

14 Feb 1950

STATE OF NEW YORK,)
COUNTY OF NEW YORK,) ss.:

NICOLAE MALAXA, being first duly sworn, deposes and says that he has read a translation into French of the foregoing Memorandum, dated April 30, 1949, that he knows the contents of said Memorandum, together with the various documents which are annexed to said Memorandum as Exhibits thereto; and that, to the best of his information, knowledge and belief, all the statements contained in said Memorandum are true and correct, and all the Exhibits to said Memorandum, consisting of copies of particular documents, are true and correct copies of the originals of the documents of which they purport to be copies.

N. Malaxa
(Nicolae Malaxa)

Subscribed and sworn to before)
me, a Notary Public, this)
11th day of May, 1949.)

Florence Abramson

FLORENCE ABRAMSON
Notary Public in the State of New York
Qualified in Kings County
Kings Co. Clerk's No. 32
Kings Co. Register's No. 96-A-0
New York County Clerk's No. 50
New York Co. Register's No. 71-A-0
Commission Expires March 30, 1950

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2004 2008

Memorandum re Mr. MalaxaList of ExhibitsExhibit No.

- ✓ 1. Excerpt from Agreement dated February 13, 1941, between the Rumanian State and the Hermann Goering Werke, providing for the organization of a corporation, to be jointly owned by the parties, for the exploitation of the Malaxa Works. (Translation from the Rumanian).
2. Excerpt from Decree-Law No. 370 of February 18, 1941, (published February 19, 1941) regarding the transfer of the shares of Mr. Malaxa's three Companies to the State. (Translation from the Rumanian).
3. Excerpt from Journal of the Council of Ministers of Rumania of a meeting held April 3, 1941, ordering that Mr. Malaxa be placed under house-arrest. (Translation from the Rumanian).
- ✓ 4. Extract from Law No. 495, of June 2, 1941, specifically authorizing the incorporation of Rogifer by two associates only. (Translation from the Rumanian).
- ✓ 5. Agreement dated September 6, 1941, between the Rumanian State and the Hermann Goering Werke with respect to the organization of Rogifer, and supplements thereto. (Translation from the Rumanian).
- ✓ 6. Excerpts from reports of General Extraordinary Meetings of shareholders of Mr. Malaxa's three corporations held September 29, 1941, authorizing the lease of the factories to Rogifer. (Translation from the Rumanian).
- ✓ 7. Excerpt from Journal of the Council of Ministers of Rumania of a meeting held September 30, 1941, authorizing the lease to Rogifer. (Translation from the Rumanian).
- ✓ 8. Excerpt from Agreement of Lease dated October 7, 1941, between the three Malaxa companies and Rogifer. (Translation from the Rumanian).

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- ✓ 9. Excerpt from minutes of meeting of the Board of Directors of Rogifer, held October 9, 1941, ratifying the lease of the Malaxa factories. (Translation from the Rumanian).
10. Order of the Secretary General of the Ministry of Internal Affairs, dated October 9, 1941, directing the release from house-arrest of Mr. Malaxa. (Photostat of original order in Rumanian, to which is attached an official translation. There is a mistake in such translation, the date of October 9, 1941, appearing on the original document, being incorrectly stated as September 9, 1941).
11. Extract from verdict of the Military Tribunal of the Military Command of Bucharest, Section I, dated June 14, 1941, finding certain defendants guilty of the crime of domicile violation. (Translation from the Rumanian).
12. Certificate of the Minister of Home Affairs of Rumania, Gen. Aldea, dated September 25, 1944, stating results of investigations as to Mr. Malaxa's participation in the Legionary Rebellion of January, 1941. (Translation from the Rumanian).
13. Certificate of the Public Prosecutor at the Military Court of Justice and Cassation, dated September 28, 1944, that Mr. Malaxa did not participate in the legionary rebellion of January 1941. (Translation from the Rumanian).
14. Letter dated September 18, 1944, from the Commission for the Control of Army Endowment Funds to Mr. Malaxa, concerning the results of investigations of certain government contracts with the Malaxa Works for the period September 6, 1930--September 6, 1940. (Translation from the Rumanian).
- ✓ 15. Excerpt from Agreement between the Rumanian State and the Hermann Goering Werke, dated February 13, 1943, whereby the Rumanian State acquired the shares of stock of the latter in Rogifer. (Translation from the Rumanian).

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16. Extract from Decree-Law No. 669 of October 9, 1943, concerning the liquidation of Rogifer, the cancellation of the lease of October 7, 1941, and the abrogation of Decree-Law No. 370 of February 19, 1941. (Translation from the Rumanian).
- ✓ 17. Decree-Law No. 798 of December 3, 1943, of the Minister of Armament and War Production authorizing the liquidator of Rogifer to continue the operation of the Malaxa works. (Translation from the Rumanian).
- ✓ 18. Decree-Law No. 282, issued April 13, 1945, restoring the control of the Malaxa factories to Mr. Malaxa. (Translation from the Rumanian).
- ✓ 19. Report, dated April 12, 1945, from the Minister of Communications and Public Works and the Minister of Industry and Trade to H. M. the King of Rumania accompanying and explaining the text of Decree-Law No. 282 of 1945. (Translation from the Rumanian).
- ✓ 20. Excerpt from Armistice Agreement of September 12, 1944, between Rumania and the principal Allied Powers.
- ✓ 21. Letter dated January 2, 1945, from the Minister of National Economy to N. Malaxa Company (Tube & Steel Works), concerning the tube mill taken by the U.S.S.R. on account of reparations. (Translation attached).
- ✓ 21-a. Letter dated December 4, 1944, from the Secretary General of the Ministry of National Economy to Rogifer, concerning the delivery of the Malaxa tube mill to Soviet agencies. (Translation attached).
- ✓ 21-b. Letter dated December 22, 1944, from the Minister of National Economy to Rogifer, concerning the delivery of the Malaxa tube mill to Soviet agencies. (Translation attached).
- ✓ 22. Appendix to Armistice Agreement showing items of Rumanian industrial equipment taken by the U.S.S.R. on account of reparations payments due under Armistice Agreement. (Translation attached).
23. Transaction and Act of Compromise, dated April 17, 1945, with respect to the conditions of the turning over by

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- the Rumanian State to the N. Malaxa companies of Mr. Malaxa's factories. (Translation from the Rumanian).
- ✓ 24. Excerpt from Journal of the Council of Ministers of Rumania (No. 722) of a meeting held June 7, 1946, authorizing the issuance of export licenses in order to satisfy the Government's obligation to the Malaxa Tube Company, and explanatory memorandum. (Translations attached).
 - ✓ 25. Letters dated December 29, 1944, and January 25, 1945, from Resita to the Allied Control Commission, Bucharest, concerning the delivery of shares of Resita stock to the Allied Control Commission in payment for Scrap iron and iron ore for the restitution of which Resita was liable to the U.S.S.R. (Translations attached).
 26. Letter dated April 11, 1949, from Mr. S. Bertrand Jacobson, formerly director of the Joint Distribution Committee and the H.I.A.S. in Rumania. (Translation attached).
 27. Copy of letter dated June 10, 1944, from Mr. Malaxa to Standard Oil Co. (N. J.). (Translation attached).
 28. Copy of letter dated November 8, 1944, from Mr. Malaxa to Mr. O. Z. Ide, of Detroit, Michigan. (Translation attached).
 29. Letters, both dated April 15, 1945, from N. Malaxa S.A.R. to Mr. G. C. MacGlasson.
 - ✓ 30. Letter introducing Mr. Malaxa, dated June 7, 1946, from Mr. Emil Kekich, Commercial Attache of the U. S. Mission in Bucharest, addressed to Mr. Walworth Barbour, chief, Southeastern European Division, Department of State. Similar letters were written by Mr. Kekich to Messrs. William McC. Martin, President of the Export Import Bank, and O. P. Hopkins, Director, Bureau of Foreign and Domestic Commerce, Department of Commerce.
 - ✓ 31. Copy of undated memorandum prepared by Mr. Malaxa for submittal to the Rumanian Minister of Industry and Commerce. (Translation attached).

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- ✓ 32. Copy of letter dated April 18, 1946, from Mr. Burton Y. Berry, representative of the U. S. in Rumania, to Mr. Ausnit stating that favorable consideration had been recommended to the granting of visas to a trade delegation.
- ✓ 33. Letter dated June 8, 1946, from Mr. Berry to Mr. Malaxa, stating that the American Embassy in Paris was authorized to issue a visa to Mr. Malaxa.
- ✓ 34. Letter dated November 12, 1946, from Messrs. Pehle and Lesser to Mr. Malaxa, concerning the attitude of the State Department to Mr. Malaxa's activities in the Western Hemisphere.
- ✓ 35. Agreement dated August 25, 1947, between International Harvester Company and Mr. Malaxa.
- ✓ 36. Copy of letter dated August 5, 1947, from Mr. Ben T. Moore, Assistant Chief, Division of Commercial Policy, Department of State, to Mr. G. C. Hoyt, Executive Vice-President of International Harvester Company, concerning proposed contract between International Harvester Company and Mr. Malaxa.
- ✓ 37. Letter dated March 16, 1948, from Mr. Hoyt to Mr. Frank Manheim concerning the termination of the aforesaid agreement between International Harvester Company and Mr. Malaxa.
- ✓ 38. Copy of letter dated October , 1947, from Roumanian-American Economic Corporation to the Roumanian Ambassador in Washington (received at the Roumanian Legation October 16, 1947) concerning the proposed activities of that Corporation.
- ✓ 39. Bill of Industrial Inter-Trade Corporation, dated December 23, 1946, for services rendered to Mr. Malaxa and attachment thereto.
- ✓ 40. Treasury License No. NY 834337-T, dated April 28, 1947, issued to Mr. Malaxa, to which is attached application for such license dated April 2, 1947.
- ✓ 41. Letter from Mr. John S. Richards, Director of Foreign Funds Control, Treasury Department, dated May 6, 1947, to Messrs. Pehle and Lesser, concerning issuance of Treasury License to Mr. Malaxa.

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- ✓ 42. Copy of letter dated April 14, 1948, from Mr. Thomas K. Finletter of the law firm of Coudert Brothers to Hon. Willard L. Thorp, Assistant Secretary of State, concerning future activities of Mr. Malaxa.
- ✓ 43. Decree of the Presidium of the Grand National Assembly of Roumania, dated September 30, 1948, canceling the Rumanian citizenship of Mr. Malaxa. (Translation attached).
- ✓ 44. Decree No. 125 of the Presidium of the Grand National Assembly of Roumania, dated July 6, 1948, concerning Rumanian citizenship. (Translation of relevant articles attached).
- ✓ 45. Copy of letter dated June 21, 1948, to the Attorney General by Mr. Thurman Arnold and Mr. Thomas B. Shoemaker, on behalf of Mr. Malaxa, requesting consideration under bills relating to the admission of displaced persons into the United States.
- ✓ 46. Senate bill S. 2942, 80th Cong., 2nd Sess., introduced by Senator Baldwin of Connecticut.
- ✓ 47. House bill H.R. 7160, 80th Cong., 2nd Sess., introduced by Congressman John Davis Lodge of Connecticut.
- ✓ 48. Letter dated July 1, 1946, from Mr. V. V. Tilea, former Rumanian Minister in London, to Mr. Malaxa, concerning the furnishing of information in March 1939 by Mr. Malaxa to Mr. Tilea relating to the details of the German economic demands on Rumania.
- 49. Affidavit dated March 18, 1948, of General Radescu, concerning his relationship with Mr. Malaxa in Rumania during the post-armistice period.
- ✓ 50. Undated memorandum concerning American Roumanian Trading and Development Corporation, its stockholders, directors and officers, and its proposed activities.
- ✓ 51. Photostat of Walter Winchell's column, as published in the New York Mirror of February 25, 1948.
- ✓ 52. Letter dated March 27, 1949, from Professor Henri Villat of the Sorbonne to Mr. Malaxa, concerning the award of the Malaxa Prize. (Translation attached).



EXCERPT.

EXHIBIT # 1

AGREEMENT.

In conformity to the Protocol of December 4, 1940 and wishing to facilitate the future including of the Roumanian industry in the new European economy, the following agreement is provided between :

The Roumanian State, represented by the Roumanian Royal Government and the firms :

- 1/. Joint Stock Company "M.MALAXA" Factory of Forarul Vechi,
- 2/. Joint Stock Company "M.MALAXA",
- 3/. Joint Stock "M.MALAXA" Pipe and Steel Works,

called hereafter "MALAXA", represented by on one side,

and the Joint Stock Company "State Works Hermann Goering", hereafter called "H.G.W.", represented by General Manager Dr. Guido Schmidt, on the other side. In common accord with the German competent authorities, it has been agreed upon the following :

I.

(In order to strengthen the industrial collaboration between Germany and Roumania, "H.G.W." will found a joint-stock company aiming at the exploiting of the Malaxa Works, according to the following principles :

.....

5/. Repartition of the capital. Management : "H.G.W." undertakes 50% of the capital in stock and the Roumanian State, respectively a Roumanian group appointed by the latter, the remaining 50%. To "H.G.W." (hereafter called briefly "Exploitation Company") belongs the technical, commercial, financial and administrative management.



14/. Right of purchase :

A) The Malaxa Works, according to the present contract, grant the "Exploitation Company" the right of acquiring all the plants and objects leased, the movable and real properties, so as to profit by this right (for a term of two years beginning the drawing up of the leasing contract) until December 31, 1945. This option may be exercised for the enterprises leased as a whole or for each economical unit separately.

The details of this acquisition, and in particular the fixing of the purchasing price, shall be provided in a special agreement. In order to establish the grounds determining the purchasing price, the "Deutsche Revisions - und Treuhandgesellschaft" and a commission indicated by the Malaxa Group will be consulted.

B) In addition to this, "The Exploitation Company" will receive from the Malaxa Group shareholders an option on 100% of the total of the following companies :

- 1/. Joint-Stock Company "H. Malaxa".
- 2/. Joint-Stock Company "H. Malaxa" Factory of Tohanul Vecchi.
- 3/. Joint-Stock Company "H. Malaxa" Pipe and Steel Works.

For this option the valid term is December 31, 1945 (representing a period of two years after the drawing up of the leasing contract), for the rest being valid the provisions similar to those regarding the option mentioned at point A.

It is fully agreed that the Roumanian State in its quality of shareholder of Malaxa Companies, grants at the same time to "H.G.W." irrevocable power on behalf of the "Exploitation Company" to make use of this acquisition right in the course of time given for the option.

The above translation is in accordance with the original Convention of 13th, February 1941.-

LE SOUSSIGNÉ DÉPOSE LA CONVENTION DE LA PRÉSENTE TRADUCTION
AU DÉPÔT EN DOUANE. *24 mai 46*

1029
LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE
DÉPARTEMENT DES AFFAIRES ÉTRANGÈRES DE M. P. H. KOTLIK
MINISTÈRE DES AFFAIRES ÉTRANGÈRES DE CE MINISTÈRE
BUCHAREST LE *8 mai 1946*
POUR LE MINISTRE: *G. S. Kure*



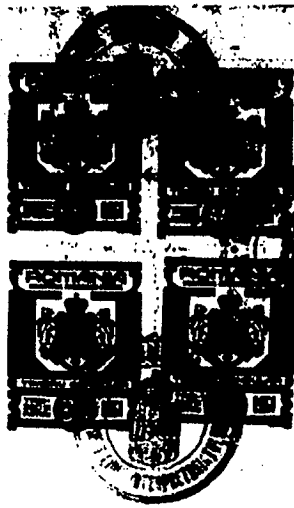




EXHIBIT
#4

EXCERPT

from

LAW No. 495.

.....

LAW - DECREE.

regarding the foundation of the Roumanian-German Joint-Stock Company for Iron Industry and Commerce.

Sole art. - By derogation from the provisions of art.121, of the Commercial Code the Roumanian-German Joint-Stock Company for the Industry and Commerce of Iron, is authorized to be founded by two associates only.

.....



SECRETARIATUL DE STAT AL ROMANIEI
MINISTERUL DE INTERIORE
1059
9 Maj 1946
P. S. Popovici

The above translation is true to extracts of the publication in the "Official Gazette" No. 128 of 2nd, June 1941, Part. I, page 2999. -





THE ROUMANIAN-GERMAN COMPANY FOR THE IRON TRADE
AND INDUSTRY

EX 1817 # 5

SETTLEMENT DOCUMENT

The Roumanian State, through the Under-Secretary of State of the Army Endowment and Administration, next to the National Defence Department, represented by lawyer chief-councillor, Mr. Virgil Damian, according to the delegation Nr. 3766 of the 5th. September 1941, on one side, and

The Joint Stock Company Reich Works "Hermann Goering", represented by Mr. Constantin Chiru, lawyer, according to the Power of Attorney authenticated by the Roumanian Legation in Berlin Nr. 2375 of 27th. August 1941, on the other side, have concluded the following contract for the settlement of the Roumanian-German Company for the Iron Trade and Industry, or in German: Rumänisch-Deutsche Eisen-Industrie und Handels-Aktiengesellschaft:

Art.1) According to the present settlement document and the annexed statutes which are an integrant part of the present contract, the undersigners are settling and creating a Joint-Stock Company under the name of: Roumanian-German Company for the Iron Trade and Industry S.A.R. or in German: Rumänisch-Deutsche Eisen-Industrie und Handels-Aktiengesellschaft.

Art.2) The seat of the Company is in Bucarest, the Company will be nevertheless able to create, according to a decision taken by the Board of Directors, branches out of Bucarest.

Art.3) The object of the Company is the producing and machining of iron and steel, of the iron and steel goods, as well as wholesale or retail trade of these products. The Company can also produce any other goods necessary for the accomplishment of its purpose, and at the same time is justified to machine or to sell the different secondary products of its manufacturing.

In order to facilitate the realisation of this purpose, the Company can create anywhere in the country, depots, sale-shops, branches, etc. and buy, rent or build the adequate objects for this purpose.

The Company is justified to make all these operations, either alone or together with other persons, on proper account, either in participation with other persons, or paying a commission for other persons.

Art.4) The duration of the Company is unlimited.

Art.5) The social capital is of Lei 150.000.000.- and is divided into 150.000 registered shares, each share having a value of Lei 1000.-

Art.6) The social capital has been subscribed as follows:
the Roumanian State 75.000.- shares of 1.000.- Lei each, that is Lei 75.000.000.-

the Reich Works "Hermann Goering" 75.000 shares of 1.000.-



Lei each, that is Lei 75.000.000.-

That is a total of 150.000 shares of 1.000.- Lei each, for which each subscriber has paid up in cash, at the signature of the present contract, 50 per cent. of the subscribed amount, taking the obligation to remit at the Company's pay-office, in term of 30 days from now onward, the remaining 50 per cent.

Art.7) The undersigned being owners of the entire social capital and of all Company's shares, functioning as constitutive general meeting and according to the right which is given to us by the commercial Code, we name as members of the Board of Directors the following persons :

- 1.- Mr. Mircea Cancicov
- 2.- Mr. Gerota, Dumitru
- 3.- Mr. Teodorescu, C.
- 4.- Mr. Leon, Gheorghe
- 5.- Mr. Dr. Schmidt, Guido
- 6.- Mr. Kobler, Anton
- 7.- Mr. KAugust, Erich

(Note: names indicated last names first)

Art.8) Each member of the Board of Directors will give a cash guaranty, amounting to the sum prescribed by the law.

Art.9) The members of the Board of Directors named in conformity with art.7, are using their mandate until the first ordinary general meeting.

Art.10) The Board of Directors is formed of 7 members, including the president.

