

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

In the Matter of the Claim of

ROBERT BERRY MACATEE
3232 Prospect Avenue
Washington 7, D. C.

UNITED STATES OF AMERICA
Government Claims Section, Civil Division:
Department of Justice
Washington 25, D. C.

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

Claim No. HUNG-22,253

Decision No. HUNG-1701

Counsel for Claimant:

George Cochran Doub, Esquire
Of Counsel for Intervenor
The United States of America
Department of Justice
Washington 25, D. C.

FINAL DECISION

The Commission issued its Proposed Decision on this claim on
December 15, 1958, a copy of which was duly served upon the claimants.

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.

FEB 2 1959

Whitney Hilliland

Paul Pace

Robert L. Kunyig

COMMISSIONERS

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GPO 16-72126-1

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PROPOSED DECISION

This is a claim against the Government of Hungary under Section 303(1) of the International Claims Settlement Act of 1949, as amended, for \$21,192.00 by ROBERT BERRY MACATEE, a national of the United States since his birth in the United States on July 31, 1891, for loss of, and damage to, personal property in Hungary during World War II. On June 25, 1958, the UNITED STATES OF AMERICA intervened as co-claimant.

The Commission finds that the claimant, ROBERT BERRY MACATEE, owned certain personal property which was lost or destroyed as a result of World War II, and that no compensation for such loss has been paid by the Government of Hungary in discharge of its obligation under Article 26 of the Treaty of Peace between that nation and the United States, effective September 15, 1947. The Commission further finds that the loss or damage actually sustained amounted to Fifteen Thousand Nine Hundred Dollars (\$15,900.00) and concludes that claimant, ROBERT BERRY MACATEE, is entitled to an award under Section 303(1) of the Act in the amount of Ten Thousand Six Hundred Dollars (\$10,600.00), since under this Section awards are limited to two-thirds of the loss or damage actually sustained.

On or about February 10, 1950, the Government of the United States,

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under the authority of Private Law 355, 81st Congress, paid to the claimant, ROBERT BERRY MACATEE, the sum of Eight Thousand Four Hundred Seventy-Six Dollars and Eighty Cents (\$8,476.80) in consideration of the aforementioned losses of personal property in Hungary while in the diplomatic service of the United States. Accordingly, the Commission finds that the UNITED STATES OF AMERICA is entitled to 40% of the award herein made and that ROBERT BERRY MACATEE is entitled to 60% thereof.

A W A R D

Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, this claim is allowed and an award is made in the amount of Ten Thousand Six Hundred Dollars (\$10,600.00) in which award the interest of the UNITED STATES OF AMERICA is 40% or Four Thousand Two Hundred and Forty Dollars (\$4,240.00) and the interest of ROBERT BERRY MACATEE is 60% or Six Thousand Three Hundred and Sixty Dollars (\$6,360.00).

Payment of any part of this award shall not be construed to have divested ROBERT BERRY MACATEE, or the Government of the United States on his behalf, of any rights against the Government of Hungary for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

DEC 15 1958

FOR THE COMMISSION

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

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