

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

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Claim No. CZ-4,711
Claim No. CZ-4,712
Decision No. CZ-194

Under the International Claims Settlement
Act of 1949, as amended

Counsel for Claimants:

L. David Weiss, Esquire
565 Fifth Avenue
New York 17, New York

ORDER AND AMENDED PROPOSED DECISION

The Commission issued its Proposed Decision on these claims on February 17, 1960 denying them for the reason that it had not been established that the property in question was nationalized or otherwise taken by the Government of Czechoslovakia between January 1, 1945 and August 8, 1958, the effective date of the governing statute. Copies of the decision were duly served upon the claimants. Upon consideration of objections which were not supported by any evidence, the Proposed Decision was entered as the Final Decision on these claims under date of May 2, 1960.

Subsequent to the entry of the Final Decision herein, the Commission reviewed the history and effect of the Czechoslovakian Agrarian Reform Law No. 46/1948 Sb. and regulations issued pursuant thereto. Upon such review, the Commission concluded that, in the absence of evidence to the contrary, it will be presumed that agrarian property (land with an area of less than 50 hectares) which was owned by a national of the United States who was not physically present in Czechoslovakia to till the land, was taken by the Government of Czechoslovakia as of June 10, 1952. In view of the foregoing, the Commission on its own motion has reconsidered these claims. It is

ORDERED that the Final Decision heretofore entered be vacated and that the Proposed Decision be amended as follows:

The record shows that STEFAN CHURMA and ANNA CHURMA, nationals of the United States since their naturalization on February 8, 1928 and March 13, 1945, respectively, owned interests in agrarian property in Czechoslovakia as follows:

<u>Description Land Register</u>	<u>Stefan Churma's Interest</u>	<u>Anna Churma's Interest</u>	<u>Value of Claimants' Interests</u>
No. 48/37 and No. 522, area of Dubravka	1/3	1/3	\$ 600.00
No. 389, area of Budkovce	Sole		125.00
No. 164, area of Budkovce	1/2		150.00
Nos. 389, 433, 490, area of Budkovce subject to life estate in favor of Anna Churma's mother.	1/2	Sole	100.00
No. 455, area of Dubravka	1/2	1/2	200.00

The Commission finds that the aforementioned properties were taken without compensation by the Government of Czechoslovakia on June 10, 1952. It is concluded that claimants are entitled to compensation under Section 404 of the Act. The Commission finds that the values of the property owned by STEFAN CHURMA and ANNA CHURMA were \$675.00 and \$500.00, respectively.

In arriving at the values of the property thus taken, the Commission considered all the evidence of record including purchase prices shown in sales contracts submitted by the claimants, as well as information and data as to the value of similar property in the same area.

A W A R D S

Pursuant to the provisions of Title IV of the International Claims Settlement Act of 1949, as amended, an award is hereby made to STEFAN CHURMA in the principal amount of Six Hundred Seventy-five Dollars (\$675.00) plus interest thereon at the rate of 6% per annum from June 10, 1952 to August 8, 1958, the effective date of Title IV of the Act, in the amount of Two Hundred Forty-nine Dollars and Fifty-three Cents (\$249.53) for a total award of Nine Hundred Twenty-four Dollars and Fifty-three Cents (\$924.53); and

an award is made to ANNA CHURMA in the principal amount of Five Hundred Dollars (\$500.00), plus interest thereon at the rate of 6% per annum from June 10, 1952 to August 8, 1958, the effective date of Title IV of the Act, in the amount of One Hundred Eighty-four Dollars and Eighty-four Cents (\$184.84), for a total award of Six Hundred Eighty-four Dollars and Eighty-four Cents (\$684.84).

Dated at Washington, D. C.