Art.11) In conformity with the conditions foreseen by the Commercial Code, the undersigned owners of the entire social capital functioning as constitutive general meeting, we name censors and Deputy-censors the gentlemen :

- 1.- Mr. C. Dobrota
- 2.- Mr. Hartular, Aristide
- 3.- Mr. Dr. Karoli, Richard
- 1.- Mr. Dr. Ernst, Sievert
- 2.- Mr. Strelinovic, M.
- 3.- Mr. Gerhard, Stütz

(Note: names)

These gentlemen will be using their mandate until the first ordinary general meeting.

Art.12) The net profit of the Company will be published in conformity with strict commercial principles. All expenses of any nature, losses, amortisations, restorations and reserves, will be deducted out of the rough profit. A quota of 5 % will be taken for the general reserve funds out of the net profit obtained. The general meeting decides about the division of the remaining profit.

Art.13) For the juridical validity of the general meeting's decisions, it is necessary that the conditions foreseen in the enclosed statutes and in the Commercial Code, should be respected.

Art.14) On basis of the present contract and according to the annexed statutes, the Company declares itself validly settled, with the single reserve of obtaining the authorisation from the competent authorities.

*Steno Ave
N. 1000
as per 11/10/65
A.K.A.*



Art.15) We charge and delegate the following gentlemen for the fulfilment of the legal formalities, as well as for the obtaining of the legal and due authorisations: Lawyer : Băbeanu Stefan, Chiru C. and Hartular Alexandru. They will have the right, either together or individually to represent us before the Ilfov Court of Justice, 1-st. Commercial Department, in order to obtain the authorisation prescribed by the Commercial Code, the signature of Mr. Hartular Alexandru (lawyer), being however obligatory.

For this purpose, the above-mentioned gentlemen have the right to sign and make all the necessary declarations and requests, to make contestations, to represent us before all authorities, to accomplish all the formalities required by the law for the above-mentioned purpose and to solicit the registering, the publication and the proclamation of the present contract and of the statutes, to agree to any modification of the statutes, to make an appeal, as well as to renounce the right of an appeal.

Messrs. Hartular Alexandru and Băbeanu Stefan have the right to pick-up together from the Ilfov Court of Justice the receipt stating the payment of 50 % in cash of the subscribed capital. They will also have the right to make the necessary formalities for the company's registering.

Art.16) After the legal settlement of the Company, Messrs. Stefan Băbeanu and Alexandru Hartular, lawyers, have the right to cash and give valid receipt to the Roumanian National Bank for the payment of 50 % from the social capital made to the Roumanian National Bank by the subscribers, which payment has been accomplished thereon.

S T A T U T E S

CHAPTER I.

Art.1. The name of the Company is : Joint Stock Roumanian-German Company for the Iron Trade and Industry or in German : Rumänisch-Deutsche Eisen-Industrie und Handels-Aktiengesellschaft.

Art.2. The seat of the Company is in Bucarest. According to a decision of the Board of Directors, the Company is in right to create branches.

Art.3. The duration of the Company is unlimited.

Art.4. The Company will validly be engaged by the signature of the persons designed by the Board of Directors.

Art.5. The object of the Company is the producing and machining of iron and steel, of iron and steel goods, as well as wholesale or retail trade with these products.

The Company has also the right to produce any other goods necessary for the accomplishment of its purpose, and at the same time it can manufacture or sell different other secondary products of its manufacturing.

In order to accomplish this purpose, the Company can create sale-depots, shops, branches, etc., in the whole country, being able to buy or to rent for this purpose rural or urban estates.

in participation, in common or for others.

CHAPTER II.
Capital, shares.

Art.6. The social capital is of Lei 150.000.000. - 150.000 registered shares, each share having a value of Lei 1.000.

At every increasing of capital, the ~~present~~ ^{current} shareholder's have the first right on the new shares as long as the general meeting, which decides the increasing of the capital, is not derogating from these arrangements.

Art.7. The shares can be issued in cumulative titles of 10,50 or 100 pieces.

The shares will have to have a current number, coupon sheets and will bear the social signature.

The legal dispositions will be applied, if the shareholder does not accomplish the payment in term.

CHAPTER III.

The management of the Company.

Art.8. The Company will be managed by the following ^{bodies} ~~organs~~ :

- a) General meeting.
- b) Board of Directors.
- c) Direction Committee.
- d) Censors' Committee.

Art.9. The general meetings are ordinary or extraordinary.

The general meetings are summoned by the Board of Directors.

Art.10. The ordinary general meeting assembles every year at utmost six months after the closing of the balance-sheet.

The convocation of the general meeting must contain : the day, the hour, the place and the order of the day.

The convocation will be published only once in the State Journal and in one newspaper, at least 15 days before the mentioned date for the holding of the general meeting.

Art.11. The general meeting is especially obliged to decide about the following points :

- A) After having listened to the report of the managers and censors, to discuss, to approve or to modify the balance-sheet;
- B) To establish the dividend;
- C) To choose the managers, the censors, the Direction Committee, respectively to ratify their election.
- D) To establish the repatriation of the members of the Board of Directors and that of the censors.

2) To verify, to discharge and to make responsible the management, the members of the committee and those of the general committee.

Art.12. Each share gives the right to a vote.

The general meeting is validly constituted if 3/4 of the social capital is present or represented.

The decisions of the ordinary general meetings will be valid only if the absolute majority of the present or represented votes are obtained.

Art.13. If the general meeting cannot take place because 3/4 of the social capital is not present or represented, it will be postponed.

During the 15 days which follow the postponed date, a new convocation will be published by which a new general meeting will be summoned, with the same order of day, except in the case when the term of the second general meeting had already been settled by an initial convocation.

This new general meeting decides validly with an absolute majority of the votes present or represented, indifferent of the fact that 3/4 of the social capital is present or not.

Art.14. The Board of Directors can summon anytime the general extraordinary meeting, if the interests of the Company require so.

Art.15. The accomplishment of the formalities foreseen in art.12 and 13 is required for the settling and the undertaking of valid decisions by the general extraordinary meetings.

Art.16. One or several shareholders representing at least 10 % of the social capital and if they prove that they are the legal owners of these shares, can require the convocation of an extraordinary general meeting.

Art.17. The following matters are reserved for the discussion and the approval of the extraordinary general meeting :

- a) the modification of the statutes, and especially the modification of the establishment;
- b) the increasing or the decreasing of the capital;
- c) the fusion of the Company with other companies;
- d) the dissolution of the Company and the appointment of the liquidators, the approval of the report and of the liquidators' account, and the repartition of the social patrimony.

Art.18. The shareholders who want to participate at the general meetings are obliged, at least 5 days before the date of the general meeting, to prove the legal ownership of their shares.

Art.19. The president of the Board of Directors and in his absence the oldest vice-president in function, shall preside the general meeting. In case of their absence, the general meeting will be presided by the present vice-president or by the oldest member of the committee in function, no matter the age.

The president, before entering in the order of the day of the general meeting, designs a secretary and two auditors from the present or represented shareholders.

...the publication of the decisions taken by the general meeting.
The decisions and debates of the general meeting will be contained in a minutes signed by the president, managers and secretary.
Art. 20. The shareholders who cannot personally be present at the general meeting, can be represented by other shareholders through letters or power of attorney.

CHAPTER IV.

The Board of Directors, the Direction Committee and the censors.-

Art. 21. The Board of Directors consists of seven members, including the president.

The managers will be chosen by the general meeting for periods of four years. The first Board of Directors appointed through the Settlement Document of the Company, will function up to the first ordinary general meeting. This general meeting will choose a new committee.

The managers appointed by the Settlement Document can be re-elected.

From this general meeting the committee will be renewed every year by drawing lots of a quarter of the members and in their places will be elected new members by the ordinary general meeting. These new members in the committee will be elected for a period of four years.

These elections will be made so as after a period of four years the renewing of the committee should completely be made.

The reelection of the members of the Board of Directors is in no way restricted.

Art. 22. If the ^{place} position of one of the managers becomes free by resignation, death or loss of capacity, the reelected managers can proceed to the cooptation of another manager.

The ratification of the manager's cooptation will be submitted to the general meeting, which will be convoked in the shortest term by the Board of Directors in the same sitting in which the cooptation has taken place.

The manager elected or appointed in the other's place will function until the term his predecessor has had to function in, is accomplished.

The cooptation of members in the committee will be made in the presence of the company's censors.

Art. 23. Each manager is obliged to deposit at the Company's pay-office and before his coming into function, a guaranty in cash amounting to the sum prescribed by the law.

This sum is exclusively affected to guarantee the manager's administration and is reserved for this purpose.

Art. 24. The Board of Directors elects every year from its midst a president and two vice-presidents.

The president or in his absence the vice-president or one

members of the committee have to convocate the committee.

The convocation must include the order of the day.

The Board of Directors will meet at its social seat or in any other place or locality pointed out in the convocation.

The meeting of the Board of Directors will be presided by the president, in his absence by one of the vice-presidents, or in their absence by the oldest member of the committee.

The committee designs a person which should accomplish the function of secretary for the sitting.

Persons who are not in the committee, neither shareholders can be elected as secretary.

Art.25. The decisions of the committee are valid only if all managers have been convocated by registered letters or in necessary cases by telegram, which must be sent at least 14 days before the sitting.

Art.26. The decisions of the Board of Directors are valid if at least half of the total of the managers are present or represented.

Art.27. The decisions and resolutions of the Board of Directors will be consigned in a recording signed by the president, the managers and the secretary.

The Board of Directors has the rights established by the law.

Art.28. The Board of Directors represents the Company before third persons and before authorities, and also before all administrations, and decides definitely on all matters and questions which are not expressly reserved for the general meetings.

Art.29. The managers can be represented ^{at} in the sitting by other managers, on basis of a simple letter or a telegram. This power of attorney can be given for each sitting apart or for several sittings.

Art.30. The decisions of the Board of Directors will be taken with absolute majority of votes.

Art.31. The managers have to answer before the Company for the way in which they are using their mandate.

Art.32. The Board of Directors can transfer its rights partly or totally on the direction committee.

Art.33. The direction committee will be formed of a number of managers established by the Board of Directors. The attributions of the direction committee include the whole management of the Company, as well as matters in connection with this management, which have been transmitted by the Board of Directors.

The Board of Directors can decide ^{on} about the following questions :

1. the establishing of the annual balance-sheet, and of the account of profit and loss.
2. Proposals for issuing pay bonds.

3. Approval of the liquidation of the company.

4. Proposals for the increasing or decreasing of the capital.

Art.34. The Board of Directors decides by whom the Company should be represented, and also for the signatures which validly engage the Company.

Art.35. The ordinary general meeting chooses every year three censors and three deputy-censors.

At least one of the 3 censors must be an authorised book-keeper.

Each censor and deputy-censor, excepting the authorised book-keepers, is obliged to deposit at the Company's pay-office as a guaranty, the amount prescribed by the law, in cash.

Art.36. The above mentioned obligations in regard to the Board of Directors, will be analogously applied to the censors' and deputy-censors' committee.

The obligations and the rights of the censors are those prescribed by the Commercial Code.

In case the position of one censor is free, the mandate of the deputy-censor lasts up to the first ordinary general meeting.

The retributions of the censors as well as those of the deputy-censors will be settled by the ordinary general meeting.

CHAPTER V.

Balance-sheet, distribution of the profit.

Art.37. The financial performance always begins on the first of January and ends on the 31st. of December.

The first financial year begins in the same time with the Company's activity and ends on the 31st. of December 1942.

All accounts will be closed at the end of the year and the Board of Directors is obliged to make a balance-sheet which will be verified by the censors and after that, presented to the general meeting.

Art.38. At least 15 days before the general meeting, the committee has to keep the balance-sheet at the disposal of the shareholders and has to publish it in the term and in the way foreseen by the law.

Art.39. The net profit of the Company will be established in conformity with the strictly commercial rules. All expenses of all nature, losses, amortisations, restorations and reserves, will be deducted out of the rough profit. 5 % of the net profit will be prevailed for the reserve funds. The ordinary general meeting decides about the division of the remaining profit.

In case the reserve funds exceed with 20 %, the social capital, the general meeting decides about the allocation of the reserve funds, according to the laws then in force.

Art.40. The Board of Directors will settle the date from which the payment of dividends shall start.

Art.41. The dividends which in a period of 5 years since their expiration have not been taken up, shall be preserved in favour of the Roumanian State.

CHAPTER VI.

Art.42. The liquidation of the Company will be made :

- a) In conformity with the laws;
- b) According to the general meeting's decision.

Art.43. The publications of the Company are valid in a single publication in the State Journal, excepting the cases when laws expressly foresee some other way.

Art.44. All questions not foreseen in the present statutes will be settled in conformity with the Commercial Code.

The Roumanian State's Delegate S.S.I.A.A.

The Delegate of the "Hermann Goering" Works

(The authentication of the Ilfov Court of Justice, Notary's Office Department, with No.29.733/941 follows.)

The Record-Office Department of the Ilfov Court of Justice
I-st. Commercial Section.

The present copy being passed in the Order-register with No.943/1941 is visaed by us in order to be published in the State Journal.

Recorder, (illegible)

File Nr. 1.659/ 1941.

D E C L A R A T I O N

The undersigned :

The Roumanian State through the Under-Secretary of State of the Army Endowment and Administration, represented by lawyer chief-councillor Virgil Damian, according to the delegation Nr.3.766 of September 5th. 1941, and

The Joint Stock Company "Hermann Goering" Reich Works represented by lawyer Constantin Chiru, according to the power of attorney authenticated by the Roumanian Legation in Berlin under Nr.2.375/1941, with one accord,

are declaring that we are modifying the settlement document and the respective statutes of the Roumanian-German Joint Stock Company for Iron Trade and Industry, authenticated by the Ilfov Court of Justice, Notary's-Office Department, under Nr. 29.733 of September 6th. 1941, in the following way :

./.

Art.8. of the Settlement Document will read as follows :

Each member of the Board of Directors will deposit a guaranty in cash or State titles amounting to Lei 100.000.-, and the censors will deposit half of this guaranty.

Art.11. of the Settlement Document will read as follows :

In conformity with the conditions foreseen by the Commercial Code, the undersigned owners of the whole social capital, functioning as constitutive general meeting, we delegate as our mandataries for exercising the censors' attributions Messrs.: C. Dobrota, Hartular Aristide, and Dr. Karoli Richard, and as deputy censors Messrs.: Dr. Ernest Rievelt, Stretinovici L. and Gerhard Stütz.

Art.26. from the statutes will read as follows :

The decisions of the Board of Directors will be valid if at least half of the total number of managers will be present or represented, with the reserve that, concerning the representation, same will only be applied on the quota-representation of the foreign capital, in accordance with the dispositions of Law Decree Nr.4119 of December 20th.1940.

Art.22. from the statutes will read as follows :

Each member of the Board of Directors will deposit a guaranty in cash or State titles amounting to 100.000.- Lei, and the censors will deposit half of this guaranty.

Made in Bucarest, to-day September 10th. 1941, in double original copies and which will form an integrant part of the Settlement Document and the respective statutes, authenticated with Nr. 89.733/1941.

for the Roumanian State,
Virgil Damian

for the Reich's Works Hermann Goering
Joint Stock Company,
(a signature follows)

Editing Clerks and witnesses for identity,
(two signatures follow)

(Follows the authentication of the Ilfov Court of Justice,
Notary's-Office Department with Nr. 30.019/1941).

Department
Record-Office of the Ilfov Court of Justice
1-st. Commercial Section

The present copy being passed in the Order-register with Nr. 948/1941, is vised by us in order to be published in the State Journal.

Recorder, (illegible).
File Nr. 1.659/1941.

./.

MIHAI I.

By grace of God and the will of the Nation, King of Roumania
To all present and those to come, good health :

ILFOV COURT OF JUSTICE, 1st.COMMERCIAL SECTION
Commercial sentence Nr. 740.

The Court of Justice being composed of :

Mr. Ion N. David, president.

Mr. Scarlat Berbănescu, deputy-judge.

Mr. M. Vlad, attorney.

Mr. Ioan Achitzi, recorder.

At the calling of names made in public sitting lawyer Stefan Băbeanu, presented himself, being charged with full powers by the foundation members of the Joint Stock Roumanian-German Company for the Iron Trade and Industry, and after having deposited the National Bank's of Roumania receipts Nr. 5782/1941 and Nr. 5800/1941, both having a value of Lei 37.500,000.- each, representing the payment of 50% of the social capital as well as the modifying document authenticated by the Ilfov Court of Justice, Notary's-Office Department, under Nr. 30.019/1941, has asked that the due legal authorisation for the activity of the above mentioned Company should be given, all the requirements of the law having been accomplished.

Mr. M. Vlad, attorney has put the conclusions for the admission of the request.

The Court of Justice,

on the request registered with Nr. 14.871/1941 by which the representative in charge of the foundation members of the Joint Stock Roumanian-German Company for the Iron Trade and Industry requires that the due legal authorisation for the activity of the above mentioned Company should be given;

Taking into consideration the facts announced by the representative in charge of the foundation members, the conclusions of the attorney and the documents in the file;

Taking into consideration that for the performance of the dispositions of art. 138 Commercial Code, the Settlement Document and the Statutes of the Company authenticated by the Ilfov Court of Justice, Notary's-Office Department with Nr. 29.723/1941, the modifying document authenticated by the same Court of Justice with Nr. 30.019/1941, as well as the receipts of the National Bank of Roumania Nr. 5782 and 5800/1941, amounting to a total value of 75.000.000.- Lei, representing the payment of 50% of the social capital of 150.000.000.- Lei subscribed by the foundation members, have been filed;

Taking into consideration that this Company is constituted only by two associates, namely the Roumanian State through the Under-Secretary of State of the Army Endowment and Administration and the Joint Stock Company "Hermann Goering" Reich Works, being authorised by the law Decree Nr. 1633 published in the State Journal Nr. 128 of Jun End. 1941, that by derogation of the conditions foreseen in art. 121 of the Commercial Code, the Company should be constituted only by two associates;

Taking into consideration the letter of the National Economy Department, Direction for Professional Organisations of Commerce, Industry and Handicraft, Service for the Registering of the Firms, No.64.542 of September 9th.1941, which informs that on basis of the dispositions of art.10 from the Law Decree for Regulation of exercising the commerce Nr.410 of February 24th.1941, the above mentioned Department by decision No.74.633 of September 9th.1941, has favourably advised in regard to the opportunity and necessity of this Company, the sufficiency of the capital considering the object of the commerce proposed and the morality of its founders and of its managers, which are honourable persons;

Taking into consideration that the settlement Document, the Statutes and the modifying document also, with the above-mentioned derogation are in conformity with the conditions foreseen by the Commercial Code.

For these reasons, in accordance with the conclusions taken by the attorney, in the name of the Law, decides :

Is admitting the request registered with Nr.14.871/1941 and consequently :

Is giving legal activity authorisation to the Roumanian-German Joint Stock Company for Iron Trade and Industry with the seat in Bucarest.

The dispositions of art.92 and 95 Commercial Code, shall be fulfilled for this cause.

With Appeal.

Given and read in public sitting on September 10th.1941.

Ion N.David, Scarlat Şerbănescu

Recorder, Ioan Achişei.

RECORD-OFFICE of the ILFOV COURT OF JUSTICE
1st.COMMERCIAL SECTION

The present copy being identic to the original found in the file of this Court of Justice with Nr.1659/1941, is legalised by us.

Recorder : Ioan Achişei.

We give power and order to the administration agents to execute the present sentence and to the Attornies to insist for its accomplishment.

For full attestation of the above, the present sentence has been signed by us.

Ion N.David, Scarlat Şerbănescu.

Recorder, Ioan Achişei.

./.

RECORD-OFFICE OF THE ILFOV COURT OF JUSTICE
I-st. COMMERCIAL SECTION.

This first copy bearing the execution formula has been delivered to-day September 10th. 1941, with Nr.204 into the hands of Mr. St. Băbeanu, lawyer, according to Journal Nr.13.622/1941.

Recorder, Ioan Achiței.

No.204. 1941 September 10th.

