

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

ELLA J. VAJDA

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. HUNG-2-703

Decision No. HUNG-2- 0102

PROPOSED DECISION

This claim in the asserted amount of \$17,219.50 against the Government of Hungary, under subsection 303(5), Title III of the International Claims Settlement Act of 1949, as amended, is based upon the alleged ownership and loss of certain furniture, oriental rugs, silverware and china listed in a statement dated April 12, 1975, by Janos Halmos and Laszlo' Nagy.

Claimant is a national of the United States since her birth on July 30, 1919, in the United States.

Under section 303, Title III of the International Claims Settlement Act of 1949, (69 Stat. 570 (1955)); 22 U.S.C. §§1641-1641q (1971), as amended by section (3) of Public Law 93-460, approved on October 20, 1974 (88 Stat. 1386 (1974)), and which implements certain provisions of the Hungarian Claims Agreement of March 6, 1973, (TIAS 7569), the Commission is given jurisdiction as follows:

The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims of nationals of the United States against the . . . [Government of Hungary] . . . arising out of the failure to ---

(5) pay effective compensation for the nationalization, compulsory liquidation or other taking of property of nationals of the United States in Hungary, between August 9, 1955, and the date the United States-Hungarian Claims Agreement of March 6, 1973, enters into force.

In support of her claim the claimant, ELLA J. VAJDA, submitted a statement, dated April 12, 1975, by Janos Halmos and Laszlo Nagy, both attorneys at law in Budapest, Hungary, in which they assert that the personal property, consisting of furniture, oriental rugs, silverware and china, listed and valued individually, was owned by the claimant. The witnesses further state as follows:

Dr. Vajda and his wife (the claimant) left Hungary during the 1956 Revolution with nothing else but their clothes. They left everything behind. The above objects (the personal property involved in this claim) disappeared during the Revolution.

We also know that Mrs. Endre Vajda visited Hungary in 1971, the first time since she left and she was also unable to find any of the above objects.

A research of the Hungarian laws and statutes enacted during the period from October 23, to November 28, 1956, and of the events during such period, does not reveal that any legislation was enacted or that any governmental action was undertaken during the 1956 revolution in Hungary which would have amounted to a nationalization, compulsory liquidation or other taking of the type of personal property which is involved in this claim. Moreover, the Commission cannot find support for a theory that the Government of Hungary has any responsibility for the safety of any personal property which may be demolished, looted or misappropriated during or in consequence of a civilian uprising. The claimant left her personal property unattended at her own risk and it has not been shown that its disappearance was in any way attributable to any action of the Government of Hungary.

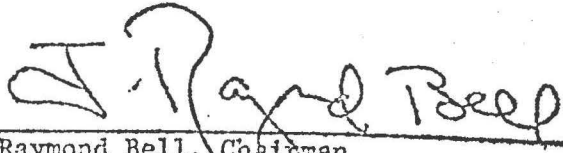
In view of the foregoing, the Commission concludes that the claimant has not established that her personal property, involved in this claim, was nationalized, compulsorily liquidated, or otherwise taken by the Government of Hungary between August 9, 1955, and March 6, 1973, as required for compensation.


Accordingly, this claim must be and it is hereby denied.

The Commission finds it unnecessary to make determinations with respect to other elements of this claim.

Dated at Washington, D.C.  
and entered as the Proposed  
Decision of the Commission.

16 JUL 1975

  
\_\_\_\_\_  
J. Raymond Bell, Chairman

  
\_\_\_\_\_  
Wilfred J. Smith, Commissioner

This is a true and correct copy of the decision  
of the Commission which was entered as the final  
decision on 27 AUG 1975

  
\_\_\_\_\_  
Executive Director

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice to this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5 (e) and (g), as amended.)