

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

IN THE MATTER OF THE CLAIM OF

KARL WAPIENNIK  
211 Brokaw Avenue  
Donora, Pennsylvania

Claim No. RUM-30,006

Decision No. RUM-2

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 January 16, 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, the award being restated as follows: seventy-five dollars and twenty-five cents (\$75.25), 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 fifty-nine dollars and sixty-seven cents (\$59.67).

Dated at Washington, D. C.

MAY 8 1957

*Whitney Gilliland*  
Whitney Gilliland, Chairman

I concur in the above decision but for the reasons set forth in the attached copy of my opinion in the Matter of the Claim of Arthur Zentler, RUM-30,044, I would also include in the award the principal amount of the obligations on which the claim is based.

*Henry S. Clay*  
Henry Clay, Commissioner



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In the Matter of the Claim of

KARL WAPIENNIK  
211 Brokaw Avenue  
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Against the Government of Rumania  
under the International Claims  
Settlement Act of 1949, as amended.

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Claim No. RUM-30,006

Decision No. *Rum-2*

PROPOSED DECISION

This is a claim for one hundred dollars (\$100.00) under the provisions of Section 303(3) of the International Claims Settlement Act of 1949, as amended, against the Government of Rumania by KARL WAPIENNIK, a citizen of the United States since his naturalization on March 4, 1925, for the failure of the said government to meet its contractual obligations.

The record shows that claimant purchased, on or about August 1, 1932, and presently holds a one hundred dollar (\$100.00) bond of the issue known as Kingdom of Roumania Monopolies Institute 7% Guaranteed External Sinking Fund, Stabilization and Development Loan of 1929, due February 1, 1959, bearing number C 56822, under the terms of which the Government of Rumania, as a primary obligor, guaranteed to holders payment of the sum of three dollars and fifty cents (\$3.50) semi-annually on February 1st and on August 1st of each year until the maturity date of the principal of the bond on February 1, 1959. It further appears that payment of only 50% of the amount which fell due on February 1, 1934, was made, and that commencing with the payment which fell due on August 1, 1937, no payments on account of interest have been made to date with respect to claimant's bond. Thus the Commission finds that between February 1, 1934 and September 15, 1947, the Government of Rumania failed to meet its obligations to make payments



totalling seventy-five dollars and twenty-five cents (\$75.25) under claimant's 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 Rumania 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 . . . Rumania, 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 contract were payable prior to September 15, 1947, and may not include any amounts which became payable thereafter.

A W A R D


On the above evidence and grounds this claim is allowed and an award is hereby made to KARL WAPIENNIK, claimant herein, in the amount of seventy-five dollars and twenty-five cents (\$75.25), 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.

Payment of the award herein shall not be construed to have divested 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 his claim, if any.

FOR THE COMMISSION:

Dated at Washington, D. C.

JAN 16 1957

  
Donald G. Benn, Director  
Balkan Claims Division

W/B  
BGB  
ATM