

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

IN THE MATTER OF THE CLAIM OF

BRIDGET S. MURDOCK

Under the International Claims Settlement
Act of 1949, as amended

Claim No. G-0204

Decision No. G-2096

PROPOSED DECISION

This claim in the amount of 4,129.06 reichsmarks against the Government of the German Democratic Republic, under Title VI of the International Claims Settlement Act of 1949, as amended by Public Law 94-542 (90 Stat. 2509), is based upon the loss of a bank account at the Sparkasse der Stadt Dresden.

The record indicates that claimant became a United States citizen on April 3, 1956.

Under section 602, Title VI of the Act, 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 by nationals of the United States against the German Democratic Republic for losses arising as a result of the nationalization, expropriation, or other taking of (or special measures directed against) property, including any rights or interests therein, owned wholly or partially, directly or indirectly, at the time by nationals of the United States whether such losses occurred in the German Democratic Republic or in East Berlin. . ."

The evidence establishes that claimant had a bank account at the Sparkasse der Stadt Dresden which had a balance of 4,129.06 reichsmarks at the end of World War II. Claimant, who was born a German national, emigrated to the United States in 1950. A copy of the claimant's bank book includes a stamp of the Deutsche Notenbank, dated January 26, 1956, confirming the balance in the account and indicating that application had been made for its revaluation from reichsmarks into ostmarks. Claimant indicates that she has received no information about her account since that time.

Based upon the record in this claim and the Commission's knowledge of post-war decrees and regulations in the German Democratic Republic the Commission finds that the bank account involved herein would have come under the purview of the "Decree on the Discharge of Share Rights of Citizens of the German Democratic Republic in Old Asset Liquidation Credits," of September 22, 1958. This law applied to bank accounts that were established before the end of World War II, owned by German citizens on May 8, 1945, and revalued from reichsmarks into ostmarks at a ratio of ten to one pursuant to the currency reform of 1948. The new ostmark balances were termed "Share Rights in Old Asset Liquidation Credits," and were to earn 3% simple interest annually from January 1, 1949. Claimant's account of 4,129.06 reichsmarks, therefore, would have been revalued to 412.91 ostmarks. The Commission has held that this conversion of reichsmarks to ostmarks does not give rise to a claim under international law. (Claim of OLGA LOEFFLER, Claim No. G-0056, Decision No. G-0221.)

The above mentioned law of September 22, 1958 provided that residents of the German Democratic Republic were to receive certain payments in partial satisfaction of their "share rights."

Section 2 (1) of this decree, however, provided that:

"Claims arising from ownership rights in old asset liquidation credits of persons who have had their residence since May 8, 1945 outside the German Democratic Republic. . . are in abeyance until the settlement of the corresponding state agreements."

The effective date of this law was October 8, 1958, by which time claimant's 412.91 ostmarks would have earned an additional 121.05 ostmarks in interest. The Commission finds that the implementation of this decree constitutes a taking as defined by section 602 of the Act, and that in determining an award, 4.2 ostmarks equalled one dollar in 1958. For her total loss of 533.96 ostmarks, therefore, claimant is entitled to an award of \$127.13.

The Commission has concluded that in granting awards on claims under section 602 of Title VI of the Act, for the nationalization or other taking of property or interests therein, interest shall be allowed at the rate of 6% per annum from the date of loss to the date of settlement. (Claim of GEORGE L. ROSENBLATT, Claim No. G-0030, Decision No. G-0100 (1978)).

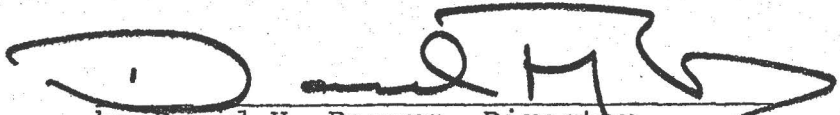
A W A R D

Claimant, BRIDGET S. MURDOCK, is therefore entitled to an award in the amount of One Hundred Twenty-Seven Dollars and Thirteen Cents (\$127.13), plus interest at the rate of 6% simple interest per annum from October 8, 1958 until the date of the conclusion of an agreement for payment of such claims by the German Democratic Republic.

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

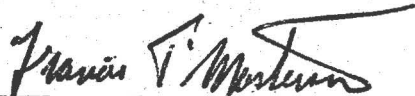
APR 16 1980

For Presentation to the Commission



by David H. Rogers, Director
German Democratic Republic Claims
Division

This is a true and correct copy of the decision
of the Commission which was entered as the final
decision on SEP 10 1980



Executive Director

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, a Final Decision based upon the Proposed Decision will be issued upon approval by the Commission any time after the expiration of the 30 day period following such service or receipt of notice. (FCSC Reg., 45 C.F.R. 531.5 (e) and (g), as amended.)