RECORD-OFFICE OF THE ILFOV COURT OF JUSTICE
I-st. COMMERCIAL SECTION.

The present copy, being passed in the Order Register with Nr.943/1941, is visaed by us, in order to be published in the State Journal.

Recorder, Ioan Achiței.

FILE Nr. 1659/1941.

Collation: The translation was not made by us.



AVERTISSEMENT LA CONFORMITE DE LA PRESENTE TRANSCRIPTION
EN TEXTE EN LANGUE *Rumanian*

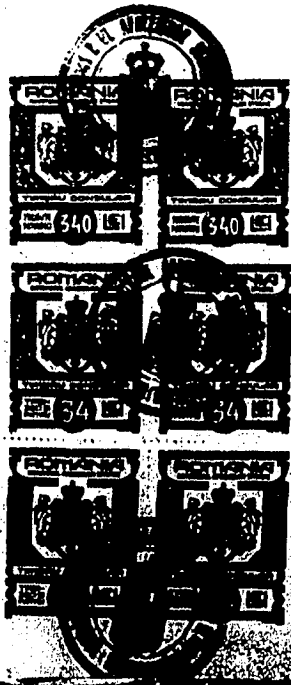
1852 *peuboaoy*

AGENCE FRANCAISE DE NOMMAGE
AGENCE FRANCAISE DE NOMMAGE
INTERIMAIRE PRES CE MINISTERE
BUCAREST LE *October 5th, 1944*
POUR LE MINISTRE:



[Signature]

(C. Sofronie)





EXCERPT

from

EXHIBIT
#6

THE OFFICIAL REPORT

of the General Extraordinary Meeting on September 29, 1941, at 11 h., of the Joint-Stock Company "N. Malaxa".

The General Extraordinary Meeting of the Roumanian Joint-Stock Company "N. Malaxa" being called for today the 29-th of September 1941 at 11 h., the hereunder shareholders have met at its office in Bucharest, str. Dionisie No. 19, who have deposed the provisional certificate No. 727 of June 23, 1941 of the Roumanian Joint-Stock Company "N. Malaxa", representing the shares specified beside each name. They have signed the here enclosed list of presence.

Crt. No.	Name & pronoun of shareholders.	Name of procurator.	Shares deposited.	Shares presented at the meeting.		No. of votes.
				No.	Nominal value.	
1.	Roumanian State through C.A.F.A.	C. Curta	200.000	200.000	1.000.000.000	200.000

These share-holders represent the social capital. As it results from the official report drawn up according to art. 220 of the Commercial Code, by the censors of the Company on September 23, 1941, the share-holders have deposed the provisional certificate No. 727 of June 23, 1941, of the Roumanian Joint-Stock Company "N. Malaxa", in view of their participation to the General Extraordinary Meeting of today.

The Chairman takes the advice of the assembly which - unanimously and representing the whole social capital - decides, according to art. 219 Comm. Code, to allow the meeting, without any formality, and to deliberate upon the following agenda :



9-10

The approval for the drawing up of a Convention between the "N.Malaxa" Companies and the Roumanian State on one side and the Roumanian Joint-Stock Company for Iron Industry and Trade, briefly designed as "Rogifer", on the other, regarding the leasing of the works belonging to the "N.Malaxa" Companies as well as the authority of the Army Adviser to sign, on behalf of the "Malaxa" Companies, this agreement.

Under the reserve of ratification through a Journal of the Council of Ministers, the General Meeting unanimously approves the contents of the leasing contract mentioned at the above point 1). and authorizes Colonel Constantin Diaconescu, Army Adviser to the "Malaxa" Companies, to sign on behalf of the Roumanian Joint-Stock Company "N.Malaxa" this agreement which includes the documents above mentioned under points 2, 3, 4, 5, 6 and 7.

The above translation is in accordance with extracts from a postostat legalized by the Notarial section of the Rifov Tribunal under No.648 of 1946.

LE GOUVERNEMENT ROUMAIN DE LA PRESENTE TRADUCTION

1054 *[Signature]*

V. U. Holoboc

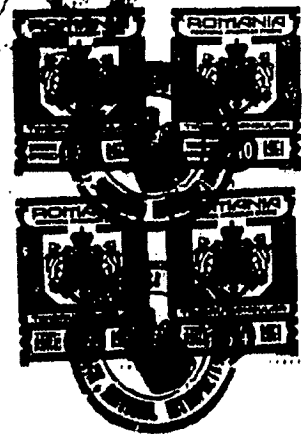
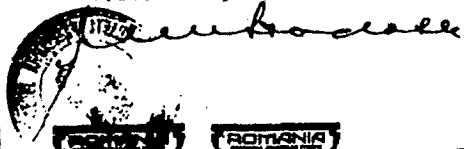
LE MINISTRE

9 Mai 1946

POUR LE MINISTRE:

[Signature]

(C. Sofonea)





MINUTES OF THE CABINET COUNCIL

WAR MINISTRY.

EXIBAT
7

The Ministers' Council in his meeting dated 30th September 1941, taking in deliberation the report Nr.4429/1941 of the Secretary of the State of the War Ministry and the Undersecretary of State of Army Endowment with the War Ministry,

Having in view the dispositions of art.1-3 of the Decree Law Nr.370 dated 18th February 1941, providing the passing of several shares into the patrimony of the State, with the amendment published in the Official Gazette Nr.62/1941,

Having also in view our foregoing Minute Nr.184 published in the Official Gazette Nr.55 dated 6th March 1941, referring to the extension of the right of the Army Mandatories to sign validly in the name of the Companies at which they function,

D E C I D E S:

Art.1. The ratification of the lease of the Works pertaining to the "N.Malaxa" Companies, by the Roumanian-German Company for the Industry and Commerce of Iron of Bucharest, is approved under the conditions established by the project of convention and the respective inclosures.

Art.2. The Undersecretary of State of Army Endowment with the War Ministry, is hereby delegated with the execution in accordance with the laws of the present Minute (journal), through the Army Mandatory of the "N.Malaxa"- Companies.

Art.3. The Undersecretary of the State of Army Endowment is hereby delegated to sign for confirmation also in the name of the State the Convention of lease mentioned above.

Mihai Antonescu, General D.I. Popescu,
General N. Stoensescu, Ion C. Marinescu,
General Radu Rosetti, Constantin D. Bugila,
Prof. Dr. P. Tomescu, Constantin Stoicescu,
General C. Pantazi.

The above translation is true to the publication
in the " Official Gazette " No.237 of 7th, October 1941,
prt.1, page 5976.-



ANEXA 18

0410



LE MINISTRE DES AFFAIRES ETRANGERES DE ROUMANIE
AT BUCURESTI

N. 1007 / Bucuresti

CERTIFIE LA SIGNATURE CI-DESSUS DE M. *V. U. Ionescu*

INTERPRETE PREC CE MINISTERE

BUCAREST LE *May 9th 1946*

POUR LE MINISTRE

(Signature)

(Signature)



EXCERPT.

EXHIBIT
#8

AGREEMENT.

Between the undersigned :

- 1.- "N.Malaxa", Roumanian Joint-Stock Company, Bucharest, Locomotives and Armament Work, Halta Titan,
- 2.- "N.Malaxa", Roumanian Joint-Stock Company, Bucharest, Work of Tohanul Vechi, and
- 3.- "N.Malaxa", Roumanian Joint-Stock Company, Bucharest, Pipe and Steel Works,

all three represented by Army Adviser, Colonel Constantin Diaconescu, authorized through the Council of Ministers' Journal No. 184, published in the Official Gazette No. 55 of March 6, 1941 and through the decisions of the General Meetings of September 29, 1941, ratified by the Council of Ministers' Journal No. 1170/1941 published in the Official Gazette of October 7, 1941, on one side, and

The Roumanian-German Company or shares for the Iron Industry and Trade, shortly designed as "Rogifer" with the seat in Bucharest, str. Dionisie No. 19, represented by Messrs. Dr. Gh. Leon and Eng. Erich Augst as the lesser, on the other side, the following leasing contract has been drawn up, which has been confirmed also by

The Roumanian state, in its quality deriving from art. 2 of Law-Decree No. 70/1941, published in the Official Gazette No. 48 of February 19, 1941, rectified by the advertisement published at page 1262 of the Official Gazette No. 62 of March 14, 1941 and represented through General Gh. Dobre, Undersecretary of State for the Army Supply and Administration of the National Defense Department, according to the delegation given by the Council of Ministers through Journal No. 1170 of October 7, 1941.

ART. I.

The above agreement includes all the works above mentioned, movable, immovable by their nature and immovable by destination



together with all machinery, installations, accessories, buildings, annexes, garages, houses, outfitings, vehicles, motor or animal means of transport, as well as patents, licenses, plans, fabrication processes, in short any goods, corporal or incorporeal rights, advantages or privileges of which the Malaxa Works have benefited or would benefit in the future, according to their nomination in the inventory drawn up by the Reception Commission set up on basis of art. 3 of Law-Decree No.370 published in the Official Gazette No.42 of February 19, 1941, which inventory will serve only as an indication, their specification and description being made in the additional inventories signed by the two contractors. These inventories are included in the present contract and goods shall be receptioned according to them.

Likewise, the agreement includes all the incorporeal goods not specified in the annexed inventory, they being ceded in full use to the lease-holder company, for the duration of the present contract.

.....

Art. XI.

The leasing term is of 10 (ten) years beginning on the taking over of all the works. The Roumanian State guarantees a peaceful possession of the object leased and undertakes to support, by all administrative and legislative steps necessary, the fulfilment of this contract which aims at a normal and intensive exploitation of the mentioned works.

.....

Made in Bucharest, today the 7-th of October 1941, in six copies, out of which three for the Roumanian Joint-Stock Companies "N.Malaxa", one for the leasing company on shares "Rogifer", one for the Roumanian State and one for transcription.

"ROGIFER"
sgd./ Dr. Gh. Leon
sgd./ Augst.

"N.MALAXA", Roumanian Joint-Stock Company, Locomotives and Armament Works, Balta Titan;

"N.MALAXA", Roumanian Joint-Stock Company, Works of Tohamil Vechi.

"N.MALAXA", Roumanian Joint-Stock Company, Pipe and Steel Works.

Army Adviser,
sgd./ Col. C. Diaconescu.

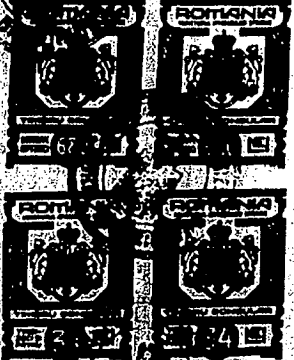


for the Roumanian State, for conformity,
by authorisation of art.3 of Law-Decree
No. 870 of 1941.

State Undersecretary,

sgd./ General Gh.Dobre.

The above translation
is true to the original
Geneva Convention.



LE COMITE INTERNATIONAL DE LA CROIX-ROUGE
LE BUREAU CENTRAL
Bucarest

LE BUREAU CENTRAL

No. 1061

LE COMITE INTERNATIONAL DE LA CROIX-ROUGE
LE BUREAU CENTRAL
Bucarest

Geneva

9 Mai 1946

POUR LE BUREAU CENTRAL

Geneva



(C. Sofonea)

EXCERPT

EXHIBIT

9



THE ROUMANIAN-GERMAN JOINT-STOCK COMPANY
FOR THE IRON INDUSTRY AND TRADE.

The board of Directors
Minutes of proceedings No 3.
Meeting held on October 9, 1941.

.....
The Chairmen reads:

The day's agenda
containing a single point and namely:

The ratification by Messrs Dr. Gheorghe Leon and Eng. Eric Augst on behalf of "Rogifer" Company of the Leasing contract of the following works: Joint-Stock Company "N. Malaxa" Locomotives and Armament Works, Halta Titan; Joint-Stock Company "N. Malaxa" Factory of Tehanul Vechiu; Joint-Stock Company "N. Malaxa" Pipe and Steel Works, as it has been ratified also by the Council of Ministers Journal No. 1170 of September 30, 1940, consisting of the agreement itself, signed on October 7, 1940, and its ten annexes, paraphed by the parties, which are integrant part of the agreement, and which according to the letter of September 26, 1941 of the Joint-Stock Company "Reichswerke Hermann Goering" is to be perfected until October 10, 1941.

.....
Decision:

The board of directors, on being informed of the above duly ratifies within the provided term the signing of the leasing contract and its annexes above mentioned, as they have been paraphed.

After discussing the above point of agenda, the Chairman closes the meeting at 18th.

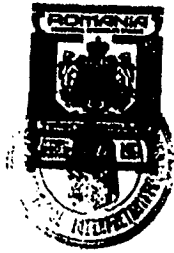
President,
ss/. Dr. Gheorghe Leon.

Members,
ss. Ing. Constantin Teodorescu,
ss. Dipl. Ing. Erich Augst
ss. Dr. Dumitru Gerota.

The above translation is true to the original in the Register of Minutes of the Board of Directors.-



[Handwritten signature]



LE SOUSSIGNÉ CERTIFIE LA CONFORMITÉ DE LA PRÉSENTE TRADUCTION
AU TEXTE ORIGINAL.

L'INTERPRÈTE

No. 1076

LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE

CERTIFIE LA VÉRACITÉ DE LA TRADUCTION

EN VOYANT LE TEXTE ORIGINAL

FAIT À BUCAREST LE

POUR LE MINISTRE:

Roumain

[Signature]

May 9th 1946

[Signature]

[Signature]



ANNEX No.21.

EXCERPT

EXHIBIT
#15

AGREEMENT

Considering the wish of the Roumanian Government to receive from the "H.G.W" the German participation to the capital of "Rogifer" Company, the following agreement has been drawn up between the Roumanian State represented by Professor Mihai Antonescu, Vice President of the Council of Ministers and the German Works "Hermann Goering" hereafter called "H.G.W", represented by Dr. Guido Schmidt, General Manager:

I.- The Roumanian State buys and "H.G.W" sells the shares of the Roumanian-German Company "Rogifer" representing a nominal value of 250,000,000 lei, under the following conditions:

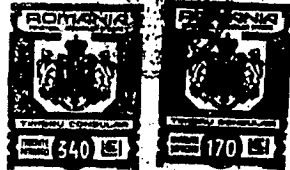
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.....

Made in two copies, in Bucharest, today
February 15,

1943

FOR THE ROUMANIAN STATE
sgd./ Mihai Antonescu

FOR THE GERMAN
WORKS "HERMANN
GOERING" J.-S.Co.
sgd./ Guido
Schmidt.



Roumanian
1077 *peste...*
LE...
Y. U. K...
May 9th 1946
DON LE...
[Signature]

(C. Sofronie)



EXCERPT

MINISTRY OF ARMAMENT AND WAR PRODUCTION.

Law No. 788.

EXHIBIT
II 17

LAW-DECREE

for the authorization of "Rogifer"'s liquidator to make some commercial operations.

Sole art.- The liquidator of the Joint Stock Company "Rogifer", liquidated according to Law No. 669 of 1943, may, with the approval of the general assembly, continue temporarily the commerce under the conditions existing before the publication of the above mentioned Law and perform any commerce contracts of any kind which are in connection with the social scope, as well as an liquidating operations, being authorized by the present Law to derogate in all these cases from the stipulations of art. 199-209 Comm. Code.

Made in Bucharest on December 3, 1943.

The above translation is true to extracts of the publication in the "Official Gazette" No. 284 of 4th, December 1943.-

IF ANY OF THE ABOVE IS CHANGED OR IN THE FUTURE...

rumane

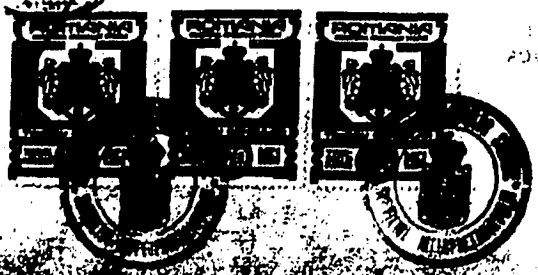
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V. U. Holak

ghai 1946

POUR LE MINISTRE

(R. Soferis)



18

EXHIBIT
18



LAW-DECREE

authorizing the Roumanian State through the Ministry of Communications and Public Works and the Ministry of Industry and Trade to approve a transaction.

Art. I. - The Roumanian State, through the Ministry of Communications and Public Works and the Ministry of Industry and Trade is authorized to approve and to sign the adjoining transaction between the Roumanian State and the companies: "N. Malaxa" Roumanian Joint Stock Company, "N. Malaxa" Pipe and Steel Works, Roumanian Joint Stock Company and "N. Malaxa Work of Tohanul Vechiu" Roumanian Joint Stock Company.

Art. II. - The Roumanian State, through the Ministry of Communications and Public Works and the Ministry of Industry and Trade is authorized to establish, in foreign currency, at the disposal of the "N. Malaxa, Pipe and Steel Works" Roumanian Joint Stock Company, free of any restriction whatsoever regarding the exchange the price of the 14" rolling-mill and of the additional machinery from the Pipe and Steel Work, which have been delivered to the Soviet High Command on the account of the Armistice Agreement, and so set the payment conditions.

Art. III. - In Roumanian State, through the Ministry of Communications and Public Works and the Ministry of Industry and Trade is authorized to approve and to sign together with the companies foreseen in art. I, the adjoining compromise document, considered as a part of this law.

Art. IV. - The compromise document and the above transaction as well as the selling of raw and régie materials, of materials and semifabricates of all kind, executed through this transaction by the "Rogifer" Company to the companies mentioned in the above art. I are exempted from all the taxes.



Art.V. The Law-Decrees Nos. 2272/1940, 2072/1940, 2072/1940, 1732/1941 (Law No 535), together with all their subsequent additions and modifications are abrogated on the date of their publication and consequently, all steps and administrative or juridical decisions, issued on their basis respectively, have no effect. The State renounces to all rights and claims which might form the object of the investigations of the commissions set up through those law-decrees

Art.VI. The companies foreseen in art.I are granted a 30 days' term from the date of the present law to pay their taxes without any fine, even should there exist any deeds of contravention, they being considered annuled on the mentioned date.

Made in Bucharest, on April 12, 1945.

sgd. Mihai.

Ministry of Communications
and Public Works,
sgd. Gh.Gheorghiu Dej

Ministry of Industry and Trade,
sgd. P.Bejan.

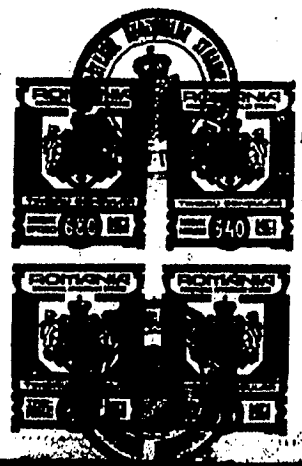
The above translation is true to extracts of the publication in the official gazette No. 6 of 13th April 1945, part. 1, page 3030.

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1064
24 mai
V. V. Hrbol

9 Mai 1946
POUR LE MINISTRE
Signature

(C. Soferie)



14 Feb 50

EXHIBIT #19



REPORT
OF THE MINISTER OF COMMUNICATIONS AND PUBLIC WORKS
AND OF THE MINISTER OF INDUSTRY AND TRADE TO
HIS MAJESTY THE KING



S I R E,

Among the abusive acts of the past regime, the transfer of the "MALAXA" Works into the hands of the Germans is one of the most important.

Indeed, on February 13, 1941 the Roumanian State has drawn up an agreement with the German industrial concern "Hermann Goering Werke", which stipulated the founding of a Roumanian-German Exploiting Company, the "ROGIFER" Company. Its purpose was to exploit the "MALAXA" Works. Although both parties had equal shares in the capital and the Work was Roumanian as well as the exploitation was to be made on Roumanian soil, yet the technical, financial and administrative management, in other words the general management of the works was entrusted to the Germans.

