

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

In the Matter of the Claim of :

ANDREW WAGNER
1920 Henderson Street,
Chicago, Illinois :

Docket No. Y-554

Decision No. 401

Under the Yugoslav Claims Agreement
of 1948 and the International Claims
Settlement Act of 1949 :

Counsel for Claimant:

CLIFFORD K. RUBIN, Esquire
77 West Washington Street,
Chicago 2, Illinois

ORDER OF THE COMMISSION

The Commission has heretofore made an award, without interest, to claimant, **Andrew Wagner, in the amount of \$4,287.27.**

The property involved was evaluated in accordance with 1938 values and the award thereon was based on a conversion rate of 55 dinars to \$1. For the reasons stated by the Commission in its Proposed Decision on the claim of Joseph Senser, Decision No. 663, it is now the opinion of the Commission that when 1938 property values are used, the correct conversion rate is 44 dinars to \$1 and that interest should be allowed at the rate of 6% per annum, from the date the property was taken to August 21, 1948, the date compensation was paid by the Government of Yugoslavia.

The property involved was taken on **February 6, 1945.**

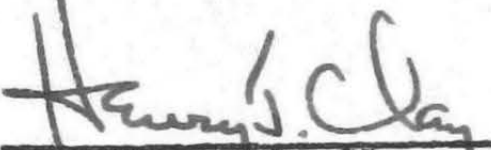
Accordingly, IT IS ORDERED that the award heretofore made be corrected, and in full and final settlement of the claim, that the above-named claimant be, and hereby is awarded the following amounts:

principal \$5,359.09; interest \$1,138.18.

Dated at Washington, D. C.

December 1, 1954

FOR THE COMMISSION:


Henry J. Clay
Commissioner

DEPARTMENT OF STATE
INTERNATIONAL CLAIMS COMMISSION
OF THE UNITED STATES

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of 1948 and the International Claims
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PROPOSED DECISION

MARVEL, CHAIRMAN. This claim seeks the recovery of \$8,750, the asserted value of real estate alleged to have been nationalized or otherwise taken by the Yugoslav Government.

The claim is before this Commission upon the proceeding of the Solicitor of the Commission pursuant to Section 300.16 of the Rules of Practice and Procedure of the Commission.

Evidence before the Commission shows that claimant became a citizen of the United States by naturalization on December 23, 1927, and that he was the owner of a one-half interest in 37 yochs, 976 square fathoms of farm land registered under Docket Nos. 70 and 118, Donja Roglarica. Evidence further shows that this property passed into state ownership pursuant to a decree of Yugoslavia dated November 21, 1944, entitled "Decree Covering Transfer Into State Ownership of Enemy Property, State Administration of Property Belonging to Absent Persons and Sequestration of Property Alienated by Force by the Occupation Authorities (Official Gazette No. 2, February 6, 1945). This decree was confirmed with amendments on July 31, 1946 (Official Gazette No. 63, August 6, 1946 and No. 105, December 27, 1946).

From the evidence before the Commission as to the value of this property, we conclude that the value of the land is \$7,985.45, and the value of the improvements thereon is \$589.09, or a total value of \$8,574.54.

An award will be made in favor of the claimant, Andrew Wagner, for his one-half interest, in the amount of \$4,287.27.

Commissioner McKeough concurs in the above.

Commissioner Baker likewise concurs in the above.

October 29, 1952