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

IN THE MATTER OF THE CLAIM OF

JOSHUA GRUNWALD
310 West 95th Street
New York, New York

Claim No. IT-10,846

Decision No. IT-409

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Attorney for Claimant:

JOHN WARD CUTLER
Nugent and Nugent
Investment Building
Washington 5, D. C.

FINAL DECISION

The Commission issued a Proposed Decision on this claim on November 6, 1957, a certified copy of which was duly served upon the claimant. No objections or request for a hearing having been filed after an extension of time from the twenty days after such service had been requested and granted until December 24, 1957, 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 this claim.

Washington 25, D. C.

JAN 16 1958

Whitney Millard

Pearl Pace

Henry S. Clay

COMMISSIONERS

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In the Matter of the Claim of

JOSHUA GRUNWALD
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Claim No. IT-10,846

Decision No. IT-409

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

PROPOSED DECISION

This is a claim against the Government of Italy under Section 304 of the International Claims Settlement Act of 1949, as amended.

Section 304 of the aforesaid Act 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 Article 78 of the Treaty of Peace the Government of Italy undertook, among other things, to restore all legal rights and interests in Italy of United Nations nationals as they existed on June 10, 1940; to return all property in Italy of the United Nations nationals as they existed on the date of said Treaty, September 15, 1947; and, in cases where the property could not be returned, or where, as a result of the war, a United Nations national had suffered a loss by reason of injury or damage to property in Italy, to pay compensation in accordance with the terms of the Treaty.

The records of the Commission disclose that claimant is seeking to recover \$17,000.00 for losses of personal property, that is furniture, furnishings, a library, silver, religious objects, etc., in Merano, Italy, and for deprivation of his position as Chief Rabbi of Merano, Italy, as a result of the war with Italy.

The Commission has consistently held that loss of a position is not compensable under Section 304 of the International Claims Settlement Act of 1949, as amended, and therefore this part of the claim must be and hereby is denied.

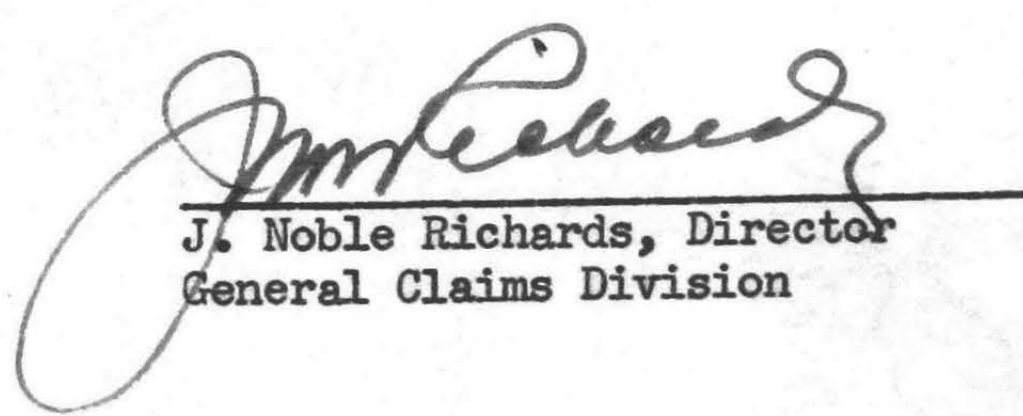
Inasmuch as provision for claims for loss of property in Italy was made in the Treaty of Peace with Italy, the Commission finds that the claim is not compensable under the provisions of Section 304 of the aforementioned Act. It is therefore concluded that this claim should be, and is hereby denied.

Other factors relating to eligibility, damages 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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