This agreement drawn up between the Roumanian State and the German group referred to goods which, on that date, did not belong to either of the parties. Legally, the contract was therefore non-effective, but political interests forced the past regime to do this act which prejudiced the Roumanian interests. Thus discarding all principles of law and truth, by Law-Decree No.370 of 1941, the State took over the "MALAXA" Works, by means of a so called expropriation, supported by groundless reasons, as it was later proved even during the former regime.

The German interests claimed the full disorganisation of this great Roumanian energy of fabrication.

The German management acted intensely to this end. The "MALAXA" Works began to disorganise and to decay under such management.

The proving of the unfounded reasons of the so called expropriation, the precarious condition of the works as well as the events of 1945, caused the German responsibility in the losses of the for



Encl. 15 lists
201-202-203

The present Bill also provides the abolition of the legal provisions elaborated under the former regime as a means of retaliation against the Works.

Finally, the "MALAXA" Works which have been deprived of their legal juridical situation, are granted a term to settle all their fiscal debts.

Authorized by the Council of Ministers Journal, we present, with the deepest respect, the Your Majesty for approval and signature the mentioned Bill.

We remain with the deepest respect,

S i r e,
Your Majesty's

Minister of Communications and Public Works

.sgd./ Gh. Gheorghiu-Dej.

Minister of Industry and Trade

sgd./ P. Bejan.

No. 113

April 12, 1945

The above translation is true to extracts of the publication in the "Official Gazette" No. 86 of 12th April 1945, part 1, page 203.

LE GOUVERNEMENT CERTIFIE LA CONFORMITE DE LA PRESENTE TRADUCTION
Avec le texte en langue roumaine

1065
LE MINISTRE DE LA JUSTICE
BUCHAREST, LE 9 Mai 1946
POUR LE MINISTRE



Handwritten mark or signature at the bottom left.

1817
#20

④
20

MINISTERUL AFACERILOR STRAINE

CONVENȚIE DE ARMISTIȚIU

INTRE GUVERNUL ROMÂN PE DE O PARTE
ȘI GUVERNELE UNIUNII SOVIETICE,
REGATULUI UNIT ȘI STATELOR UNITE
ALE AMERICII PE DE ALȚĂ PARTE

IN LIMBILE ROMÂNĂ, RUSĂ ȘI ENGLEZĂ



LA CURTEA DE JUSTIȚIE

1947

vor fi supuse controlului operativ al Inaltului Comandament Aliat (Sovietic), pentru folosirea lor, in interesul general al aliaților (vezi anexa la art. 10).

11. Pierderile pricinuite Uniunii Sovietice prin operațiunile militare și prin ocuparea de către România a teritoriului sovietic, vor fi despăgubite de către România față de Uniunea Sovietelor. Înșă, luând în considerație că România nu numai că s'a retras din război dără declarat război și în fapt duce război contra Germaniei și Ungariei, Părțile sunt de acord ca compensațiile pentru pierderile menționate să nu fie plătite în întregime de România, ci numai în parte, și anume în sumă de 300 milioane dolari ai Statelor-Unite, plătibile în curs de 6 ani, în mărfuri (produse petrolifere, cereale, materiale lemnoase, vase maritime și fluviale, diverse mașini, etc.).

România va plăti despăgubiri pentru pierderile pricinuite în România proprietăților celorlalte State Aliate și naționalilor lor, pe timpul războiului, despăgubiri a căror sumă va fi fixată la o dată ulterioară (vezi anexa la art. 11).

12. Guvernul Român se obligă în termenele indicate de către Inaltul Comandament Aliat (Sovietic), să restituie Uniunii Sovietice, în desăvârșită bună stare, toate valorile și materialele luate de pe teritoriile ei, în timpul război-

urilor, будут подчинены оперативному контролю Советского (Советского) Главкомандования, для использования их в общих интересах Союзников. (См. Приложение к статье 10).

11. Убытки, причиненные Советскому Союзу военными действиями и оккупацией Румынией советской территории, будут Румынией возмещены Советскому Союзу, причем, принимая во внимание, что Румыния не просто вышла из войны, а объявила войну и ведет ее на деле против Германии и Венгрии, стороны улаиваются о том, что возмещение указанных убытков будет произведено Румынией не полностью, а только частично, а именно: в сумме 300 млн. амер. долларов с погашением в течение шести лет товарами (нефтепродукты, зерно, лесные материалы, морские и речные суда, различное машинное оборудование и т. п.).

Румыния возместит убытки, причиненные собственности других союзных государств и их гражданам в Румынии во время войны, причем сумма возмещения будет установлена позже. (См. Приложение к статье 11).

12. Правительство Румынии обязуется в сроки, указанные Союзным (Советским) Главкомандованием, возвратить Советскому Союзу в полной сохранности вывезенные с его территории во время войны все ценности и

operational control of the Allied (Soviet) High Command for use in the general interest of the Allies. (See Annex to Article 10).

11. Losses caused to the Soviet Union by military operations and by the occupation by Romania of Soviet territory will be made good by Rumania to the Soviet Union, but, taking into consideration that Rumania has not only withdrawn from the war, but has declared war and in fact is waging war against Germany and Hungary, the Parties agree that compensation for the indicated losses will be made by Rumania not in full but only in part, namely to the amount of 300 million United States dollars payable over six years in commodities (oil-products, grain, timber products, sea-going and river craft, sundry machinery, etcetera).

Compensation will be paid by Rumania for losses caused to the property of other Allied States and their nationals in Rumania during the war, the amount of compensation to be fixed at a later date. (See Annex to Article 11).

12. The Rumanian Government undertakes within periods indicated by the Allied (Soviet) High Command to return to the Soviet Union in complete good order all valuables and materials removed from its territory during the

sa, contra Germaniei și Ungariei.

20. Prezentele condițiuni intră în vigoare la momentul semnării lor.

Făcut în Moscova, la patru exemplare, fiecare în limbile română, rusă și engleză, textele ruse și engleză fiind autentice.

12 Septembrie 1944.

De îndrumarea Guvernului și Comandamentului Armatei Române

Gen. Lucrețiu Pătrășcanu
(sa) Gen. Adj. Dăndăcșanu
Gen. B. Știrbey
Gen. G. Popp

De îndrumarea Guvernului și Armatei aliate ale Americii, Uniunii Sovietice și Regatului Unit

Gen. Malinowski

военных операциях против Германии и Венгрии.

20. Настоящие условия вступают в силу с момента их подписания.

Составлено в Москве, в четырех экземплярах, каждый на румынском, русском и английском языках, причем тексты на русском и английском языках являются аутентичными.

"12" сентября 1944 года.

По уполномочию Президиума и Главного Командования Румынии

Подписали:
ЛУКРЕЦИУ ПАТРАШКАНУ
Ген. ДАМАЧАНУ
В. ШТИРБЕЙ
Г. ПОПП

По уполномочию Президиума Советов ССР, Советского Королевства и США

(sa) МАЛИНОВСКИЙ

against Germany and Hungary.

20. The present terms come into force at the moment of their signing.

Done in Moscow, in four copies, each in the Rumanian, Russian and English languages, the Russian and English texts being authentic.

September 12, 1944

By authority of The Government and High Command of Rumania.

(sa) *Lucrețiu Pătrășcanu*
(sa) *G-Adj. Dăndăcșanu*
(sa) *B. Știrbey*
(sa) *Gh. Popp*

By authority of The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom

(sa) *Malinowski*

MINISTRY OF NATIONAL ECONOMY
MINISTER'S OFFICE

*521/023

January 2, 1945

To:

N. Malaxa, Uzinele de Tuburi si Otetarii (City)

As you know, the allied control commission (Soviet Commission) notified the Roumanian Government on November 29, 1944 of its "final and irrevocable" decision to take over the Malaxa Tube plant.

It has later been allowed for the small rolling mill plant and its annexes to continue operation, the taking over of these facilities by the Russians being deferred for a time. As regards the main plant and ancillary installations, the Russian government is now engaged in the taking over of these facilities.

As early as Nov. 29, 1944, we notified Mr. Malaxa of this situation through Mr. C. Dinu, Secretary General of our Department, and requested him to take part in the computation of the value of the plants or to extend his co-operation, since it was in the interest of the Roumanian State, as regards dealings with the Allied Control Commission, to reach as fair a valuation as possible, for this would assure it of the most advantageous possible computation of the \$70,000,000 yearly quota in war damages, all of which does not clash with your interests. Nevertheless, your co-operation was not forthcoming.

While your reserve could be understood at the time, as motivated by a feeling that you feared that your co-operation in the evaluation work be interpreted as consenting that the plants be taken over; today, since we are faced by a de facto situation, created by the unilateral will of the Allied Control Commission, the problems of an accurate assessment and recording of the value of the property taken over, along with that of a fair evaluation of the parts of the plant now taken over, must come before the hypothetical pre-occupation mentioned above.

As regards the preparation of accurate records of what is taken over, we have taken it upon ourselves to have the plant representatives assisted by two officials of our Department.

As regards the assessment, we have appointed a commission whose members are the following:

Mr. Alexander Pop, engineer, General Manager of Rosita.

Mr. G. Francescu, Secretary General of the Roumanian "Credit Industriel".

Mr. C. Erbiceanu, engineer, of the Roumanian "Credit Industriel", who must conduct their work in the presence of Soviet engineers,

We request that you be kind enough:

a) to make available to this commission all such data as might be necessary and are in your hands, for the fairest possible valuation of the plant and of its sections.

We wish to mention the fact that the problem of compensating the owners of industrial property to be financed from war damages - therefore the problem between the state and such owners - is distinct from the other problem and as such to be handled separately.

b) to participate, through your delegates, in the handing over to the members of the Allied Control Commission, of the sections of the plant that are to be taken over, aware of the fact that until then, no overall final statements have been prepared for the handing over and taking charge of the plants, but only daily statements regarding what has to be shipped and sent out.

ss: The Minister of National Economy

Leucutia

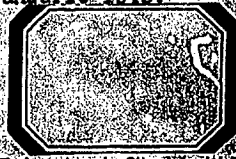


Ministerul Economiei Nationale

Cabinetul Ministrului

EXIBIT
21

Nr. 531 /Cab.
2 Ianuarie 1945



Onor.

Societății N. MALAXA, Uzinele de Tuburi și Oțelărie

Loco.

După cum vă este cunoscut, Comisiunea Aliată Sovietică de Control a comunicat la 29 Noembrie 1944, Guvernului Român deciziunea ei "definitivă și irevocabilă" de a lua fabrica de țevi "Malaxa".

Ulterior s'a obținut ca laminorul cel mic cu anexele lui să lucreze mai departe, amânându-se un timp ridicarea lui.

Ridicarea celui mare și anexelor lui este în curs.

Încă din ziua de 29 Noembrie 1944 am încunostăințat pe Dl. Inginer N. Malaxa despre situație prin Dl. Inginer C. Dim, Secretarul General al Departamentului nostru și îl am învitat să ia parte la evaluarea fabricii sau să ne dea concursul la aceasta în interesul Statului Român fiind să ajungem, via Comisiunea Aliată de Control, la o evaluare cât mai justă care ar echivala pentru noi cu o decontare cât mai avantajoasă din cota anuală de 50.000.000 dolari U.S.A. via despăgubirilor de război, iar interesul D-voastră naștind contrariu acestuia, n'am obținut însă concursul cerut.

Dacă atunci rezerva D-voastră s'ar fi putut explica prin concepția că nu cumva concursul dat la evaluare și cele interpretate ca o consimțire la predarea fabricii de țevi, este azi când ne aflăm în țara unei stări de fapt având origine în voiața unilaterală a Comisiei Aliate (Sovietice) de Control - problema unei înregistrări a ceea ce se face precum și aceea a justei evaluări a părților de fabrică ce se ridică trece înaintea preocupării ipotetice subliniate mai sus.

În privința înregistrării a ceea ce se face, am luptat măsura ca organele fabricii să fie asistate de două delegați ai Departamentului nostru.

În privința evaluării, am înstituit o comisiune, compusă din Domnii:

- Inginer Alexandru Pop, Directorul General al "Reșitei"
- G. Brănzescu, Secretarul General al "Creditului Industrial"
- Inginer C. Briceanu, "Creditul Industrial"

care să facă această lucrare în vi de tehnicianii sovietici, - Vi rugăm să binevoiți

ca) a pune la dispoziția acestei comisii de evaluare toate datele care-i sunt necesare și care vă erau în putință pentru o cât mai justă evaluare a fabricii și a părților de fabrică în chestiune.

Mentionam ca problema despartibilitii proprie
unului industrial care se predau sau se preiau
despartitor de rasboi - asadar problema raso
dintre Stat si acasii proprietari - este distincta
ceasta si se trateaza separat.

b) a participa prin delegatii Dumneavoastra
republicii noastre Comisiunii Aliate (Sovietice)
a Partitilor de Fabrice ca se ridica, fiind ca p
nu s-au incheiat inca procese verbale de inalta
primite, ci numai procese verbale zilnice de in
canta ca incearca si se expediază.

SECRETARIATUL
ECONOMIILOR NAȚIONALE



Leacuta

[Translation]

(Exhibit 21-a)

Ministry of National Economy
Office of the Secretary General
December 4, 1944

S. A. "Rogifer",
In Liquidation,
City.

Referring to the obligation which has recently arisen to deliver the "Malaxa" tube mill, on account of indemnifications, we have the honor to invite you--given the possibility that the Soviet agencies, very shortly and without further announcement, will proceed to the dismantlement and to the shipment of the parts of the mill--to prepare a rational plan of dismantlement and to present this plan to us, as well as to the Soviet agencies which may present themselves at the factories and to whom that mission may be assigned.

The meeting will take place Thursday, December 7, 1944, at 9 A. M., at the office of Mr. Minister Burchi.

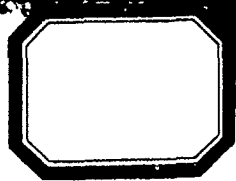
Secretary General

/s/ C. G. Dinu
Eng. Const. Dinu

EXHIBIT #21-01

MINISTERUL ECONOMIEI NAȚIONALE
CABINETUL SECRETARULUI GENERAL
Nr. 441 /Cab.
4 Decembrie 1944

PROGIFER
NR 519045
NR MARE I
DATA RECELIERII



Responsabil	Responsabil	Sanctiuni
	4.11.44	

S.A. "PROGIFER"
in lichidare

Loco

Referindu-ne la obligatia surveniti recent de a presa
fabrica de tevi "Salaxa" in contul desfiintarilor, avem onoare
sa va invita ca - dati fiindu-proabilitatea ca in curand
si fara vreo alta anuntare organele sovietice si purcedea la
demontarea si expedierea partilor din fabrica - si prezinta
un plan regional de demontare, prezentam acest plan atat
noua cat si organelor sovietice care s'ar prezenta in usina
si ar avea aceasta misiune.

*Convocarea are la Jri 7.12.44 ora 9⁰⁰ dimineata
la Biroulu Buchi.*

SECRETAR GENERAL
G. R.
Ing. Const. Lina

Ministry of National Economy
Office of the Minister
December 22, 1947

"Posifen" Company,
In liquidation,
City.

We have the honor to inform you that the Economic Delegation of the Government, taking note of the fact that the Soviet agencies of the Allied Control Commission have begun the dismantlement of the tube mill and the shipment of its parts to the USSR; being aware furthermore that an agreement has been reached with General Vinogradov by which the 6" mill with its equipment will remain, the 14" mill only, with its equipment, being taken away;

have decided as follows:

(a) the dismantlement and packing of the 14" mill and of its equipment shall be made with all care;

(b) complete documents concerning the material levied upon, the weight of each machine or component part, its characteristics, the actual condition of use, etc.--shall be drawn up, in such fashion, that the valuation of the material levied upon shall be possible through these documents even in the absence of the machines;

(c) everything appertaining to the 6" mill which remains shall be carefully separated from the 14" section which shall be taken away, in order that the continuous functioning of the 6" section is not in any way interfered with.

For the official assistance which will be necessary to you, we have already delegated since Tuesday, December 19th, the engineers:-

- D. Stefan of the Ministry of National Economy
- E. Erbiceanu of the National Industrial Credit.

We beg of you to report both to the Roumanian Commission for the carrying out of the Armistice as well as to us, all phases of the transaction.

THE MINISTER OF NATIONAL ECONOMY

A. Ieucutia

ROMANIA
MINISTERUL
ECONOMIEI NAȚIONALE

CABINETUL MINISTRILOR

Nr. 597/Cab.
12 Dec. 1944.

Onor. societății " n o g i f e r "
în lichidare

L O C O.

avea onoare a vă face cunoscut că Delegația economică a
Guvernului, luând cunoștință despre faptul că organele sovietice
ale Comisiei Aliate de Control au început demontarea fabricii de
țevi și expedierea părților ei în U.R.S.S.; și întrucât pe această parte
că o înțelegere a fost înțelesă cu domnul General Vinogradov că la-
minorul de 6" cu anexele lui să rămână mai departe, urmând a nu
se ridica decât laminorul de 14" cu anexele lui;

a dispus cele ce urmează:

- a) demontarea și împachetarea laminorului de 14" cu anexele
lui să se facă cu toată grija;
- b) să se întocmească documente complete despre materialul
ridicat, greutatea fiecărei mașini sau părți de mașini,
caracteristicile ei, starea reală de uzură etc. - așa fel
ca evaluarea materialului ridicat să fie făcută posibilă
și de aceste documente chiar în lipsa mașinilor;
- c) să se separe cu grije ceace aparține secției de 6" și
rămâne, ce ceace aparține secției de 14" și se ridice,
pentru ca funcționarea mai departe a secției de 6" să nu
fie în nici un chip stăjenită.

Pentru asistența oficială care v'ar trebui, am delegat încă
de astăzi, la A.I.I.C., în uzină pe anii ingineri:

- M. Ștefan, din Ministerul Economiei Naționale
- C. Arbiceanu, din Creditul Național Industrial.

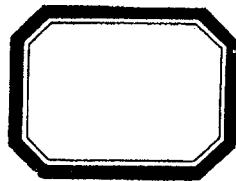
Vă rugăm să faceți, atât Comisiei Noastre pentru aplica-
rea Constituției cât și nouă, toate fazele lucrării.