APR 25 1962

BY DIRECTION OF THE COMMISSION:


Francis T. Masterson
Clerk of the Commission

THIS DECISION WAS ENTERED AS THE COMMISSION'S
FINAL DECISION ON MAY 31 1962


Clerk of the Commission

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

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA and
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Claim No. CZ-4,711
CZ-4,712

Decision No. CZ- 194

Under the International Claims Settlement
Act of 1949, as amended

GPO 942329

Counsel for Claimants:

L. David Weiss
565 Fifth Avenue
New York 17, New York

FINAL DECISION

The Commission issued its Proposed Decision on these claims on February 17, 1960, a copy of which was duly served upon the claimants. Claimants filed objections to the Proposed Decision and requested an oral hearing for the purpose of presenting a brief and evidence in support of these claims. A hearing was scheduled for April 14, 1960 and claimants were duly advised thereof. No appearance was made by or on behalf of the claimants.

Full consideration having been given to the objections of the claimants and general notice of the Proposed Decision having been given by posting for twenty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on these claims.

Dated at Washington, D. C.

MAY 2 1960

Paul Pace
Robert L. Kunzig

Shelby Davis
COMMISSIONERS

CZ-7

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

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA and
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Under the International Claims Settlement
Act of 1949, as amended

CZ-4, 711
Claim No. CZ-4, 712

Decision No. CZ-194

Counsel for Claimant:

GPO 942329

L. David Weiss
565 Fifth Avenue
New York 17, New York

PROPOSED DECISION

These are claims against the Government of Czechoslovakia under Section 404, Title IV, of the International Claims Settlement Act of 1949, as amended, by STEFAN CHURMA and ANNA CHURMA, husband and wife, who state that they became nationals of the United States by naturalization on February 8, 1928 and March 13, 1945, respectively.

The claims are based on the asserted nationalization or other taking of certain real property in Dubravka, Czechoslovakia. The claimants assert that the property was taken in 1959.

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.

CZ-7

Section 405 of the Act provides that:

"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."

For the reasons stated in the attached copy of Proposed Decision No. CZ-55, In the Matter of the Claim of Zuzana Filko, Claim No. CZ-4,583, these claims are denied.

The Commission finds it unnecessary to make determinations with respect to other elements of these claims.

Dated at Washington, D. C.

FEB 17 1960

BY DIRECTION OF THE COMMISSION:

 NB

Francis T. Masterson
Clerk of the Commission

258.

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

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Claim No. CZ-4,711

Claim No. CZ-4,712

Decision No. CZ-194

Under the International Claims Settlement
Act of 1949, as amended

Counsel for Claimants:

L. David Weiss, Esquire
565 Fifth Avenue
New York 17, New York

ORDER AND AMENDED PROPOSED DECISION

The Commission issued its Proposed Decision on these claims on February 17, 1960 denying them for the reason that it had not been established that the property in question was nationalized or otherwise taken by the Government of Czechoslovakia between January 1, 1945 and August 8, 1958, the effective date of the governing statute. Copies of the decision were duly served upon the claimants. Upon consideration of objections which were not supported by any evidence, the Proposed Decision was entered as the Final Decision on these claims under date of May 2, 1960.

Subsequent to the entry of the Final Decision herein, the Commission reviewed the history and effect of the Czechoslovakian Agrarian Reform Law No. 46/1948 Sb. and regulations issued pursuant thereto. Upon such review, the Commission concluded that, in the absence of evidence to the contrary, it will be presumed that agrarian property (land with an area of less than 50 hectares) which was owned by a national of the United States who was not physically present in Czechoslovakia to till the land, was taken by the Government of Czechoslovakia as of June 10, 1952. In view of the foregoing, the Commission on its own motion has reconsidered these claims. It is

ORDERED that the Final Decision heretofore entered be vacated and that the Proposed Decision be amended as follows:

The record shows that STEFAN CHURMA and ANNA CHURMA, nationals of the United States since their naturalization on February 8, 1928 and March 13, 1945, respectively, owned interests in agrarian property in Czechoslovakia as follows:

<u>Description Land Register</u>	<u>Stefan Churma's Interest</u>	<u>Anna Churma's Interest</u>	<u>Value of Claimants' Interests</u>
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Nos. 389, 433, 490, area of Budkovce subject to life estate in favor of Anna Churma's mother.	1/2	Sole	100.00
No. 455, area of Dubravka	1/2	1/2	200.00

The Commission finds that the aforementioned properties were taken without compensation by the Government of Czechoslovakia on June 10, 1952. It is concluded that claimants are entitled to compensation under Section 404 of of the Act. The Commission finds that the values of the property owned by STEFAN CHURMA and ANNA CHURMA were \$675.00 and \$500.00, respectively.

