

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

IN THE MATTER OF THE CLAIM OF

MANTHA STENCIATZ  
Route 2  
Evanville, Wisconsin

Against the Government of Hungary

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. HUNG-22,219

Decision No. HUNG-314

FORM 10-5010-1

FINAL DECISION

The Commission issued its Proposed Decision on this claim on June 12, 1957, a certified 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 Proposed Decision be and the same is hereby entered as the Final Decision on this claim, and it is further

ORDERED that the award granted therein be certified to the Secretary of the Treasury.

Dated at Washington, D. C.

JUL 31 1957

COMMISSIONERS

*W. B. Gilliland*  
*Henry S. Clay*

*T. W. B.*  
*W. B.*  
*M. J. S.*

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

IN THE MATTER OF THE CLAIM OF

MARTHA SINCLAIR  
Route 2  
Evansville, Wisconsin

Claim No. HUNG-22,299

Decision No. HUNG-344

Under the International Claims Settlement  
Act of 1949, as amended

FORM 10-7120-1

PROPOSED DECISION

This is a claim under the provisions of Section 303(3) of the International Claims Settlement Act of 1949, as amended, against the Government of Hungary by MARTHA SINCLAIR, a citizen of the United States since her birth in the United States on November 5, 1892, for the failure of the said government to meet its contractual obligations.

The record shows that Christian A. Sommer, who was a citizen of the United States, purchased prior to September 1, 1939 and claimant presently holds a one thousand dollar (\$1,000.00) bond of the issue known as the State Loan of the Kingdom of Hungary 1924 7½% Sinking Fund Gold Bonds, due February 1, 1944 bearing number M2854, under the terms of which the Government of Hungary agreed to pay to holders the sum of thirty-seven dollars and fifty cents (\$37.50) semiannually on February 1 and on August 1 of each year until the maturity date of the bond issue. Additionally, claimant holds and in part bases this claim on a bond of the City of Flensburg, Schleswig-Holstein, of the issue of October 1, 1919, payable in Marks.

It further appears that with respect to claimant's State Loan of the Kingdom of Hungary bond, payment of only 50% of the amount due holders thereof in 1934, 1935, 1936 and 1937 was made.

The claimant's bonds bear a superimposed legend stating that "the holder of this bond is bound by the terms of the memorandum dated September 17, 1937 . . . whereby (inter alia) the rate of interest is fixed at  $4\frac{1}{2}$  per cent per annum, the final repayment date is postponed to August 1, 1979 and . . ." Under the terms of the modified bond contract, therefore, the Government of Hungary agreed to make semiannual payments of twenty-two dollars and fifty cents (\$22.50) to the holder for each \$1,000.00 in principal amount held.

It further appears that commencing with the payment which fell due on February 1, 1941, no payments on account of interest have been made to date by the Government of Hungary with respect to claimant's modified State Loan of the Kingdom of Hungary bond contract.

Section 303(3) of the Act authorizes the Commission to receive and determine, among other claims, those based on the failure of the Government of Hungary to—

meet obligations expressed in currency of the United States arising out of contractual or other rights acquired by nationals of the United States prior to . . . September 1, 1939, in the case of Hungary . . . and which became payable prior to September 15, 1947.

Accordingly, the Commission has concluded that any award under the above provisions of the Act may include only unpaid amounts which by the terms of the bond contracts were payable prior to September 15, 1947, and may not include any amounts which became payable thereafter. Thus, the Commission finds that from February 1, 1934 to September 15, 1947, the Government of Hungary failed to meet its obligations under claimant's State Loan bond contract to make payments totalling four hundred and sixty-five dollars (\$465.00)

Further, that part of the claim which is based upon the bond of the City of Flensburg must be and is hereby denied for the reason that the said bond is not expressed in currency of the United States.

A W A R D

On the above evidence and grounds, this claim is allowed in part and an award is hereby made to MARTHA SINCLAIR, claimant herein, in the amount of four hundred sixty-five dollars (\$465.00), plus interest thereon at the rate of 6% per annum from the respective due dates of the obligations represented by the above award to August 9, 1955, the effective date of Section 303, in the amount of three hundred ninety dollars and ninety-one cents (\$390.91).

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

Dated at Washington, D. C.

JUN 12 1957

FOR THE COMMISSION:

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

For the reasons stated in the attached copy of the Final Decision in the Matter of the Claim of Arthur Zentler, RUM-30, Okh, Commissioner Clay would also include in the award, the principal amount of the obligations on which the claim is based.