

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

IN THE MATTER OF THE CLAIM OF

EDMOND H. REYNIER
Sommertown Lane
Oceanville, New Jersey

Claim No. SOV- 41,743

Decision No. SOV- 568

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72120-1

FINAL DECISION

The Commission issued its Proposed Decision on this claim on
March 2, 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 Proposed Decision be and the same is hereby
entered as the Final Decision on this claim.

Washington 25, D. C.

APR 20 1959

Handwritten initials:
JMD
MGP
MGP

Whitney Hilliland
Pearl Pace
Robert L. Kunzig

COMMISSIONERS

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

IN THE MATTER OF THE CLAIM OF

EDMOND H. REYNIER
Sommertown Lane
Oceanville, New Jersey

Under the International Claims Settlement
Act of 1949, as amended

Claim No. SOV-41,743

Decision No. SOV-568

gpo 16-72126-1

AMENDED PROPOSED DECISION

The Commission, on December 19, 1956, issued its Proposed Decision No. SOV-568 denying the claim herein for the reasons set forth in Proposed Decision No. SOV-230, In the Matter of the Claim of Charles D. Siegel. Pursuant to further consideration and on May 9, 1957, the Commission (Mr. Clay, then a member of the Commission, dissenting) set aside its Proposed Decision No. SOV-230 and held that claims based on securities payable in currency other than United States dollars, issued by predecessors of the Soviet Government, are (subject to the establishment of eligibility in other respects) within the purview of Section 305 (a)(2) of the International Claims Settlement Act of 1949, as amended.

However, under the aforesaid Section of the Act and under well-established principles of international law relating to claims espoused by the United States against other governments, eligibility for compensation requires, among other things, that the property which was the subject of loss must have been owned by a United States national at the time the loss occurred and that the claim arising as a result of such loss must have been continuously owned thereafter by a United States national. In the case of securities issued by predecessors of the Soviet Government, it is concluded that a claim arose on February 10, 1918, the date the Soviet Government formally repudiated such obligations of its predecessors.

Claimant asserts that he is a native born national of the United States; that he inherited the securities upon which this claim is based from his grandfather, Claude F. Reynier, a citizen of the United States by naturalization on June 19, 1901; that his grandfather returned to France, the country of his birth in 1914, and resided there until his death in 1929; and that his grandfather purchased the securities while so residing in France.

Section 2 of the Act of March 2, 1907 (34 Stat. 1228; U.S.C. § 17) provides that:

"When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years; Provided, however, that such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe; And provided also, that no American citizen shall be allowed to expatriate himself when this country is at war."

The Department of State has no record nor has claimant submitted evidence that Claude F. Reynier conserved his United States nationality. Accordingly, the Commission must necessarily find that this claim was not owned by a United States national at the time it arose and continuously thereafter.


For the foregoing reason the claim must be, and is hereby, denied.

Other elements bearing upon the validity of the claim have not been considered.

Dated at Washington, D. C.

MAR 2 1959

FOR THE COMMISSION:



Joseph Stein, Director
Soviet Claims Division

Handwritten initials:
JMS
WAP
MSD

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

_____ :
: In the Matter of the Claim of :
: :

EDMOND HENRY REYNIER :
Box 52 :
Oceanville, New Jersey :

: Claim No. SOV- 41,743

: Decision No. SOV- 568

: Under Section 305(a) of the International :
: Claims Settlement Act of 1949, as amended :
: _____ :

PROPOSED DECISION OF THE COMMISSION

This claim is based upon the loss allegedly sustained by claimant(s) as the owner(s) of bond(s), payable in currency other than United States dollars, issued by a predecessor of the Soviet Government.

For the reasons specified in the attached Proposed Decision, No. SOV-230, In the Matter of the Claim of Charles D. Siegel (SOV-40,017), this claim is denied.

Dated at Washington, D. C.

Handwritten initials: JEP, AB
DEC 19 1956

FOR THE COMMISSION:

Handwritten signature: Harold W. Matthews
Harold W. Matthews, Director
Soviet Claims Division