In arriving at the values of the property thus taken, the Commission considered all the evidence of record including purchase prices shown in sales contracts submitted by the claimants, as well as information and data as to the value of similar property in the same area.

A W A R D S

Pursuant to the provisions of Title IV of the International Claims Settlement Act of 1949, as amended, an award is hereby made to STEFAN CHURMA in the principal amount of Six Hundred Seventy-five Dollars (\$675.00) plus interest thereon at the rate of 6% per annum from June 10, 1952 to August 8, 1958, the effective date of Title IV of the Act, in the amount of Two Hundred Forty-nine Dollars and Fifty-three Cents (\$249.53) for a total award of Nine Hundred Twenty-four Dollars and Fifty-three Cents (\$924.53); and

an award is made to ANNA CHURMA in the principal amount of Five Hundred Dollars (\$500.00), plus interest thereon at the rate of 6% per annum from June 10, 1952 to August 8, 1958, the effective date of Title IV of the Act, in the amount of One Hundred Eighty-four Dollars and Eighty-four Cents (\$184.84), for a total award of Six Hundred Eighty-four Dollars and Eighty-four Cents (\$684.84).

Dated at Washington, D. C.

APR 25 1962

BY DIRECTION OF THE COMMISSION:



Francis T. Masterson
Clerk of the Commission

THIS DECISION WAS ENTERED AS THE COMMISSION'S
FINAL DECISION ON MAY 31 1962



Clerk of the Commission

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

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA and
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Claim No. CZ-4,711
CZ-4,712

Decision No. CZ-194

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Counsel for Claimants:

L. David Weiss
565 Fifth Avenue
New York 17, New York

FINAL DECISION

The Commission issued its Proposed Decision on these claims on February 17, 1960, a copy of which was duly served upon the claimants. Claimants filed objections to the Proposed Decision and requested an oral hearing for the purpose of presenting a brief and evidence in support of these claims. A hearing was scheduled for April 14, 1960 and claimants were duly advised thereof. No appearance was made by or on behalf of the claimants.

Full consideration having been given to the objections of the claimants and general notice of the Proposed Decision having been given by posting for twenty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on these claims.

Dated at Washington, D. C.

MAY 2 1960

Paul Lee
Robert L. Kunzig
John L. ...
COMMISSIONERS

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES

WASHINGTON 25, D. C.

Section 404 of the Act provides that:

IN THE MATTER OF THE CLAIM OF

STEFAN CHURMA and
ANNA CHURMA
339 Pearl Street
Bridgeport 8, Connecticut

Claim No. CZ-4,711
CZ-4,712

Decision No. CZ-

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Counsel for Claimant: L. David Weiss

565 Fifth Avenue

Dated at New York 17, New York

FEB 17 1950

PROPOSED DECISION

BY DIRECTOR OF THE COMMISSION

These are claims against the Government of Czechoslovakia under Section 404, Title IV, of the International Claims Settlement Act of 1949, as amended, by STEFAN CHURMA and ANNA CHURMA, husband and wife, who state that they became nationals of the United States by naturalization on February 8, 1928 and March 13, 1945, respectively.

The claims are based on the asserted nationalization or other taking of certain real property in Dubravka, Czechoslovakia. The claimants assert that the property was taken in 1959.

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:

"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."

For the reasons stated in the attached copy of Proposed Decision No. CZ-55, In the Matter of the Claim of Zuzana Filko, Claim No. CZ-4,583, these claims are denied.

The Commission finds it unnecessary to make determinations with respect to other elements of these claims.

Dated at Washington, D. C.

FEB 17 1960

BY DIRECTION OF THE COMMISSION:



Francis T. Masterson
Clerk of the Commission