

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

IN THE MATTER OF THE CLAIM OF

THOMAS T. MOLDOVEANU
837 Harvard Road
Berkley, Michigan

Claim No. RUM-30,570

Decision No. RUM-516(A)

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

GPO 942329

Counsel for Claimant:

Burgess and Mead
1959 National Bank Building
Detroit 26, Michigan

FINAL DECISION

The Commission issued its Amended Proposed Decision on this claim on April 13, 1959, a copy of which was duly served upon the claimant. 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 Amended 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.

Whitney Gilliland
Paul Pace
Robert L. Kunyig

COMMISSIONERS

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AMENDED PROPOSED DECISION

The Commission issued its Proposed Decision on this claim on September 24, 1958, denying it for the reasons therein set out. Full consideration having been given to the Objections of the claimant, filed within time, and the material filed in support thereof, it is

ORDERED that the Proposed Decision issued herein on September 24, 1958 be, and it is hereby set aside. It is further

ORDERED that the following shall be entered as the Amended Proposed Decision herein:

This is a claim against the Government of Rumania under Section 303(2) of the International Claims Settlement Act of 1949, as amended, in the amount of \$5,315,686.00, by THOMAS T. MOLDOVEANU, a national of the United States by birth therein on June 20, 1908, for losses said to have been incurred as a result of the nationalization, without compensation, of real and personal property in Rumania.

The Commission finds that the claimant was the owner of a one-half interest in certain real property consisting of a dwelling and appurtenant lands, and of two unimproved tracts of land; that he was

the owner of a one-half interest in certain personal property consisting of the contents of the dwelling above referred to; and that he was the sole owner of certain personal property consisting of office furniture, fixtures and supplies, and of cash deposited with the Syndical Chamber of the Bucharest Stock Exchange, all of the real and personal property above described being located in Bucharest Rumania.

The Commission further finds that all the said real and personal property was nationalized without compensation by the Government of Rumania on or about August 9, 1951, that the aggregate value of the claimant's respective interests therein was Eleven Thousand Nine Hundred Twenty-Six Dollars and Fifteen Cents (\$11,926.15), and that the claimant is entitled to an award in that amount under Section 303(2) of the Act.

With respect to other losses said to have been sustained by the claimant as the result of the alleged breach of a contract of employment between him and the said Syndical Chamber of the Bucharest Stock Exchange, it has not been established that such losses resulted from any acts or failures to act by the Government of Rumania for which compensation may be awarded under Section 303 of the Act, and to the extent thereof, the claim is denied.

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 THOMAS T. MOLDOVEANU in the amount of Eleven Thousand Nine Hundred Twenty-Six Dollars and Fifteen Cents (\$11,926.15) plus interest thereon at the rate of 6% per annum from August 9, 1951 to August 9, 1955, the effective date of the Act, in the amount of Two Thousand Eight Hundred Sixty-Two Dollars and Twenty-Eight Cents (\$2,862.28).

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 his behalf, of any rights against the Government of Rumania, for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

APR 13 1959

FOR THE COMMISSION:

William Barrett
William Barrett, Acting Director
Balkan Claims Division

(Handwritten initials)
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WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

THOMAS T. MOLDOVEANU
837 Harvard Road
Berkley, Michigan

Claim No. RUM-30,570

Decision No. RUM-516

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

Counsel for Claimant:

Burgess and Mead
1959 National Bank Building
Detroit 26, Michigan

PROPOSED DECISION

This is a claim against the Government of Rumania under Section 303(2) of the International Claims Settlement Act of 1949, as amended, for loss of real and personal property in Rumania.

Section 303(2) of the Act provides, inter alia, for the receipt and determination by the Commission in accordance with applicable substantive law, including international law, of the validity and amounts of claims of nationals of the United States against the Government of Rumania, arising out of the failure of such government to pay effective compensation for the nationalization, compulsory liquidation, or other taking, prior to August 9, 1955, of the property of nationals of the United States in Rumania.

In order for a claim to be compensable under Section 303(2) of the Act, in accordance with well established principles of international law, the property upon which the claim is based must have been owned by a national or nationals of the United States at the time of loss,

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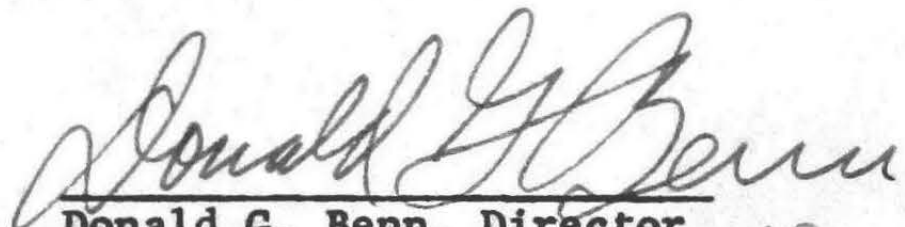
and the claim which arose from such loss must have been owned by a United States national or nationals continuously thereafter.

The Commission finds that it has not been established that the claim was owned by a United States national at the time that it arose, and that it has been owned continuously by a United States national thereafter. Accordingly, the claim is denied. The Commission finds it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

SEP 24 1958

FOR THE COMMISSION:



Donald G. Benn, Director
Balkan Claims Division

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