Ministrul Economiei Naționale,

Leucă
Comisia

. Special Inventory
1945

Description	Value in 1945	Delivery Date	Remarks
1. "Tiefel" mill for rolling pipe from 14" to 14", built by the firm "Schloemann" with all appurtenances, per specification.....	2,400.00	March 1, 1945	A reliable machine approx 2-23 and made in 1936, for a total value of \$2,400.00. It has been revalued in expense for those left at the plant and delivered up to 7.1.45. The value of the equipment in question is included in the total value of the mill, or \$2,400.
2. 3.5 ton of rounds, diameter from 145 to 250 mm., for rolling mill above mill no. 1 per specification.....	100.00	March 1, 1945	In case of utilization by the rolling plant, of some of the rounds of 145 to 250 mm., the total value of all the rounds of this diameter is \$1,000.00, by rounds of smaller diameter.
3. New turbo-enerators, "Turbo-energi", 2700 kw., temperature 24 at 1000 rpm, with all auxiliary and appurtenances.....	3.500	April 1, 1945	The two turbo-enerators are ready for use, complete with generator, pumps, board and all auxiliaries, with assembly drawings & instructions.
4. Four "Faurca 16" machines, manufactured by "Tenliker", for winding of wire manufacture in thickness from 2 to 2 mm. From these, three from the Floetti plant; which two have strip of 150 cm. and no 200 cm.-- condition 75% new. One machine of "Schantz" manufacture, working with 140 cm. condition: 75% new....	15.00	April 1, 1945	These machines are ready for use, complete with all electrical drive motor, platform, drawings. In case detailed checkup were to reveal a greater degree of wear than specified, the machines should be revalued or replaced by others in a more satisfactory condition.
Total....	2,500.00		



7. UTILAJUL INDUSTRIAL
(din existent)

Denumirea utilajului	Valoarea in dol. americani	Termenul livrării	Observații
1	2	3	4
1. Laminorul «Stiefel» pt. laminat țevi de la 5" până la 14" fabricat de firma «Schloemann», împreună cu tot utilajul auxiliar conf. specificațiilor arătate	2.560.000	1 Martie 1945	Se exclude presa hidrostatică T-23 și cântarul T-36 în valoare totală de cea 20.000 dolari, care trebuie făcute din nou în schimbul celor făcute la uzină, și livrate până la 1.VII.1945. Valoarea utilajului indicat este inclusă în valoarea totală a laminorului de 2 milioane 4 sute 6 sute mii dolari americani.
2. 8.320 tone țagile cu diametrul de la 165-250 mm. afectate pt. laminare pe laminorul susarțat «Stiefel» la preț de 63 \$ pe tonă	524.727	1 Martie 1945	În cazul întrebărilor unei părți de către uzina «Malaxa» a uzinei din profiluri de țagile cu diametrul de la 165-250 mm., aceste profile trebuie înlocuite în cadrul celor 8.320 tone profile de țagile cu diametrul mai mic.
3. Turbogeneratorul (nou) al firmei «Brown-Boveri» de 2.750 kw., presiunea aburului 24 atm., temperatura aburului 400°, curent alternativ 525 volți, împreună cu toate instalațiile auxiliare	62.500	1 Aprilie 1945	Turbogeneratorul cu aburi se găsește în stare de funcționare, complet, inclusiv condensatorul, pompele, tabloul de distribuție și alte instalații auxiliare cu toate planșele de montaj și instrucțiuni.
4. Patru mașini sistem «Fouresult» fabricate de firma «Tombac» pt. fabricarea gumurilor cu grosimea de la 2-3 mm. Din care: Trei mașini de la fabrica din Florența, din care 2 mașini au lărgimea benzii de lucru 130 cm. și una de 200 cm., una în funcție mergea în trecut de 15%. O mașină de la fabrica «Sclavi» cu lărgimea benzii de lucru 140 cm., uzura nedepășind 25%	15.000	1 Mai 1945	Mașinile se găsesc în stare de lucru, complete, cu toate electromotoarele, cu planșele de lucru împreună cu planșele de montaj. În caz dacă în primire în vederea asamblării, vor avea uzură mai mare decât cea indicată, atunci să urmează o li necorespunzătoare substituție cu alte mașini care vor avea uzură mai mică.
Total	3.062.227		

(Translation)

Gentlemen:

In the month of December 1944, the 14" rolling mill and auxiliary installations belonging to the N. Malaxa U. de T. S. O. SAR were removed by USSR authorities and, according to an annex appended to the Armistice Convention, said rolling mill and auxiliary installations were valued at two million four hundred and sixty thousand U.S. Dollars, a figure which has been entered as being part of the reparations due to the USSR.

In virtue of this transfer of the production facilities belonging to the N. Malaxa U. de T. S. O. SAR company, in payment of a debt of the Rumanian State deriving from the Armistice Convention, the Rumanian State, by Law #282, of 1945, published in Official Gazette #86 of April 13, 1945, and by the compromise which is an integral part embodied in said Law, a compromise published in Official Gazette #94, of April 24, 1945, acknowledges its debt and obligates itself to make available to the N. Malaxa U. de T. S. O. SAR company abroad, the sum of two million four hundred and sixty thousand U. S. Dollars, effectively and free of all present or future encumbrances.

By the request entered under No. 1.344 of June 6, 1946, the N. Malaxa U. de T. S. O. SAR company, having in mind the object of obtaining the settlement of this claim, which had been payable on demand from the date of the compromise and had hitherto remained unsettled, since the State did not have the necessary foreign exchange, stated its willingness to grant two years for the settlement, provided it receive an effective guarantee of payment, during that time, with foreign exchange recorded as the proceeds of the export trade, and provided facilities be extended to it to mobilize said claim to the extent necessary to achieve cooperation with American Corporations, for the purpose of the production of new items, thus bringing to pass the participation of American capital in the country, new industrial investments, a guarantee of raw material sources, etc... the mobilization operation being feasible by the issue of a letter from the National Bank of Roumania, whereby said bank undertakes to pay the claim in full at the end of said two years.

Bearing in mind the origin of the claim, and the fact that it has been negotiable for more than a year and having the economic interest of the country more specifically at heart through the achievement of effective industrial cooperation with American industry, we request that you sign the attached draft Gazette entry if you agree with the above text.

Vice President of the
Council of Ministers,
Foreign Minister
and Acting Minister
of Finance

Minister of
Industry and
Commerce

G. Tatarescu

P. Bejan

SECRET

Exhibit 24

(Translation)

Gentlemen:

In the month of December 1944, the 14" rolling mill and auxiliary installations belonging to the N. Malaxa U. de T.S.O. SAR were removed by USSR authorities and, according to an annex appended to the Armistice Convention, said rolling mill and auxiliary installation were valued at two million four hundred and sixty thousand U.S. Dollars, a figure which has been entered as being part of the reparations due to the USSR.

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June 6, 1946

SECRET

SECRET// INFORMATION

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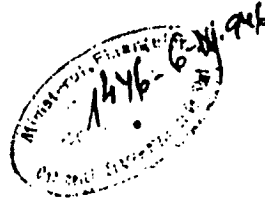
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Vice President of the
Council of Ministers,
Foreign Minister
and Acting Minister
of Finance

Minister of
Industry and
Commerce
P. Bejan

G. Tatarescu

SECRET



DOMNILOR MINISTRI,

În luna Decembrie 1944 laminorul de 14 și mașinile anexe aparținând Societății «N.MALAXA, Uzine de Tuburi și Oțelării» S.A.R. au fost ridicate de organele U.R.S.S., iar printr-o anexă a Convenției de Armistițiu sunt laminorul și mașinile anexe au fost evaluate la 2.460.000.- dolari ai Statelor Unite, imputându-se această valoare asupra despăgubirilor de război datorate U.R.S.S.-ului.

În baza acestei dări în plată care s'a făcut pentru o datorie a Statului Român derivând din Convenția de Armistițiu, cu instrumente de producție aparținând Societății «N.MALAXA, Uzine de Tuburi și Oțelării» S.A.R., Statul Român, prin legea Nr.282/1945 publicată în Monitorul Oficial Nr. 86 din 13 Aprilie 1945 și tranzacția făcând parte integrantă din această lege, publicată în Monitorul Oficial Nr.94 din 24 Aprilie 1945, s'a recunoscut dator și s'a obligat să pună în strâmtare, la dispoziția Societății «N.MALAXA, Uzine de Tuburi și Oțelării» S.A.R., suma de 2.460.000.- dolari ai Statelor Unite, efectivi și liberi de orice restricții prezente sau viitoare.

Prin cererea înregistrată la Nr.1344 din 6 Iunie 1946, Societatea «N.MALAXA, Uzine de Tuburi și Oțelării», în vederea plății acestei creanțe exigibile dela data tranzacției și neachitată până azi, din cauză că Statul nu a dispus de devizele necesare, s'a declarat dispusă să acorde un termen de doi ani de zile pentru plata acestei creanțe dacă i se asigură în mod efectiv plata ei în acest interval, prin devizele rezultând din exporturi și dacă i se facilitează mobilizarea creanței necesare realizării unei colaborări cu consorții americane, în vederea de noi fabricațiuni, realizând astfel în țară participarea de capital, investiții noi industriale, asigurări de materii prime, etc., obținându-se o scrisoare din partea

✓.

B.N.R. prin care aceasta să se obligă să plătească fără rezerve la expirarea termenului de doi ani.

Considerând origina creanței și faptul că ea este exigibilă de mai mult de un an de zile și având în vedere mai ales interesul economic al țării, în realizarea unei colaborări industriale efective cu industriile americane și dacă sunteți de acord cu cele expuse mai înainte, vă rog să binevoiți a semna alăturatul proiect de Jurnal.

Vice Președintele
Consiliului de Miniștri
Ministru de Externe
și
Ministru ad interim al
Finanțelor

J. I. I. I.

Ministrul Industriei
și Comerțului

P. M. P.

(Translation)

(Exhibit 25)

No. 7257 - December 24, 1944

Bucharest

Allied Control Commission
Mr. Finoghenov
Chief, Economic Section

This memorandum has reference to our discussions with you regarding the 216,983,276 Kg of Kriwoi-Rog ore, acquired by the U.D.R. Corporation from the "Deutsche E.R.F. und Metallunion" of Berlin, and the 148,239,865 Kg of iron from the Ukraine, bought by the U.D.R. Corporation from the "Abwicklungstelle der Internationalen Schrottkonvention" and from the former government of the Trans-Dniester territory for which the U.D.R. Corporation paid a total sum of 696,239,895 lei either through a clearing agreement with the help of the Romanian State or direct from the Romanian State. Regarding your request to affect payment in your hands, we have the honor of submitting the following proposal to cover the value of these materials:

I.- The value of these materials, computed in dollars at 1938 prices, is 2,039,085,20, (two million thirty nine thousand eighty five dollars and twenty cents), as computed in the following manner:

- taking the ore at the same rate as the Prijedor ore as of 1938 - 1,37 dollar per ton, the value of the 216,983,016 Kg of Kriwoi-Rog ore is:.....	297,260,80
- taking the scrap at the 1938 rate of \$11.75 per ton, the value of 148,239,865 Kg of scrap amounts to:	\$1,741,818.40
or a total of	\$2,039,085,20

Taking the value of the Reshitza stock at \$6.00 a share (rate at which an important block of stock was purchased in 1937 by the Zbrojowka Corporation), a sum of \$2,039,085,20 corresponds to 339,847 Reshitza shares.

II.- The value of these materials, computed in lei at the price of the years 1942 and 43 amount to 823,473,430,50 lei (eight hundred and twenty three million, four hundred and seventy three thousand, four hundred and thirty lei and thirty bani).

- taking from the invoices the amounts paid for the 216,983,076 Kg of ore for the years 1942-43, with the compensation for a Kriwoi-Rog basing point, the amount is:215,680,904 lei

- since the maximum rate for scrap iron of the best grade was 4,10 lei a Kg (decision of the M.I.A.P.R. Nr. 438/15.6.44, the value of the quantity of 148,239,805 Kg of scrap iron amounts to:607,792,446,50 lei

or a total of:823,473,430,50 lei

Calculating a Resita share at the actual price of issuance (lei 2,600), a number of 312,874 Resita shares corresponds to an amount of lei 823,473,430.50.

We have the honor to point out to you that this offer is made by us subject to the approval of the Government and of the Board of Directors of our Company, which will meet on January 17, 1945, date by which we beg of you to please communicate to us your approval.

Hoping that you will appreciate our having made these efforts in order to give complete satisfaction to your request, despite the fact that in these questions we have only been the carriers-out of decisions taken in the past by the Roumanian Government, and have effectively covered all of the assets levied upon, we having furnished from our own factories, in exchange therefor, machines and agricultural implements, in Transistria, in important amounts.

Awaiting your answer, we are

Very truly yours,

M. Ausnit Col. Levescu

(translation)

(Exhibit 15)

[Letterhead of]

4153 - January 25, 1945

MINERAL SOCIETY of ROMANIA din RESHITZA, SA.

ALINE COMISIA DE P R VERIFICARE BANCORAR

Bucharest

Following your letter No 73939 dated December 29, 1944 and the negotiations between you and Vice President Ausnit, we submit the following proposals:

-As regards scrap iron, we propose that, instead of the unit price mentioned in our letter quoted above, the scrap iron be evaluated at the highest quotation reached in the United States in 1944, namely:

\$16.50 a ton

-As regards the evaluation of the ore coming from tailings, as can be observed by the silica content and its powdered condition we agree that it be computed on the basis of the price quoted for the Varesch ore, received by Reshitza as reduction ore.

This price is to be:

294.82 lei per ton or \$2.20 a ton

In this fashion the amounts are as follows:

For the scrap: 148,239,865 tons x 16.50 or \$2,445,957.77
For the ore: 219,483,016 tons x 2.20 or 482,862.61
For a total of \$2,928,820.40

These sums, transformed into Reshitza shares at the rate of \$6 per share, correspond to:

488,136 Reshitza shares

As regards this exchange, we refer you to the prospectus which provides a possibility for the foreign currency creditors of Reshitza, of subscribing to this issue at the rate of exchange of:

1 Reshitza share for one gold pound sterling

We observe that the sterling debt of Reshitza is in gold sterling, and our above proposition is equivalent to a rate of exchange of:

36 for one gold pound sterling.

This rate is favorable to you.

We remain etc.....

Iron Mills and Domains of Reshitza, SA
(Signed): M. Auznit Pop

This offer has been made
subject to the approval
of the Romanian Government.

MINISTRE DE L'INDUSTRIE ET DES MINES
R.F.S.T.A. Ген. кр. Лоп/Ск

73988-290033

Дата 10 Января

ОБЩЕНО КОНТРАКТНО КОМПОНИ
Г - МУХИНОГЕНОВУ

Начальнику Экономического Отдела

Бухарест.

Идея в виду переговоров велукась с вами отно-
сительно 316,933,076 кгр. железной руды из Кравого Рога куплен-
ного обществом "Решиа" в общества "Дейтле Три унд Металл-
ундон" в Берлине и 149,239,865 кгр. железолома из Украины,
купленного обществом "Решиа" частью общества "Добавкунг-
шталле дер Интернационален Шроттконвенцион" в Дортуна и
частью областного управления территории между Вестром и Вугом
за которое общество "Решиа" уплатила сумму 656,239,896...
частью кривгом при посредстве Румянского Правительства,
частью непосредственно Румянскому Правительству, явеем честь
предложить вам ниже следующее с целью удовлетворения ваших
требований, относительно покрытия стоимости вышеуказанного
материала:

I. - Стоимость этих материалов рассчитанная в
долларах по ценам 1938 г. восходит до сумм 2,039,095,20,- дол.
два миллиона триста девятнадцать тысяч шестьсот сорок
двадцать центов - по ниже следующему расчету:

- идея в виду цену железной руды из Пракора (Бослава) 1938 г. 14,37 дол/тонну, стоимость 216,933,016 кгр. руды Кра- вого Рога, восходит на сумму дол.	257,266,80,-
- считая железолом по цене 1938 г. 11,75 дол/тонну стоимость 149,239,865 кгр. железолома восходит на сумму долларов	1,741,818,40,-
Всего дол.	2,039,095,20,-

Считая стоимость одной акции "Решиа" по 5 дол.
(цена по которой была куплена в 1938 г. одна акция) для покрытия
обществом 736 акций (241-10-0) сумм 2,039,095,20,- дол. соот-
ветствует 339,947 акций "Решиа".

II. - Стоимость вышеуказанных материалов в доллах по
средним ценам 1942-1943 г. восходит на сумм 222,375,430,50
долл (восемсот двадцать три миллиона триста семьдесят пять тысяч
четыреста тридцать девять и 50 центов) по ниже следующему рас-
чету:

REPÚBLICA DE CHILE
CORPORACIÓN DE FERTILIZANTES
S.A. - FERTISAL
Santiago

73950-29 DEC 44

№ 10 Г.н.д.р.

- 2 -

по представленным счетам
было уплачено за 216,543,076 кгт. руды
Кривого Рога в 1942 - 1943 г. 216,649,994 - лев

максимальная цена жидкого
самого лучшего качества биджи 4,10 лев/кгт
(постанов. Воев. Министера № 438 от 15.6.1944)
стоимость 148,239,895 кгт. жидкого вос-
хода на сумму 607,783,416 - лев

в с е р о 823,473,430 - лев

Считая стоимость одной акции "Вашингтон" по цене
последнего нового выпуска (2,600 лев) суммо 823,473,430 - лев
соответствует 312,374 акции "Вашингтон".

Ваша часть сообщит вам, что присутствие в банке
должно обуславливается получением одобрения правительства
и административного совета нашего общества, заседание кото-
рого назначено на 17 Января 1945 г. Одновременно прошим вас
сообщить нам до этого срока ваше согласие по этому вопросу.

Надеюсь, что вычтенное сделание нами условия
удовлетворит ваши требования, не смотря на то что наше об-
щество исполнило только распоряжения бывшего Букинского пра-
вительства, и практически исполнило стоимость всех вывезенных
из Европы машин и средств хозяйственным оборудованием на-
шего производства отпавшими в Уганду.

С почтением,

FRANCIS BAKER, PRESIDENT

Francis Baker

LEMBLE DE FER S¹ DOMENILE
RESITA Exp. H. Ho / Cr.
ACIERIES ET DOMAINES
RESITA
ADDRESS: BULGARPHIL, BOUTANNA
TELEPHONE N^o 10680
MOS 194 1953

BUKAREST 4153 25 JAN 45

Дело Спец. Б-31

СОЕВНАЯ КОНТРОЛЬНАЯ КОМИССИЯ

В. У. Х. В. Р. О. В. Т.
У. К. А. Р. О. С. Т. Т. И. З. И.

В связи с нашим письмом № 73.989 от 29 декабря 1944 г. и переговорами между Вами и Г-ном Вице-Председателем М. Аумитом, мы делаем следующее предложение:

Относительно железолома, предлагаем вместо единичной цены из вышеупомянутого нашего письма, оценить железолом по самой высокой цене 1940 года а именно: 16.50 колар./тонну

Относительно оценки руды включительно остатков пирита, не смотря на то что эта руда содержит большое количество кремнезема и находится в пыльном состоянии, представляла собой остатки руды после сортировки, мы согласны с оценкой на основании цены руды Варша, которую мы получили в Ренице по цене:

224.82.- лей/тон. или 2.20 колар./тон.

Таким образом получаются следующие суммы:

ЖЕЛЕЗОЛОМ	: 148.239.865 тон. x 16.50 лол.	= 2.445.967,77.-
РУДА	: 219.483.016 " x 2,20 лол.	= 482.862,63.-
Всего		= 2.928.820,40.-

Эти суммы превращены в акции "Реница" по цене 1 акции = 6 колар., дадут:

488.135 акции "Реница"

Относительно этого обмена, мы осмелимся на вынужденной про- сьбе, которая предлагает возможность кредиторам Реницы, в экстремной ситуации, подложить акции Реницы со следующим обменом:

1 акция Реница = 1 акция завода золотом

Отмечаем что долги Реница в английской лирах, считаются в лирах золотом и наше вышеупомянутое предложение равносильно следующему обмену:

1 акция завода золотом = 6 колар.

Что безусловно выгодно для Вас.

С почтением,

КЛЕМЕНТИ ЗАВОН ПОВОДОТИ
В РЕНИЦА

Это предложение одобряется
административным управлением
25.1.1945 г.

EXHIBIT
#30

THE UNITED STATES MISSION
BUCHAREST, RUMANIA.

June 7, 1946

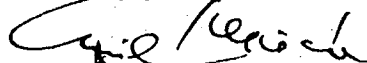
Dear Mr. Barbour:

This will introduce Mr. N. Malaxa, one of the foremost industrial figures in Rumania during the past two decades, and a member of the informal Rumanian trade delegation, sponsored by the Rumanian-American Chamber of Commerce in Bucharest, to the United States, of which Mr. Max Ausnit, a leading Rumanian industrialist, is chairman.

No doubt you will be interested in the first hand information which these gentlemen can give you concerning current economic conditions in Rumania. They, in turn, would be grateful for any assistance you may give them in facilitating their desire to study conditions in the United States.

It is assumed that you will pass them on as occasion requires to officials in Washington who are interested in the Rumanian situation.

Sincerely yours,



Emil Kekich,
Commercial Attache.

Walworth Barbour, Esq.,
Chief, Southeastern European Division,
Department of State,
Washington, D. C.

