

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

IN THE MATTER OF THE CLAIM OF

SARAH BEATRICE SCHACHTER
710 Grace Street
Chicago 13, Illinois

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

Claim No. RUM-30,122

Decision No. RUM-570

GPO 16-72126-1

Counsel for Claimant:

Burton Reif, Esquire
3950 Lake Shore Drive
Chicago 13, Illinois

FINAL DECISION

The Commission issued its Proposed Decision on this claim on October 29, 1958, a copy of which was duly served upon the claimant. Full consideration having been given to the objections of the claimant, filed within the twenty-day period after such service which has now expired, 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.

FEB 9 1959

Whitney Hilliland
Paul Pace
Robert L. Kunzig
W.B.
msf

COMMISSIONERS

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PROPOSED DECISION

This is a claim for \$17,935.00 against the Government of Rumania under Section 303(1) of the International Claims Settlement Act of 1949, as amended, by SARAH BEATRICE SCHACHTER, a national of the United States since her birth in the United States on July 4, 1919, for the loss of personal property in Rumania during World War II.

The claimant has been unable to submit evidence which fully substantiates her allegations as to ownership and the extent of her loss with respect to the personal property on which her claim is founded. Nevertheless, the Commission, not being bound by the usual rules of evidence, is persuaded that she owned some property in Rumania which was lost within the meaning of Section 303(1) of the Act, and that she has not received any compensation therefor from the Government of Rumania. Denial of the claim for the lack of corroboration under such circumstances would not, in the opinion of the Commission, be an act of justice. On the other hand, the absence of reliable evidence precludes an award of the full amount claimed.

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Accordingly, the Commission finds that the claimant was the owner of certain personal property in Floesti, Rumania, which was lost or destroyed as a result of World War II, and for which loss no compensation has been paid by the Government of Rumania. The Commission also finds that the loss or damage actually sustained amounted to One Thousand Five Hundred Dollars (\$1,500.00) and concludes that claimant is entitled to an award in the amount of One Thousand Dollars (\$1,000.00) under Section 303(1) of the Act, since under this Section, awards are limited to two-thirds of the loss or damage actually sustained.

A W A R D


Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, an award is hereby made to SARAH BEATRICE SCHACHTER in the amount of One Thousand Dollars (\$1,000.00).

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

Dated at Washington, D. C.

OCT 29 1958

FOR THE COMMISSION:


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