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

IN THE MATTER OF THE CLAIM OF

ESTHER WEGWEISER

Under the Polish Claims Agreement of 1960 and the International Claims Settlement Act of 1949, as amended

Claim No. PO-10652

Decision No. PO- 714

Counsel for claimant: William Rashkin, Esq.

PROPOSED DECISION

This claim was filed under the provisions of the Polish Claims Agreement (Agreement with the Government of the Polish People's Republic Regarding Claims of Nationals of the United States, July 16, 1960, 11 U.S.T. & O.I.A. 1953, T.I.A.S. No. 4545 /1960/) and the International Claims Settlement Act of 1949, as amended, (64 Stat. 12 (1950), 22 U.S.C. § 1621-1642 (1958)).

Section 4 (b) of the aforesaid Act provides that the Commission "shall give public notice of the time when, and the limit of time within which, claims may be filed, which notice shall be published in the Federal Register." (64 Stat. 13 (1950), 22 U.S.C. § 1623 (b) (1958)).

Pursuant to the Congressional mandate, the Commission published in the Federal Register of August 16, 1960 public notice that claims against the Government of Poland under Title I of the Act were to be filed with the Commission on or before September 30, 1961 (25 Fed. Reg. 7794 (1960)). Subsequently, the Commission extended the time for filing claims against the Government of Poland under Title I of the Act by publishing notice in the Federal Register of September 30, 1961 that claims were to be filed with the Commission on or before March 31, 1962 (26 Fed. Reg. 9226 (1961)). The filing period expired on that date with the possibility of a later timely submission of completed claim forms permitted only under

Section 531.2 (f) of the Regulations of the Commission which provides:

> Any initial written indication of an intention to file a claim received within 30 days prior to the expiration of the filing period therefor shall be considered as a timely filing of a claim if formalized within 30 days after the expiration of the filing period. (FCSC Reg., 45 C.F.R. § 531.2 (f) (1961)).

The record discloses that the claim was filed by mail bearing the postmark date of April 13, 1962 and that no previous written indication of claimant's intention to file a claim had been received.

Accordingly, the Commission finds that this claim was not filed within the time prescribed for such filing and it is, therefore, denied. The Commission finds it unnecessary to make determinations with respect to other elements of this claim.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

27 DEC 1962

Edward B. Re, Chairman

Theodore Jaffe, Commissioner

LaVern R. Dilweg, Commissioner

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed upon the expiration of 60 days after service or receipt of notice of this Proposed Decision, and unless the Commission otherwise orders, this Proposed Decision will be entered as the Final Decision of the Commission. (FCSC Reg., 45 C.F.R. § 531.5(g) (1961).)