(Translation)

MEMORANDUM

The economic policy of the United States, as its guiding principle, aims at an increase in world consumption, through raising the standard of living of the inhabitants of the whole world. This was clearly expressed by Mr. Eric Johnston, President of the U. S. Chamber of Commerce, in an article published in the June 1945 issue of the "Reader's Digest".

The United States, in the pursuit of this objective, are engaged in developing industrial facilities throughout the world, for industrialized nations alone enjoy such purchasing power as to make them good customers for American industry.

Thus, Great Britain per capita imports from the United States in 1929 amounted to \$18 of merchandise while China, in the same year, purchased no more than \$.28 per capita. Had China been industrialized, U. S. exports to that country in 1929 would have amounted to \$8,000,000,000, instead of \$124,000,000. This is due to the fact that Great Britain, being industrialized, has a large income per inhabitant, while China, on the other hand, has a paltry per capita income.

More than half of the population of the world, in other words more than a billion human beings, live under very

primitive conditions, industrially speaking, actually are poverty stricken and, as such, do not consume manufactured articles.

If the standard of living for the whole of mankind were the same as that prevailing in the United States, this would call for an increase of 300% in world cotton production, as well as a 400% raise in soap manufacturing. Similarly, there would be orders to fill for 350,000,000 telephone sets and 600,000,000 radios, etc. ...

All backward countries are capable of industrialization to the extent where it depends on man's intellectual and physical ability. What they do lack is capital, available in abundance in the United States alone.

Mr. Johnston wrote:

"In the United States we have surplus capital. One of the basic criticisms of our economic situation, during the last two decades, is that we have surplus capital that remains idle. The backward countries are calling for it. ... At the outbreak of the war, we Americans had almost \$10,000,000,000 in such direct investments abroad. I am convinced that this sum can be multiplied many times in the near future."

The same writer stated further in his articles:

"American Labor leaders are interested in expanding American exports because our export industry tend to be our most developed industry, and tend to pay the highest wages. Outstanding

illustrations are motorcars and rubber tires, and machine tools. Labor leaders know that when we expand our export trade, we increase the number of our best paid workers."

The President of the U. S. Chamber of Commerce also drew attention to the following:

"The investment of our surplus capital abroad enlarges our exports in two ways. First is what are called "producers' goods" - machinery and equipment Next, "consumers' goods," necessary to the life and continued production of industrialized countries."

Mr. Johnston further remarked:

"All industrialized countries are our best customers. We are the country that stands to win most out of an energetic industrialization of the entire world."

Mr. Kekich, U. S. Commercial Attache in Roumania, expressed himself along the same lines in his statement, published in the newspaper "Argus" of January 1946,

"American surplus capital will be utilized for loans and investments in other countries. This capital, in the amount of approximately \$2,500,000,000 a year, will be channeled either through the Import-Export Bank or the World Bank, or again by way of direct investments of American firms in the respective countries."

Mr. Johnston concluded as follows:

"These proposals are economic steps towards world pros-

perity. Without them, I am convinced, no political steps can ever lead us to assured world peace. Peace can come only when peoples walk the ways of work and wealth together.

According to these proposals, the United States have supplied large quantities of manufactured and other goods to nearly all belligerent countries of South-East and Central Europe, either through UNRRA (Yugoslavia, Poland) or through credits (Czechoslovakia, Austria, Hungary). The principle according to which such countries as could increase their production with the help of credits, thereby raising their standards of living, should be helped by American investment on a large scale, applies admirably to our country.

The projects which fit into a situation such as that outlined above would be the following:

1. Development of the natural gas (methane) pipeline network, extending it to all areas of the country, in particular to the industrial regions which now consume large quantities of liquid fuels for industrial purposes. This would permit a reduction in the domestic consumption of oil products, leaving a large surplus of oil available for export and thereby enabling Roumania to secure the foreign currencies so necessary to her economic life. At one and the same time, it would make it possible to develop important chemical industries around natural gas.

2. There are large reserves of water power in the watershed of the Bistritza river, the harnessing of which would make it possible to supply the whole of Moldavia with electricity, the lines being extended as far as the network served by the Ploesti thermal plants, the production of which would also have to be increased substantially.

At the same time as the harnessing of water power in the Bistritza valley, attention would also be given to the problem of constructing and electrifying railroad tracks in that area.

Such an extension of electrical supply would permit substantial economies of liquid fuel and make it possible to supply cheap electricity to the whole of Moldavia for industrial and home needs.

3. It is possible to build, in the valley of the Danube, at the Iron Gates, power plants with an output of about 1,000,000,000 Kwh. a year. This would make it possible to supply electricity to the whole of the Danube watershed and to the western part of the country, leaving available a large surplus for neighboring countries such as Bulgaria and Serbia, thus facilitating the task of supplying cheap electricity to the valley of the Danube in those three countries. The three developments mentioned above would make such quantities of cheap electricity available as to enable the railroads to carry out an important program of electrification.

This, in turn, will allow:

- a) A considerable increase in industrial production.
- b) A cut in the price of manufactured goods.

- c) A reduction in the cost of power and light supply.
- d) A strengthening of our national economy and, due to the fact of creating a surplus of liquid fuel and lumber, the possibility of exporting these goods, with a corresponding improvement in the balance of payments.

4. Distribution of this power will require large quantities of electrical machinery, and of the raw material used by the electrical industries. These could also be supplied with the help of a credit plan or through an association with established firms, it being necessary for all those schemes to be of considerable scope, in order for the population to be able immediately to make use of these developments.

5. In order to increase and improve Roumanian agricultural output, it will be necessary to import agricultural machinery and equipment such as elevators etc., ... in large quantities, for the purpose of storing and selecting grain, along with refrigeration plants and drying facilities, allowing to preserve vegetables, fruit and milk products under satisfactory conditions.

6. There will also be need of an extensive program of road building, aiming at completing the existing road network and also at connecting the main consuming centers with the supply areas.

7. The merchant marine will also have to be developed, in order for the country to be able to import and export appropriate products. Accordingly the purchase is now contemplated, from the

funds made available by the credits, of 5 to 10 ships of 5 to 10,000 tons each, among American merchantmen now available for sale.

8. The utilization of the immense wealth of the Danube Delta, covering an area of 1,250,000 acres, through the manufacture of cellulose from rushes and reeds, which will make available this industrial raw material sought after all over the world.

9. The supply of the present needs of the railroads.

10. In the field of public health, the installation in the country of a penicillin plant, truly to be considered a boon to the nation.

We must appreciate that, in view of the current vast credit applications, we must not get in too late, for the American Senate, upon receiving the last credit application, already stated that the government was undertaking to limit credits other than that granted to Great Britain to \$1,000,000,000.

It is suggested, therefore, that a committee of specialists, representatives of great industrial concerns, establish contact with American authorities and financial circles, in order to be on hand in the United States before the representatives of all the countries now going about the United States, the only country in the world capable of supplying the necessary credits, means of production and consumers' goods.

Such negotiations as might thus be opened, would not commit

the government, and use will be made of the personal contacts of the industrialists with financial and industrial circles in the United States, preparing the ground for later negotiations and achievements.

EXHIBIT # 31

MEMORIU.

=====

Principiul care călăuzește astăzi politica economică a Statelor Unite este creșterea capacității de consumație a lumii, prin ridicarea standardului de viață a locuitorilor ei, pentru a-și putea plasa supraproducția lor industrială. Aceasta o spune clar Președintele Camerei de Comerț din Statele Unite, Erich Johnston, într'un articol publicat în Iunie 1945, în "The Reader's Digest".

În realizarea acestui scop, Statele Unite urmăresc creșterea potențialului industrial al lumii, pentru că numai țările industrializate au suficientă putere de cumpărare, pentru a fi buni clienți ai industriei Statelor Unite.

Astfel, în 1929 Anglia a importat din Statele Unite mărfuri în valoare de 18 dolari pe cap de locuitor, pe când China, în acelaș an, numai de 0,28 dolari pe cap de locuitor. Dacă China ar fi fost industrializată, exportul Statelor Unite ar fi fost în 1929, în China, de 8 miliarde dolari și nu de 18 milioane, cât a fost realmente. Și aceasta pentru că Anglia, fiind industrializată, are de locuitor un venit mare, pe când China nu este industrializată și are, de persoană, un venit mizerabil de mic.

Mai mult de jumătate din populația lumii, adică mai mult de un miliard de ființe omenești, trăind într'o stare de înapoiere industrială, trăesc în mizerie, nefiind consumatori de bunuri industriale.

Dacă întreaga omenire ar avea acelaș standard de viață ca și locuitorii Statelor Unite, producția de oțel ar trebui mărită cu 300%, de săpun cu 400%, ar mai trebui să se fabrice încă 350 milioane aparate telefonice, 600 milioane aparate de radio, etc.

Toate țările înapoiate se pretează la industrializare, în ceea ce privește capacitatea intelectuală și fizică a omului.

Ceea ce le lipsește este capitalul, pe care îl are din abundență o singură țară, Statele Unite.

Johnston spune :

" In Statele Unite avem un surplus de capital. Una din criticile de bază ale situației noastre economice din ultimele două decenii, a fost că am avut un surplus de capital, care a rămas neîntrebuințat. Țările rămase în urmă au nevoie de acest capital. La izbucnirea războiului, noi, americanii, am avut aproape 10 miliarde dolari plasați în străinătate, în investiții directe. Eu sunt convins că această sumă poate fi multiplicată de mai multe ori, într'un viitor apropiat".

Tot el spune :

" Conducătorii muncii americane sunt interesați în extinderea exportului american, deoarece industriile noastre de export au tendința să fie industriile noastre cele mai dezvoltate și au tendința să plătească salariile cele mai mari. Dovada elocventă o fac automobilele, cauciucurile, etc. Conducătorii muncitorimii americane știu că dacă extindem comerțul nostru de export, mărim și numărul muncitorilor noștri cei mai bine plătiți".

Mai departe, el spune :

" Investițiile și capitalul nostru în străinătate măresc exportul nostru în două direcții : mai întâiu, în așa zisele mărfuri de producție sau mijloace de producție, ca mașini, instalațiuni, etc. și apoi mărfuri de consumație, necesare vieții și producției țărilor industrializate".

El spune încă :

" Toate țările industrializate sunt clienții noștri cei mai buni. Suntem țara care va câștiga cel mai mult dintr'o industrializare energică a lumii întregi".

În acelaș sens vorbește și Dl. Kekich, atașatul comercial al Americii în România, în declarația sa publicată în "Argus", în Ianuarie 1946 :

" Surplusul de capital american va fi folosit pentru împrumuturi și investițiuni în alte țări. Acest capital, în valoare de cca. 2.500.000.000 dolari pe an, va ieși fie prin Banca de Import-Export sau prin Banca Internațională de Credit, fie prin investițiuni directe ale firmelor americane făcute în țările respective".

În final, Dl. Johnston spune :

" Aceste propuneri sunt pași economici către prosperitatea mondială. Fără ele, nici un fel de pași politici nu ne vor putea conduce și asigura vre-odată pacea mondială. Pacea

"nu va putea să omnească, decât dacă popoarele vor merge pe
"calea muncii și a îmbogățirii lor împreună".

Urmând aceste propuneri, Statele Unite au furnizat până
acum aproape tuturor țărilor beligerante din sud-estul și mijlocul
Europei, fie prin U.N.R.R.A. (Jugoslavia, Polonia), fie prin cre-
dite (Cehoslovacia, Austria, Ungaria), importante cantități de
produse și fabricate.

Principiul de a se ajuta cu credite importante țările care
cu aceste credite măresc producția și ridică standardul de viață,
se aplică de minune țării noastre.

Proiectele care se încadrează în idelle de mai sus ar fi
următoarele :

1/ Intinderea rețelei de gaz metan în toate regiunile
țării, mai ales în acele regiuni industriale care consumă canti-
tăți mari de combustibil lichid pentru industriile respective.

În felul acesta s'ar economisi consumul intern de petrol,
rămânând o mare cantitate de petrol liber la export, ceea ce ne-ar
da devalizele necesare plății importului, absolut necesar vieții noas-
tre economice.

Odată cu această, s'ar putea dezvolta o industrie chimică
importantă, bazată pe gaz metan.

2/ Avenire rezerve mari de forțe hidrolice în bazinul
Bistriței, dezvoltându-le, s'ar putea electrifica toată Moldova,
ajungându-se pe rețeaua termică din regiunea Ploești, a cărei pro-
ducțiune ar trebui mult mărită.

Odată cu dezvoltarea hidroelectrică pe valea Bistriței,
s'ar pune și chestiunea construcției și electrificării unei por-
țiuni de cale ferată în acea regiune.

Prin aceste electrificări, vom economisi o altă cantitate
importantă de combustibil lichid și vom asigura pentru întreaga
Moldova un curent estin pentru industrii și trebuinte casnice.

3/ În bazinul Dunării, la Porțile de Fier, se poate
dezvolta o forță hidroelectrică, care să dea aproximativ un mi-
liard de Kw/ore/an.

Această dezvoltare ar permite electrificarea întregului
bazin al Dunării, și a părții vestice a țării, având un surplus
mare disponibil și pentru țările vecine, Bulgaria și Serbia, înles-
nind astfel aprovizionarea cu curent estin a bazinului Dunărean
a acestor trei țări.

Prin aceste trei dezvoltări sus menționate, vor deveni
disponibile cantități suficiente de curent estin, permițând

cailor ferate și să se acorde la un program important de electrificare.

Toate acestea vor permite :

- a) o urcare considerabilă a producției industriale;
- b) o reducere a prețului produselor industriale;
- c) o economie a costului încălzitului și luminatului;
- d) economia noastră națională se va resimiți în mod favorabil și prin faptul că va dispune de combustibilul lichid și lemnos economisit, care va putea fi folosit la export, îmbunătățind balanța noastră de plăți.

4/. Distribuția forțelor noi câștigate va avea nevoie de mari cantități de mașini și materiale electrice, care vor putea fi aduse tot pe baza de credite sau în asociație cu întreprinderile existente, care vor trebui să ia o mare amploare, pentru ca populația să se folosească de îndată de aceste dezvoltări.

5/. Pentru a ridica, îmbunătăți și adânci producția noastră agricolă, vor trebui aduse cantități importante de mașini agricole, instalații de silozuri, care să permită colectarea și selecționarea grânelor noastre; instalații frigorifere și de uscare, permițând conservarea în bune condițiuni a legumelor, fructelor și ale produselor lactelui.

6/. Construcția unei serii întregi de șosele, care să completeze pe cele actuale și mai ales să lege centrele mari de consum, cu centrele de aprovizionare.

7/. Pentru a putea importa din străinătate și exporta produsele noastre, e necesar să completăm flota noastră comercială, și deci se va avea în vedere a se achiziționa din creditele obținute, 5-10 vase de cea. 5 - 10.000 tone din vasele comerciale americane disponibile spre vânzare.

8/. Punerea în viață a imenselor ogăzi ale Dentelului, care se întinde pe o suprafață de 500.000 ha., prin fabricarea celulozei din scuful ei, obținându-se astfel, celuloza, produsul industrial căutat peste tot pe piața internațională.

9/. Împlinirea nevoilor actuale ale CFR.

10/. Pe teren sanitar, instalarea în țară a unei fabrice de perlelind, care este considerată ca o sursă de binefacere națională pentru viața oamenilor.

Brevue să ne dăm seama, că față de imensele cereri de credite existente, mi trebuie să venim prea târziu, pentru ca deja Senatul american a trimis cerere de credite înaintea Comitetului pentru ajutor din partea Gvernamentului, care va limita creditele la 100 milioane de dolari.

5
ca o comisie de specialiști, reprezen-
tând industria și comerțul industrial particular, să ia
partea în negocierile cu autoritățile și cercurile financiare americane, pentru
a se grăbiți cu o zi mai devreme în America, înaintea reprezen-
tanților tuturor statelor, cari aleargă azi în America, singura
țară din lume care poate astăzi să dea lumi și credite și instru-
mente de producție și mărfuri de consumație și de producție.

Prin tratativele astăzi duse, nu se angajează Statul și
se vor folosi relațiile personale ale industriașilor cu cercurile
financiare și industriale americane, pregătind terenul pentru ne-
gocieri și realizări ulterioare.

EXHIBIT # 33

THE UNITED STATES MISSION
BUCHAREST, RUMANIA

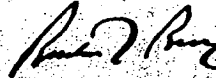
June 8, 1946

Mr. Nicholas Malaxa,
Bucharest.

Dear Mr. Malaxa:

I wish to inform you that I have received a telegram from the Department of State stating that the American Embassy in Paris has been authorized to grant you a visa for your trip to the United States as a member of the delegation from the Rumanian-American Chamber of Commerce.

Very truly yours,



Burton Y. Berry

Representative of the United States
in Rumania

PEHLE AND LESSER

EXHIBIT
34

JOHN W. PEHLE
LAWRENCE S. LESSER

November 12, 1946

1707 EYE STREET
WASHINGTON 6, D. C.

Mr. N. Kalaxa
Hotel Ambassador
Park Avenue and 61st Street
New York, N. Y.

Dear Mr. Kalaxa:

At your request, we have, in consultation with Mr. Randolph Paul, raised with the Department of State your proposed engagement in industrial and other operations in the Western Hemisphere, and we have inquired whether the Department has any objection to your active participation in industrial and other enterprises located within the American Republics. We are pleased to report that, after several conferences, we are now authoritatively advised by competent officers of the Department of State that the Department has carefully explored the matter and, on the basis of the facts available to it, will have no objection to the undertaking by you of industrial and other operations in the Americas.

The officers with whom we conferred have asked us to make it clear that this does not mean that the Department of State endorses you or will give its approval to any specific enterprise in which you may engage. As you undoubtedly know, the Department of State does not endorse particular individuals nor generally give its affirmative approval to specific projects. The position which the Department of State has taken should mean, however, that others may become associated with you in industrial and other operations in the Western Hemisphere without fear that any objection will be interposed by the Department of State on account of your participation.

The Department of State appreciates being kept currently advised of industrial, financial and commercial developments of consequence which have international aspects. For this reason, it would be advisable, when definite plans have been formulated, to advise the Department thereof in an informal way, at least as a matter of courtesy.

Sincerely yours,

Robert A. Taft

November 13, 1946

Re: MALAXA

The State Department officials, cognizant of all the facts in the Malaxa matter, and who gave the clearance to Messrs. Pehle & Lesser, are the following:

Henry Labouisse, Special Assistant to Director
of European Affairs

Robert Wright, Division of Commercial Policy

Edward Ponsiak, Division of Investment and
Economic Development

H. G. Nichols, Roumanian Desk

JJL

JJL:CMS

THIS AGREEMENT made this 25th day of AUGUST, 1947 by and between International Harvester Company, a New Jersey corporation, party of the first part, hereinafter referred to as "HARVESTER," and N. Malaxa, acting both individually and on behalf and for N. Malaxa, S. A. R. - a Rumanian corporation, and N. Malaxa Usine de Tuburi Si Otelarii, S. A. R. - a Rumanian corporation, of which corporations he is the President, jointly and severally, party of the second part, hereinafter referred to as "MALAXA."

WITNESSETH:

1. HARVESTER to furnish a complete set of blueprints and specifications as furnished by HARVESTER engineering department to HARVESTER Works for all the parts of the tractor and power unit and agricultural machines described below; also blueprints of special jigs and fixtures as are required and as are available in HARVESTER mechanical engineering department; also manufacturing routing sheets as used by HARVESTER Works for the use by MALAXA for manufacture in Rumania of one of the following tractors:

- (a) Wheel-type tractor identified as HARVESTER farm tractor W-9
- or
- (b) Wheel-type tractor identified as HARVESTER farm tractor WD-9

also one of the following power units:

- (c) HARVESTER power unit U-9
- or
- (d) HARVESTER power unit UD-9

and the following agricultural machines:

- (e) No. 8 tractor plow, 3 and 4-furrow
- (f) No. 9-A tractor disk harrow
- (g) No. 8 field cultivator
- (h) No. 2 4-section open end peg tooth harrow

- (i) Service parts for (a) and/or (c)
- (j) Service parts for (b) and/or (d)
- (k) Service parts for (e), (f), (g) and (h)

all as now produced by HARVESTER in the U.S.A., MALAXA to pay in advance for the above the sum of \$110,000.00 in U. S. funds.

