

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

IN THE MATTER OF THE CLAIM OF

MARIA SOMLYO BARTAL
161 West 54th Street
New York 19, New York

Claim No. HUNG-20,395

Decision No. HUNG-1259

Against the Government of Hungary
Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Counsel for Claimant:

MORTIMER MAY, Esquire
105 Court Street
Brooklyn 2, New York

FINAL DECISION

The Commission issued its Proposed Decision on this claim on July 16, 1958, a copy of which was duly served upon the claimant ~~(see)~~. No objections or request for a hearing having been filed within twenty days after such service and general notice of the Proposed Decision having been given by posting for thirty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on the claim, and it is further

ORDERED that the award granted therein be certified to the Secretary of the Treasury.

Dated at Washington, D. C.

SEP 3 1958

Whitney Gilliland ^{*M. L. L.*} _{*Des. B.*}
Paul Carter Pace

COMMISSIONERS

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PROPOSED DECISION

This is a claim against the Government of Hungary under Sections 303(1) and 303(2) of the International Claims Settlement Act of 1949, as amended, for \$33,563.00 by MARIA SOMLYO BARTAL, a national of the United States since her naturalization in the United States on March 11, 1932, for damage to property in Hungary during World War II and for the nationalization, compulsory liquidation, or other taking of property.

The Commission finds that the claimant was the owner of an interest in certain real property which was damaged as a result of World War II, and of certain personal property which was lost or destroyed as a result of World War II. The Commission also finds that the loss or damage actually sustained amounted to Six Thousand Six Hundred Ninety-seven Dollars (\$6,697.00) and concludes that claimant is entitled to an award in the amount of \$4,464.67 under Section 303(1) of the Act, since, under this Section, awards are limited to two-thirds of the loss or damage actually sustained.

The Commission further finds that the claimant also owned real property described in Liber Nos. 4331/21, 4369/225 and 4331/25, in

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the records of the County of Bicske, Hungary; that property represented by Liber No. 4369/225 was taken in the year 1951, apparently in the course of pooling and redistribution (tagositas) of farmland in the County of Bicske, Hungary, pursuant to the provisions of Law-Decree 1949:3 tvr. and Decree 16,100/150 (VIII 23) F.M., as amended; that the value of claimant's interest in the property taken was One Hundred Six Dollars (\$106.00), and that claimant is also entitled to an award under Section 303(2) of the Act.

Section 303(2) of the Act provides, inter alia, for the receipt and determination by the Commission in accordance with applicable substantive law, including international law, of the validity and amounts of claims of nationals of the United States against the Government of Hungary, arising out of the failure of such government to pay effective compensation for the nationalization, compulsory liquidation, or other taking prior to August 9, 1955, of the property of nationals of the United States in Hungary.

With respect to property described in Liber Nos. 4331/21 and 4331/25 the Commission finds that it has not been established that such property was nationalized or otherwise taken by the Government of Hungary prior to August 9, 1955. Accordingly, this portion of the claim is denied.

A W A R D

Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, this claim is allowed, in part, and an award is hereby made to MARIA SOMLYO BARTAL in the amount of Four Thousand Five Hundred Seventy Dollars and Sixty-seven Cents (\$4,570.67) plus interest upon that portion of the award granted pursuant to Section 303(2) at the rate of 6% per annum from January 1, 1951 to August 9, 1955, the effective date of the Act in the amount of Twenty-nine Dollars and Two Cents (\$29.02).

Payment of any part of this award shall not be construed to

have divested the claimant herein, or the Government of the United States on her behalf, of any rights against the Government of Hungary for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

JUL 16 1958

FOR THE COMMISSION:

Donald G. Benn
Donald G. Benn, Director
Balkan Claims Division

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