have occurred during 1945. However, the records fail to establish that the decedent had ever acquired United States nationality, or that the claimant was possessed of a right or interest in said property prior to or at the time of loss thereof or damage thereto.

For the foregoing reason, the claim must be, and hereby is, denied.

Dated at Washington, D. C.

NOV 5 1958

FOR THE COMMISSION:


J. Noble Richards, Director
Italian Claims Division

136