2. HARVESTER to grant to MALAXA the exclusive right and license to manufacture and sell the tractor, power unit, agricultural machinery and service parts manufactured by him under this agreement for use only in Rumania and MALAXA to pay therefor as

follows:

Minimum Guarantee: As a guarantee of production of the products specified herein, MALAXA, for the year 1948 and each year thereafter during the life of this agreement, shall pay to HARVESTER \$11,900.00 in U. S. currency on or before January 1st of each respective year.

Terms of Payment for Production: In addition to the annual amount above provided, MALAXA shall pay \$50.00 each for every tractor produced in excess of 200 per year
\$10.00 each for every power unit in excess of 10 per year
\$ 2.00 each for every No. 8 plow in excess of 200 per year
\$ 2.00 each for every No. 9-A tractor disk harrow in excess of 200 per year.
\$ 2.00 each for every No. 8 field cultivator in excess of 200 per year
\$ 0.50 each for every No. 2 4-section open end peg tooth harrow in excess of 200 per year.

Payment for such production to be made at the end of each year and secured by deposit with HARVESTER as follows:

On or before January 1st each year, starting with 1948, MALAXA shall give to HARVESTER a written estimate of the total proposed production of products for the following twelve months and to the extent that such estimated production exceeds the following quantities:

200 tractors
10 power units
200 No. 8 plows
200 No. 9-A tractor disk harrows
200 No. 8 field cultivators
200 No. 2 4-section open end peg tooth harrows

MALAXA shall, at the same time, deposit with HARVESTER an amount of U. S. dollars to cover the payments which would become due to HARVESTER if such production were actually made. Within 60 days after the end of each calendar year, MALAXA shall furnish HARVESTER a verified statement showing the actual production of products for the preceding twelve months and thereupon so much of the total deposit as shall represent sums due to HARVESTER for products upon which payments as above specified are to be made to HARVESTER, HARVESTER shall retain out of such deposit the payment so due it and the balance of said deposit shall be credited to MALAXA. In the event that the deposit shall not be adequate to cover payments due to HARVESTER, MALAXA shall, with the submission of such statement of actual production, pay to HARVESTER the amount due for such production in excess of the deposit.

3. HARVESTER to keep drawings, specifications and production data up to date by furnishing advice of changes to MALAXA as the same occur.
4. HARVESTER to be under no obligation to convert drawings, specifications and production data for adapting the items mentioned to Rumanian manufacture.

5. HARVESTER to supply specialists to give technical assistance to MALAXA and to assist in preparing the manufacture in Rumania, MALAXA to pay travel expense of such men and their wives and minor children, if any, if the men are married and decide their wives and children shall accompany them from the U.S. to Rumania and return, and living expenses while in Rumania and compensation at the rate of \$10,000.00 per annum to each man in U. S. funds in the United States. These men are to remain in Rumania for such period of time as in the opinion of HARVESTER is deemed necessary. The number of such specialists shall be determined by HARVESTER in consultation with MALAXA.
6. As to any components of tractors and power units not manufactured by HARVESTER but procured from other sources for incorporation therein, HARVESTER will provide MALAXA with a list of such parts and a list of the suppliers of such parts.
7. MALAXA is to manufacture the tractor, power unit, agricultural machinery, and service parts in Rumania as nearly as possible in conformity to the design, quality, and workmanship of HARVESTER'S U. S. A. production.
8. MALAXA is to identify his products as follows:
- (a) Tractor as "MALAXA" - Manufactured by Malaxa under license from International Harvester Company - U. S. A.
 - (b) Power unit as "MALAXA" - Manufactured by Malaxa under license from International Harvester Company - U. S. A.
 - (c) Agricultural machinery as "MALAXA" - Manufactured by Malaxa under license from International Harvester Company - U. S. A.
9. HARVESTER to have such representative as it may designate in MALAXA'S plant for the purpose of inspecting MALAXA'S production of tractors, power units, agricultural machines, and service parts and for such other purposes connected therewith as HARVESTER determines to be advisable.
10. MALAXA not to disclose any information as to design, specifications or production data as to the said items to others, nor to provide copies of the drawings, specifications or production data to others, except as may be necessary to secure materials and parts for his production.
11. MALAXA to furnish without cost to HARVESTER information as to any improvements in design or methods of production of the products covered hereby which may be developed by him.
12. After this agreement has been signed by MALAXA and HARVESTER, MALAXA shall have the right to send representatives to HARVESTER for assembly of drawings, specifications and

production information pertaining to the proposed manufacture of the products in Rumania.

13. MALAXA'S right and license to manufacture and sell products is confined exclusively for the use of such products in Rumania and not for export from that country. Should circumstances indicate desirability of manufacturing the products for export, the parties will negotiate the basis upon which such manufacture may be done.

14. All payments to be made to HARVESTER to be in U. S. funds and without deduction for Rumanian governmental impositions, and if any such should be involved MALAXA is to discharge the same so that HARVESTER will receive not the full amounts respectively herein specified. In this connection and as a basis for the negotiations in connection with this agreement, MALAXA agrees to obtain U. S. dollars in the necessary amounts by completing an agreement with the Rumanian government for such amounts of foreign exchange as he will require, which foreign exchange will be obtained by the export of certain products other than those products to be manufactured under this agreement or by allocation of foreign exchange to MALAXA by the National Bank of Rumania or by other arrangements which may be concluded between the Rumanian Government and MALAXA, but in any event the entire responsibility to obtain the U. S. dollars in the required amounts under this agreement is the sole responsibility of MALAXA.

15. The term of this contract shall be ten years from the date of its execution.

16. The grant of this license is predicated upon the technical and industrial experience and skill of Nicolae Malaxa and his immediate collaborators and assistants and the confidence of HARVESTER in their ability to manufacture the products in accordance with the provisions of this agreement.

17. This license is granted upon the express condition that MALAXA shall procure from the Rumanian Government the warranty and covenant of said government that it will not nationalize said MALAXA companies and/or their business during the term of this contract which condition, warranty and covenant shall be of the essence of this agreement.

18. HARVESTER to be under no obligation to proceed with this project until it shall first have obtained clearance from the United States Government, and if for any reason the United States Government withholds clearance, HARVESTER shall not proceed.

19. MALAXA, beginning six months after the signing of this contract and every three months thereafter, shall provide full information to HARVESTER in regard to the following:

- A. Progress in production of tractors, power units, agricultural machinery and service parts.

- B. Number of units of tractors, power units and agricultural machines produced.
- C. Approximate tonnage of service parts produced.
- D. Information regarding the distribution and use of the products.
- E. Additional reports on any matters in connection with the manufacture and sale of the products which will give HARVESTER detailed information as regards the progress and development of the manufacture and sale of the units by MALAXA.

20. HARVESTER shall have the right at its election to purchase an interest in MALAXA'S business on a reasonable purchase basis up to an amount to be mutually agreed upon by MALAXA and HARVESTER at the time of purchase.

21. Nothing in this agreement shall be held to preclude or restrict HARVESTER or any of its subsidiaries from importing, selling and distributing in Rumania any of its or their products, whether or not the same as or similar to those covered by this agreement or otherwise.

22. In the event of any default on the part of MALAXA or breach of any one of the terms, conditions and warranties and/or covenants herein contained HARVESTER shall have the right at its election either to terminate this contract without prejudice to other and additional remedies or to seek specific performance or recover damages and such further or other relief at law or in equity as it may deem appropriate.

23. Upon such termination by HARVESTER, MALAXA shall turn over to HARVESTER or its designated representative all drawings, specifications, production data and other information pertaining to the products covered hereby, whether originally furnished by HARVESTER or prepared or copied in whole or in part by MALAXA for his production, and MALAXA shall thereupon cease the manufacture of tractors, power units and agricultural machinery and service parts embodying in whole or in part the design, specifications or mechanical features of HARVESTER'S products.

24. This contract is to be construed under the laws of the State of Illinois, United States of America.

IN WITNESS WHEREOF, the parties hereto have respectively caused this agreement to be executed in duplicate the day and year first above written.

INTERNATIONAL HARVESTER COMPANY

BY *Eric Knight*
Executive Vice President

H. MALAYA

H. Mealong

H. MALAYA, S. A. R.

BY *H. Mealong*
President

H. MALAYA UNIES EN TUBURI SI OHELARI, S. A. R.

BY *H. Mealong*
President

10V
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36

COPY

DEPARTMENT OF STATE
WASHINGTON

EXHIBIT
36

August 16, 1947

In reply refer to

My dear Mr. Hoyt:

I have received your letter of July 29, 1947, to which is attached a copy of the proposed contract between Harvester and Malasa, and wish to thank you for giving the Department an opportunity to review the matter. I am able to inform you that the Department perceives no objection to the transaction.

Sincerely yours,

For the Secretary of State:

(signed) Tom T. Moore
Assistant Chief
Division of International Affairs

Mr. G. C. Hoyt, Executive Vice President
International Harvester Company
100 North Michigan Avenue
Chicago 1, Illinois

37

INTERNATIONAL HARVESTER COMPANY

180 NORTH MICHIGAN AVENUE

CHICAGO 1, ILLINOIS

EXHIBIT #
37

G. C. HOYT
EXECUTIVE VICE PRESIDENT

March 16, 1928

Mr. Frank J. Manheim
Lehman Brothers
1 William Street
New York 4, New York

Dear Mr. Manheim:

Inasmuch as you were interested in connection with forming a company with Mr. N. Malaxa, we believe we should tell you that it was not possible for Mr. Malaxa to get approval by the Roumanian Government of the contract he entered into with our Company which covered the licensing by us to Mr. Malaxa to enable him to manufacture a certain model of tractor and certain agricultural machinery in Roumania. Mr. Malaxa states that the changed political situation there was the cause of this, and, therefore, as of March 8, we have cancelled the contract we entered into with Mr. Malaxa, and have returned to him the amount of money which he originally paid us in connection with this contract.

Our negotiations with Mr. Malaxa throughout all of this matter were very pleasant and he conducted himself in a very proper manner in connection with it.

Very truly yours,



*Jurisdiction la Legation Roumaine
Washington
no. 2304/16 Oct
1947*

ROUMANIAN-AMERICAN ECONOMIC CORPORATION

781 FIFTH AVENUE

NEW YORK 22, N.Y.

TELEPHONE VOLUNTEER 6-6800

October , 1947

Mr. Mihai Rales,
Ambassador Extraordinary and Plenipotentiary,
Washington, D.C.

*EXHIBIT
38*

Your Excellence:

We are herewith taking the liberty of informing you of the incorporation under the laws of New York State of the Roumanian-American Economic Corporation.

The Roumanian-American Economic Corporation is a means by which a number of large American enterprises, including General Electric Company, Bethlehem Steel Company, Lehman Brothers, etc., have achieved the purpose of industrial and commercial cooperation, through which it is to reach close collaboration with Roumania. In addition to the companies mentioned, we have on our Board of Directors a representative of Electric Bond & Share Inc., the engineering subsidiary of the Electric Bond & Share Corporation, which is one of the major public utility companies in the United States.

The stockholders and other interested parties in our Corporation will, we believe, have a very important potential significance for the solution of some of the more important problems of the Roumanian economy. At the present time making studies of many of those problems including:

1. Problems of electrification in Roumania, especially of the electrification of the railroads.
2. Problems involved in the development of the use of natural gas as a carburant, thereby replacing oil, which will be then more available for export, as well as a raw material for industrial developments, gasoline and other chemicals.
3. Problems raised by water controls which, if solved, could protect Roumanian agriculture against the irregularities of rains and catastrophes caused by drought.
4. Problem of extracting cellulose from the rushes now growing in the Danubian delta, thereby converting what is now a waste product into an important source of wealth for Roumania.
5. Problem of converting into profitable use the abundant growth of beech trees is another of the problems that our company is now carefully studying.

Mr. Mihai Rales
Ambassador Extraordinary and Plenipotentiary

October , 1947

The products of our stockholders are well known and can be of much use to Roumania. For instance, the General Electric Company is famous for its electrical equipment of all kinds while the Bethlehem Steel Company not only manufactures all of the usual steel products but pipe for methane gas and supplies for the entire petroleum industry. In addition, other companies closely associated with us or with our stockholders provide a complete list of products that may be useful to the Roumanian economy. In this connection we would like to point out that Lehman Brothers are bankers for and directors of a great many American manufacturing enterprises. We would be most appreciative if you could forward to us, as soon as possible, a complete summary of your requirements. This will receive our prompt attention.

Needless to say, the State Department of the United States has been kept fully informed about our company from its very inception.

We trust that we will be able to be of service to the rehabilitation of your country and to the increased prosperity of your people.

Yours very truly,

ROUMANIAN-AMERICAN ECONOMIC CORPORATION

By *Frank J. Mackinnon, U.P.*

James T. Simpson, Sec.

CABLE ADDRESS - NICHAGI

14 Feb 50
EXHIBIT # 39
MANUFACTURED

INDUSTRIAL INTER-TRADE CORPORATION

-- Engineering Consultants --

16 BEAVER STREET
NEW YORK 4, N. Y.

IMPORT - EXPORT

INDUSTRIAL MACHINERY - ALL TYPES
ELECTRICAL AND RADIO EQUIPMENT

ENGINEERING SERVICES

LAYOUT AND DESIGN - MANUFACTURING PLANS
DESIGN AND SPECS. - ARCHITECTURAL DRAWINGS

DATE December 23, 1946

SOLD TO Mr. I. Malara

INVOICE NO. _____

Ambassador Hotel

SHIPPED VIA _____

New York, N.Y.

TERMS _____

For Expenses Incurred (List Attached)	\$ 401.72
For Services Rendered (List Attached)	3,300.00
Ten Weeks @ \$ 330.00 per week	3,300.00
Eleven 300.00	
TOTAL	\$ 3,701.72

Paid in full to Dec. 31, 1946 by check of the Ambassadors Bank of New York

Per E.C. Nicholas
E.C. Nicholas, Pres.

*encl #5 cont
201-202-20*

SUMMARY OF ASSIGNMENTS AND POSSIBLE FURTHER ACTION

<u>SUBJECT</u>	<u>SUMMARY</u>	<u>FURTHER ACTION</u>	<u>REMARKS</u>
A-	<u>Natural Gas</u> : Exploratory report completed Dec. 20, 1946	a- Survey of European market and potential productive capacity b- Choice of an expert or two for possible visit to Rumania c- Choice of products for possible manufacture	
B-	<u>Steel Tube Mills</u> : Complete data on the Wellman and the Yoder mills has been submitted. The Wellman Seamless Tube Mill is on open bid until Dec. 30, 1946. Have notified WAA that we are having difficulties in securing export license.	What further action?	
C-	<u>Tractors</u> : Have submitted both letters of Mr. Lavers on type he suggests and man he suggests as a manufacturing expert.	a- Inform Lavers as to the desirability of meeting his man?	
D-	<u>Diesel Engines</u> : Have refrained from contacting expert until further notice	What action?	
E-	<u>Penicillin</u> : Submitted report. Merck and Squibb both willing to negotiate for license	What action?	
F-	<u>Synthetic Glycerine</u> : Submitted report on the method of manufacture	a- Further market research for this product in Europe?	
G-	<u>Thermopane</u> : Have submitted report Owens Glass wants more facts before they will say if they will negotiate for license.	What action?	
H-	<u>Steels and Alloys</u>	Any action?	
I-	<u>Elastics</u>	Any action?	

Submitted Dec. 20, 1946
Dec. 31, 1946

H



40

U

EXHIBIT # 110

License No. 988437-C
Date: April 22, 1947

LICENSE

(GRANTED UNDER THE AUTHORITY OF EXECUTIVE ORDER NO. 8389 OF APRIL 10, 1940, AS AMENDED, AND THE REGULATIONS AND RULINGS ISSUED THEREUNDER)

To Nicolas Salom
Name of Licensee
Henry Nathaniel Hotel, New York, N.Y.
Address of Licensee

Sirs:
1. Pursuant to your application of April 2nd, 1947 ~~at New York, New York~~

The cash and securities in the accounts of "W. Salom-S.A.B." and "W. Salom-Beine de Tubari et Co. S.A.R.L." with the Chase National Bank of the City of New York are hereby unblocked and removed from the proviso of paragraph 1 of General License No. 94 together with funds held in an account in your name at the Chase National Bank aggregating approximately \$27,000.00.

2. This license is granted upon the statements and representations made in your application, or otherwise filed with or made to the Treasury Department as a supplement to your application, and is subject to the conditions, among others, that you will comply in all respects with Executive Order No. 8389 of April 10, 1940, as amended, the Regulations and Rulings issued thereunder and the terms of this license.

3. The licensee shall furnish and make available for inspection any relevant information, records or reports requested by the Secretary of the Treasury, the Federal Reserve Bank through which the license was issued, the Postmaster at the place of mailing or the Collector of Customs at the port of exportation.

4. This license ~~is~~ is not transferable, is subject to the provisions of Executive Order No. 8389 of April 10, 1940, as amended, and the Regulations and Rulings issued thereunder and may be revoked or modified at any time in the discretion of the Secretary of the Treasury acting directly or through the agency through which the license was issued, or any other agency designated by the Secretary of the Treasury. If this license was issued as a result of willful misrepresentation on the part of the applicant or his duly authorized agent, it may, in the discretion of the Secretary of the Treasury, be declared void from the date of its issuance, or from any other date.

Issued by direction and on behalf of the Secretary of the Treasury:

FEDERAL RESERVE BANK OF New York
By: [Signature]

The Act of October 6, 1917, as amended, provides in part as follows:

"Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, may be imprisoned for not more than ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment or both."

NOTE: If this license covers gold in any form the provisions of the Provisional Regulations issued under the Gold Reserve Act of 1934 must also be complied with.

DUPLICATE



Form 2-49
TREASURY
FINANCE CONTROL

Application No. Trans. Reg.

APPLICATION FOR A LICENSE TO ENGAGE IN A FOREIGN EXCHANGE TRANSACTION, TRANSFER OF CREDIT, PAYMENT, EXPORT OR WITHDRAWAL FROM THE UNITED STATES, OR THE MARKING, OF GOLD OR SILVER COIN OR BULLION OR CURRENCY, OR THE TRANSFER, WITHDRAWAL OR EXPORTATION OF, OR DEALING IN, EVIDENCES OF INDEBTEDNESS OR EVIDENCES OF OWNERSHIP OF PROPERTY.*

(To be executed and filed in duplicate with the Federal Reserve Bank for the district or with the Governor or High Commissioner of the territory or possession of the United States in which the applicant resides or has his principal place of business or principal office or agency. If the applicant has no legal residence or principal place of business or principal office or agency in a Federal Reserve District or such territory or possession the application should be filed with the Federal Reserve Bank of New York or the Federal Reserve Bank of San Francisco.)

TO THE SECRETARY OF THE TREASURY
% FEDERAL RESERVE BANK OF New York DATE: 12/21/37

Sir:
In accordance with Executive Order No. 8389 of April 10, 1940, as amended, regulating transactions in foreign exchange, etc., and the regulations and rulings issued thereunder, the undersigned hereby applies for a license to execute the transaction described below:

- A. (1) The name of the applicant is Nicolas Malaxa;
 - (2) Applicant resides at or, in the case of a corporation, partnership, association or other organization, has its principal place of business at:
Sherry Netherlands Hotel New York New York U.S.A.
 - (3) Applicant is and has been a citizen of Roumania since birth
 - (4) The nationality under the Order** of the applicant is Roumanian
 - (5) ~~xxxxxx~~ For many years the applicant has been ~~xxxxxxxxxxxxxxxxxxxxxxxx~~ an industrialist
- B. The applicant desires a license in order to:
(State in detail the nature, purpose and amount of the transaction, and the name, address, nationality under the order** and extent of interest of every party, including the applicant, involved or interested in the transaction.)

