

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

IN THE MATTER OF THE CLAIM OF

ANDREW M. HALLAS
Box 559
Izmir, Turkey

Claim No. BUL-1,309

Decision No. BUL-309

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

GPO 942329

Counsel for Claimant:

Doman and Van Heemstra
521 Fifth Avenue
New York 17, New York

FINAL DECISION

The Commission issued its Proposed Decision denying this claim on March 16, 1959, a copy of which was duly served upon the claimant.

Upon consideration of the objections filed by the claimant, and the evidence and argument presented at a hearing held on June 23, 1959, the Commission withdraws its finding in the Proposed Decision to the effect that the claimant was a creditor of the firm of George Buchner Baucevitch, but affirms its finding that the record does not establish that the claimant owned any interest in the said firm. Accordingly, except as noted above, it is

ORDERED that the Proposed Decision be and is hereby entered as the Final Decision on this claim.

Dated at Washington, D. C.

JUL 7 1959

Whitney Hilliland
Robert L. Kunzig
COMMISSIONERS

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PROPOSED DECISION

This is a claim against the Government of Bulgaria under Section 303(2) of the International Claims Settlement Act of 1949, as amended, by ANDREW M. HALLAS for the taking of property in Bulgaria.

Claimant states that he owned a property interest to the extent of 8,795,273 leva in the tobacco firm of Georg Buchner Baucevitch which was taken by the Government of Bulgaria in 1945.

Section 303 provides for certain claims of nationals of the United States against the Governments of Bulgaria, Hungary, and Rumania. Implicit is the requirement, among others, for an award, that the property in question or the claim arising out of the loss of or damage to the property be owned by the person or entity filing the claim.

The Commission finds that it has not been established that claimant owned any interest in the firm in question at the time it is stated that this firm was taken by the Government of Bulgaria.

Moreover, the record shows that claimant was merely a creditor of the firm of George Buchner Baucevitch to the extent of 8,795,273 leva. The Commission has held that claims based upon debts due from nationalized concerns, even those secured by mortgages, are not compensable under Section 303(2) of the Act. For the reasons specified in the attached copy of Proposed Decision No. HUNG-1438, In the Matter of the Claim of Pauline V. Brower (HUNG-20,190), this claim is denied.

The Commission deems it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

MAR 16 1959

FOR THE COMMISSION:

William Barrett
William Barrett, Acting Director
Balkan Claims Division

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