

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

IN THE MATTER OF THE CLAIM OF

CHRIST S. RAFTIS, Administrator of the
Estate of Spiro Raftis
6800 South Marshfield Avenue
Chicago 36, Illinois

Claim No. IT-10,634

Decision No. IT-407

Under the International Claims Settlement
Act of 1949, as amended

GPO 942329

Counsel for Claimant:

LOUIS J. HYDE, Esquire
1741 West 47th Street
Chicago 9, Illinois

FINAL DECISION

The Commission issued its Amended Proposed Decision on this claim on April 27, 1959, a certified copy of which was duly served upon the claimant. No objections or request for a hearing having been filed within twenty days after such service and general notice of the Amended Proposed Decision having been given by posting for thirty days, it is

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

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

Washington 25, D. C.

JUN 8 1959

Whitney Hilliland

Pearl Pace

Robert L. Kunzig

COMMISSIONERS

Aug 20 1959
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FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
Washington 25, D. C.

In the Matter of the Claim of

CHRIST S. RAFTIS
6800 South Marshfield Avenue
Chicago 36, Illinois

Claim No. IT-10,634

Decision No. IT- 407

Under Section 304 of the International
Claims Settlement Act of 1949, as amended

PROPOSED DECISION

This is a claim for \$6,000.00 filed by Christ S. Raftis, a citizen of the United States since his naturalization June 12, 1944, for damage and loss of property in Libohove, Albania, as a result of the war in which Italy was engaged from June 10, 1940 to September 15, 1947.

Section 304 of Public Law 285 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.

Under a well established principle of international law, eligibility for compensation requires that the property which was the subject of damage or loss 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 continuously owned thereafter by a United States national or nationals.

EL

The records of the Commission disclose that the real and personal property, the subject of this claim, was owned by claimant's father, Spiro Raftis, who died on June 14, 1950, and his mother, Athina Raftis, who died on March 13, 1951, subsequent to the date of damage and loss, August 28, 1943. The claimant asserts the property was inherited by him as sole surviving heir on the death of his parents. The record fails to establish that either Spiro Raftis or Athina Raftis were citizens of the United States at the time of their death, or at any time prior thereto, and that the claim has been continuously owned since the date of damage and loss by a United States national or nationals.

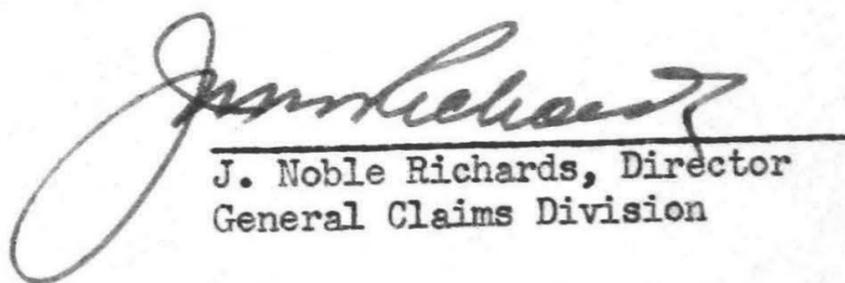
It is concluded, therefore, that this claim should be, and hereby is denied.

Other factors relating to eligibility, damage or loss, or pertaining to the merits of the claim, have not been considered.

Dated at Washington, D. C.

FOR THE COMMISSION:

NOV 6 1957


J. Noble Richards, Director
General Claims Division

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