

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

IN THE MATTER OF THE CLAIM OF

SINGER SEWING MACHINE COMPANY
Singer Building
149 Broadway
New York 6, New York

Claim No. RUM-30,506

Decision No. RUM-608

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

GPO 16-72126-1

FINAL DECISION

The Commission issued its Proposed Decision on this claim on November 24, 1958, a copy of which was duly served upon the claimant(s). 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.

JAN 19 1959

Whitney Gilliland

Paul Pace

Robert L. Kunzig

COMMISSIONERS

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H-14
H-18
H-5
R-10

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PROPOSED DECISION

This is a claim against the Government of Rumania for \$784,337.44 by the SINGER SEWING MACHINE COMPANY, a corporation organized under the laws of the State of New Jersey, and is for war damages sustained to property in Rumania and the Soviet Union during World War II, for the nationalization or other taking of real and personal property, and for losses involving a blocked account.

The Commission finds that the claimant owned an office building, located at 21-23 Boulevard I. C. Bratianu, and certain personal property which were lost or damaged as a result of World War II. The Commission also finds that the loss thus actually sustained amounted to Thirty-Nine Thousand Eight Hundred Forty-Three Dollars (\$39,843.00) and concludes that claimant is entitled to an award under Section 303(1) of the Act in the amount of Twenty-Six Thousand Five Hundred ~~Sixty~~-Two Dollars (\$26,562.00) since under this Section, awards are limited to two-thirds of the loss or damage actually sustained.

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A portion of this claim is based upon certain expenditures incurred by claimant due to what it terms "restrictions on business activities during the war" by the Government of Rumania; namely, "expenses of duplicating employees, affiliation tax, identifications for furloughs and reintegration of former employees."

Section 303(1) authorizes, inter alia, receipt and determination of claims of United States nationals for failure of the Government of Rumania to restore or pay compensation for property of nationals of the United States as required by Articles 24 and 25 of the Treaty of Peace with Rumania. Article 24 of the Treaty of Peace provides for the restoration of rights and return of property of the United Nations and their nationals and for the payment of compensation to United Nations nationals whose property suffered war damage or cannot be returned. Article 25 provided for the restoration of, or compensation for, property which was the subject of measures of **sequestration**, confiscation or control on account of the racial origin or religion of persons under Rumanian jurisdiction.

It is concluded by the Commission that this portion of the claim does not involve damage to or loss of property within the meaning of Article 24 of the Treaty of Peace with Rumania. Furthermore, there is no evidence to show that claimant's property was the subject of any measure of sequestration, confiscation or control on account of the racial origin or religion of the claimant, as required for compensation under Article 25 of the Treaty and Section 303(1) of the statute. Accordingly, this portion of the claim is hereby denied.

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The Commission finds that claimant's land and office building at 21-23 Boulevard I. C. Bratianu and 10-12 Wilson Street, merchandise, furniture and other assets were taken without compensation by the Government of Rumania on November 29, 1947. The Commission further finds that the value of the property taken was Three Hundred Thirty-One Thousand Six Hundred Fifty Dollars (\$331,650.00) and concludes that claimant is also entitled to an award under Section 303(2) of the Act.

That portion of the claim which is based on a blocked bank account in the amount of 214,148 Lei is hereby denied for the reasons specified in the attached copy of the Proposed Decision, No. HUNG-716, In the Matter of the Claim of Jozsef Chobady (HUNG-20,187).

The part of this claim which is based upon the taking, by the Government of the Soviet Union in 1940, of certain assets owned by the claimant and located in Bessarabia and Bucovina, a territory which was ceded to the Soviet Union by Rumania in June of 1940, is denied for the reason specified in the attached copy of the Proposed Decision, No. HUNG-13, In the Matter of the Claim of Samuel Z. Weiss, HUNG-20,004.

A W A R D

Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, this claim is allowed in part and an award is hereby made to SINGER SEWING MACHINE COMPANY in the amount of Three Hundred Fifty-Eight Thousand Two Hundred Twelve Dollars (\$358,212.00) plus interest upon that portion of the award granted pursuant to Section 303(2) at the rate of 6% per annum from November 29, 1947 to August 9, 1955, the effective date of the Act, in the amount of One Hundred Fifty-Three Thousand One Hundred Sixty-Six Dollars and Ninety-Seven Cents (\$153,166.97).

Payment of any part of this award shall not be construed to have divested the claimant herein, or the Government of the United States on its behalf, of any rights against the Government of Rumania for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

NOV 24 1958

FOR THE COMMISSION:

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

U.S.A.

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