(See applicant's statement attached hereto and made a part hereof.)

Applicant's No.

*All definitions appearing in Executive Order No. 8389 of April 10, 1940, as amended, and the regulations and rulings issued thereunder shall apply to the terms employed herein.

**In the case of a corporation, partnership, or association, give country in which organized and indicate the approximate percentage of stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of such organization owned or controlled, directly or indirectly, by a blocked country or one or more nationals thereof.

C. The applicant represents and warrants that no party other than those mentioned in item B above has any interest, direct or indirect, in the transaction or transactions for which a license is applied for herein. If there are any exceptions, note them below.

D. The applicant represents and warrants that, except as specifically stated, he has personal knowledge of all the facts herein stated; that the same are correct and true; and that he does not have knowledge of any material facts in connection with such application which are not fully and accurately set forth herein.

E. The applicant represents and warrants that he has complied, and agrees that he will comply, in all respects, with all provisions of Section 3(a) of the Trading with the Enemy Act, as amended, Executive Order No. 8389 of April 10, 1940, as amended, and all regulations, rulings, orders and instructions issued by the Secretary of the Treasury thereunder or under the authority of section 5(b) of the Trading with the Enemy Act, as amended, and with any and all licenses issued to the applicant pursuant thereto.

F. The applicant represents and warrants that no other application for a license authorizing the transaction here involved has been filed or is pending, except as follows:

RECEIVED
APR 12 1947
OFFICE OF THE
SECRETARY OF THE
TREASURY

H. Healy
.....
(Signature of Applicant)

(If this application is filed by an agent, attorney, or other person, for or on behalf of the applicant, the following statement should be executed.)

I,, certify that I am the

of who is the applicant in the above application for a license; that I am duly authorized to make the foregoing application on behalf of the applicant; that, except as otherwise specifically stated, I have personal knowledge of all the facts herein stated; that the same are true and correct; and that I do not have knowledge of any material facts in connection with said application which are not fully and accurately set forth herein.

RECEIVED
APR 4 1947
AMERICAN
ASSURANCE CO.

.....
.....

RECOMMENDATION OF FEDERAL RESERVE BANK

The above application is forwarded to the Secretary of the Treasury with the recommendation that a license should be (granted).
(denied).

Remarks: *20% with Mr de Gualles & Mr Lamer*
.....
.....
.....

NOTE: If this application is executed outside of the United States, it must be executed under oath before a diplomatic or consular officer of the United States.

If this application covers gold in any form the provisions of the Provisional Regulations issued under the Gold Reserve Act of 1934 must also be complied with.

Attention is directed to Section 20(A) of the United States Criminal Code, which provides, in part:

"Whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statement or representation, or make or cause to be made any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States, shall be fined not more than \$50,000 or imprisoned not more than ten years, or both."

Such copy to be obtained on request, at any Federal Reserve Bank, mint or assay office, or the Treasury Department.

The applicant proposes, for these two corporations' capital, to utilize accounts of "N. Malaxa - S.A.R." and of "N. Malaxa - Uzine de Tuburi si Otelarii", which are on deposit at the Chase National Bank of the City of New York, of which assets he is the beneficial owner, as it is shown and proved by the enclosed documents.

By virtue of the applicant's complete ownership of the stock of "N. Malaxa - S.A.R.", the applicant has, at any time, the right to direct the transfer of funds from the aforementioned corporation to his personal account, by means of decisions of the shareholders' assembly. The same is true for the funds of "N. Malaxa - Uzine de Tuburi si Otelarii". Accordingly, the applicant hereby requests a license authorizing such transfers. The applicant has furnished to the State Department comprehensive information concerning his personal and business activities prior to, and during the war. The Department of State has advised the applicant, through his Washington counsel, Pehle & Lesser, 1707 Eye Street, Washington D.C., that it will have no objection to the undertaking by the applicant of business activities in the United States and elsewhere in the Western Hemisphere.

It is necessary that the applicant be granted the status of a generally licensed national in order that the unrestricted availability of his funds in the United States will not be subject to question. It is clearly established that he is the beneficial owner of such funds and that he is entitled to the use thereof. If the applicant is to engage in extensive dealings in the United States and elsewhere in the Western Hemisphere, the American business and financial interests, with which he will deal, must have full assurance, not only that the State Department has no objection to their dealing with the applicant, but that the funds, that the applicant has for his activities, are at his free and unrestricted disposal. This is particularly the case in view of the fact that the applicant, who has extensive business interests in Roumania, and, at the same time, will activate economic and commercial relations between the United States and Roumania, is consequently obliged to divide his time between the two countries. It is for this reason that the applicant will purchase a dwelling in New York City, where he will also establish his offices.

In addition to the aforementioned funds, a license granting to the applicant generally licensed national status will also free, for the applicant's personal use, funds held in the Chase National in the name of the applicant, in the amount of \$28,861.53./.

[Handwritten signature]
113

LIST OF DOCUMENTS ATTACHED TO ORIGINAL OF APPLICATION

1. A certified extract from the Official Gazette of May 15, 1945, which sets forth an extract from the minutes of an Extraordinary General Meeting of "N. Malaxa" S.A.R. held May 9, 1945, at which it was decided "that Mr. Nicolae Malaxa shall validly bind the company by his sole signature in any matter and without any limitation." Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

2. A certified extract from the Official Gazette of May 15, 1945, which sets forth an extract from the minutes of an Extraordinary General Meeting of "N. Malaxa Pipe and Steel Works" S.A.R. held on May 9, 1945, at which it was decided that "Mr. Nicolae Malaxa shall validly bind the company by his sole signature in any matter and without any limitation." Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

3. A certificate by the Commerce Register Office of the Bucharest Chamber of Commerce and Industry of May 3, 1946, certifying that Mr. Nicolae Malaxa signs validly for "N. Malaxa" S.A.R., binding it by his sole signature in any matter and without any limitation. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

4. A certificate by the Commerce Register Office of the Bucharest Chamber of Commerce and Industry of May 3, 1946, certifying that Mr. Nicolae Malaxa signs validly for "N. Malaxa Pipe and Steel Works" S.A.R., binding it by his sole signature in any matter and without any limitation. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

5. An authenticated "Notice" of Mr. Liviu Schwartz, Legal Adviser to the United States Mission at Bucharest, dated May 15, 1946, stating that under the laws of Romania, and the statutes of the Companies, N. Malaxa has the unlimited power to sign and bind without any limit both "N. Malaxa" S.A.R. and "N. Malaxa Pipe and Steel Works" S.A.R.

6. A certified extract from the Shareholders Register of "N. Malaxa" S.A.R., listing the company's shareholders and

showing that of the 200,000 shares of the company, all but 60 shares are owned by N. Malaxa. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

7. A certified extract from the Shareholders Register of "N. Malaxa Pipe and Steel Works" S.A.R., listing the company's shareholders and showing that of the 150,000 shares of the company, all but 60 shares are owned by N. Malaxa. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

8. A certified extract from the minutes of the meeting of the Board of Directors of "N. Malaxa" S.A.R. held on April 30, 1946, indicating that the company has outstanding stock of the nominal value of one billion lei consisting of 200,000 bearer shares of a nominal value of five thousand lei each. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

9. A certified extract from the Minutes of the meeting of the Board of Directors of "N. Malaxa Pipe and Steel Works" S.A.R. held on April 30, 1946, indicating that the company has outstanding stock of the nominal value of 750 million lei. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

10. A certified letter of the Ministry of Finance of Romania, dated May 9, 1946, certifying that the foreign exchange held in the name of "N. Malaxa" S.A.R., with the "Chase-Bank New York" is the property of "N. Malaxa" S.A.R.; that such foreign exchange is not of German or Japanese origin and accordingly, was not put under the control of the Romanian office for the supervision of enemy property; that such foreign exchange resulted from the export, under permits of the Romanian Government, of Romanian produce to countries other than Germany or Japan. Also attached is an English translation, certified by an official of the Romanian Ministry of Foreign Affairs and exemplified by the United States Vice-Consul at Bucharest.

All attached documents are photostats of originals.

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TREASURY DEPARTMENT

WASHINGTON

25

FOREIGN FUNDS CONTROL

IN REPLY PLEASE
REFER TO: 104264

MAY 6 1947

Gentlemen:

Receipt is acknowledged of your letter of May 5, 1947, with respect to license No. NY-834337-T, dated April 28, 1947, unblocking the funds on deposit with Chase National Bank in the names of N. Malaxa - S.A.R. and N. Malaxa - Usine de Tuburi si Otelarii, Romanian corporations.

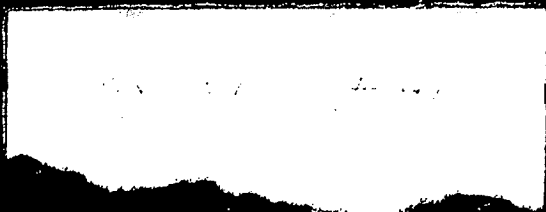
This will confirm your understanding that this Department unblocked such funds because it was represented by Mr. Nicolae Malaxa, the applicant, and it appeared from the documents filed in support of the application, that such funds were beneficially owned by Mr. Malaxa, who, as an individual, is among a class of persons whose property it is the present policy of the Treasury to unblock, in view of Section 2 of Public Law 571, 79th Cong., 2nd Sess.

The license was issued on the basis of the representations and status of the applicant, and, as you undoubtedly recognize, authorizes the transactions referred to in the application.

Very truly yours,

John S. Richards
John S. Richards
Director

Pahle and Lesser
1707 Eye Street
Washington 6, D. C.



COPY

COUDERT BROTHERS
2 RECTOR STREET, NEW YORK

April 14, 1948

Dear Mr. Thorpe:

You may remember that last May I called on you to discuss a proposal of a client of this firm, Mr. Nicolae Malaxa, a Roumanian citizen in this country on a visitor's visa, to form an American corporation to develop trade between Roumania and the United States. At that time you indicated that the State Department had no objection to the initiation of this project. In fact we assured you that the Department would be kept informed of all important steps of the Corporation in carrying out its activities. As a result, the Corporation was formed under the name Roumanian-American Economic Corporation, and various letters were sent to the Department of State from time to time advising of its activities. The common stock of the Corporation is entirely owned by Mr. Malaxa. Its preferred shares are owned by Bethlehem Steel Corporation, Electric Bond & Share Corporation, General Electric Company and Lehman Brothers.

I beg now to inform you of a decision which Mr. Malaxa has taken as to the future of the Roumanian-American Economic Corporation.

COPY

Mr. Willard L. Thorpe
COUDERT BROTHERS
80 FIFTH AVENUE, NEW YORK

2.

From the time I saw you in May last and up to the end of the year 1947, Mr. Malaxa believed that it would be desirable for the Corporation, in order to reinforce by economic aid the resistance of the Roumanian people to Communist domination, to carry on business with Roumania to aid the standard of living of the Roumanian people and to maintain contacts between the Roumanian economy and that of the United States.

However, as a result of the recent reorganization of the Roumanian government, the suppression and persecution of the opposition, the expulsion of the King, and other manifestations of the complete domination of Roumania by the Communists, as well as by reason of the rejection by the Roumanian government of all proposals by Mr. Malaxa for trade between the two countries (including the rejection by the Roumanian government of agreements worked out by Mr. Malaxa with the International Harvester Company and the Bethlehem Steel Corporation), Mr. Malaxa has become convinced that it is no longer possible to realize the purpose he had in view. Indeed, he is convinced that it is impossible for any enterprise in which he has a part to deal with the Roumanian government.

Moreover, during this time it became evident to Mr. Malaxa that the lives of his wife and son, and of many of his principal coworkers in his enterprises in Roumania,

COPY

Mr. Willard L. ~~THORNTON~~ ^{COUDERT BROTHERS}
1 HUNTER STREET, NEW YORK

3.

were increasingly in danger. He accordingly asked permission from the Roumanian government to bring his family and associates out of Roumania. The Roumanian government thereupon informed Mr. Malaxa through an intermediary that it would not allow Mr. Malaxa's wife and son to leave Roumania except on condition that Mr. Malaxa transfer to the Roumanian government his assets in Roumania. These negotiations dragged on without results, the Roumanian government vacillating in its demands and increasing them at each interchange. In the meantime, fearing that nothing would come of these negotiations, Mr. Malaxa took steps to help his wife and son to escape from Roumania.

Because of this situation of his family, Mr. Malaxa has been careful to avoid any statement of his political attitude. However, he has had conversations on this subject with the former Prime Minister of Roumania, General Radescu, who has recently been in the United States. We understand that General Radescu has informed General Schuyler of the United States Army in 1945 in Bucharest, and recently General Schuyler and General Wadeneyer in Washington, of the anti-Communist attitude and activities of Mr. Malaxa, both in Roumania and in this country.

This situation as to Mr. Malaxa's family has now changed. On April 7, 1948 Mr. Malaxa received from his son news that he and his mother have succeeded in escaping from Roumania and are presently in Istanbul, Turkey. For this reason it is now possible for Mr. Malaxa to place him-

COPY

COUDERT BROTHERS
2 FACTOR STREET, NEW YORK

Mr. Willard L. Thorp

4.

self entirely at the disposition of the American authorities, as well as l'Action Roumaine de Resistance, for the struggle against Communism.

Mr. Malaxa would like to do whatever is possible to have certain of his most trusted coworkers in his industrial enterprises in Roumania leave that country. These men are extremely capable engineers with whom Mr. Malaxa has worked for years. He is accordingly thinking of offering through an intermediary to turn over his factories in Roumania to the Roumanian government, in exchange for permission to these coworkers and their families to leave the country. However, he has requested me to inform you of this desire on his part and of his unwillingness to take this step in the event that the Department of State were to see any objection to it.

I accordingly will be grateful if you will inform me if the Department sees any objection to the conduct of negotiations by Mr. Malaxa through an intermediary looking toward a transaction of this nature.

Sincerely yours,

Thomas L. Finletter

Hon. Willard L. Thorp,
Assistant Secretary of State,
Department of State,
Washington, D.C.

(Translation)

(Exhibit 43)

MINISTRY OF JUSTICE

The Presidency of the Grand National
Assembly of the Roumanian People's
Republic.

HAVING taken cognizance of the report of the Minister of
Justice,

WITH DUE REGARD for the provisions of the decision taken by the
Council of Ministers,

BY VIRTUE OF Article 30 of decree No. 125 of July 9, 1948

IT IS DECREED AS FOLLOWS:

- Art. 1. - The Roumanian nationality of the following is
withdrawn, in accordance with the provisions of
Law No. 125, published in the Official Gazette,
No. 154, of 1948:
- Nicolae MALAXA, Born at Husi, district of Falcu,
December 11, 1884, a former industrialist.
- Blanche GAFENCU Ioana Lucia Doleste, Born in the
township of Tohan, district of Buzau.
- Constantin MALAXA, Born at Bucharest in 1922, last
known place of residence and abode at Bucharest, 38
Aleea Alexandru.
- Alice LICHIANOPOL, ex-Constantinescu, Born at
Braila on December 11, 1922.
- Stefan AUSHIT, Born at Goltz, on March 2, 1904.
- Lucian GRECEANU, engineer, last known place of
residence and abode at Bucharest, 24 Aleea Alexandru.
- Ileana GRECEANU, nee Tomalo at Bucharest in 1910.

Mr. Rudolf CPELL, born at Brasov, Septembre 25, 1896
who have been guilty of the acts provided for in Article 17, par.
4, of the above mentioned Law.

Art. 2. - The property of the above shall become state
property, in compliance with the provisions of Art.
18 of Law No. 125 of 1948.

Art. 3. - The Minister of Justice shall implement this decree.

Made at Bucharest, Septembre 30, 1948

Signed: G. I. PASHON

Signed: Marin Florea IONACU

Signed: The Minister of Justice
Avram BUNACIU

MONITORUL OFICIAL Partea I B
Dispozițiuni și publicațiuni care nu au caracter normativ

DECRETE PREZIDIALE**MINISTERUL AFACERILOR INTERNE**
PREZIDIUL

MARI ADUNARI NAȚIONALE
A REPUBLICII POPULARE ROMÂNE
 În temeiul art. 44, punctul 2 și 11, și art. 45 din Constituția Republicii Populare Române,
 Având în vedere raportul d-lui ministru al afacerilor interne cu Nr. 27.390 din 1948;

În baza dispozițiilor art. 118 din legea Nr. 746 din 1946 pentru Statutul funcționarilor publici,

Decretăm:

Art. I. D-l Radu Armand se numește, pe data de 1 Septembrie 1948, în funcția de referent șef, categoria XVI, cu coeficientul de funcțiune 5,10, în postul vacant la Oficiul de Documentare și Studii Administrative din Ministerul Afacerilor Interne.

Art. II. D-l ministru al afacerilor interne este însărcinat cu executarea prezentului decret.

Dat în București la 25 Septembrie 1948.

C. I. PĂRION
MARIN FLOREA IONESCU
 Ministru afacerilor interne,
 Tachei Georgescu.

Nr. 1848

PREZIDIUL

MARI ADUNARI NAȚIONALE
A REPUBLICII POPULARE ROMÂNE
 În temeiul art. 44, punctul 3 și 11, și art. 45 din Constituția Republicii Populare Române,

Având în vedere raportul d-lui ministru al afacerilor interne cu Nr. 29.494 din 1948;

În baza dispozițiilor art. 118 din legea Nr. 746 din 1946 pentru Statutul funcționarilor publici,

Decretăm:

Art. I. D-l Jorbeles Petru se numește, pe data de 11 Septembrie 1948, în funcția de prefect al județului Alba, în locul d-lui inspector administrativ Ștefănescu Ioan, a cărui delegațiune încetează.

Art. II. D-l ministru al afacerilor interne este însărcinat cu executarea prezentului decret.

Dat în București la 25 Septembrie 1948.

C. I. PĂRION
MARIN FLOREA IONESCU
 Ministru afacerilor interne,
 Tachei Georgescu.

Nr. 1848

MINISTERUL JUSTIȚIEI**PREZIDIUL**

MARI ADUNARI NAȚIONALE
A REPUBLICII POPULARE ROMÂNE
 Văzând raportul d-lui ministru al Justiției,

Având în vedere dispozițiile deciziei Consiliului de Miniștri,

În temeiul art. 30 din decretul Nr. 126, din 9 Iulie 1948,

Decretăm:

Art. I. Se retrage cetățenia română, în condițiile legii Nr. 126, publicată în Monitorul Oficial Nr. 154 din 1948, numiților:

Nicolas Malaxa, născut în Huși, județul Ploiești, la 11 Decembrie 1894, fost industriaș; Blanche Gafencu Ioana Lucia Doletie, născută în comuna Tohan, județul Buzău; Constantin Malaxa, născut în București, în anul 1922, cu ultimul domiciliu cunoscut în București, alcea Alexandru Nr. 38; Allee Lichiardepei forță Constantinescu, născută în Brăila, la 11 Decembrie 1922; Ștefan August, născut în Galați, la 21 Martie 1924; Greceanu Lucian, inginer, cu ultimul domiciliu în București, alcea Alexandru, Nr. 24; Ileana Greceanu, n. Române, născută în București, în anul 1910 și dr. Rudolf Csall, născut în Brașov, la 26 Septembrie 1894, care s'au făcut vinovați de fapte prevăzute de art. 17 pct. 4, din legea citată.

Art. II. Avera comunicațiilor va fi trecută în proprietatea Statului, în baza dispozițiilor art. 18 din legea Nr. 126 din 1948.

Art. III. D-l ministru al Justiției este împuternicit cu aducerea la îndeplinire a acestui decret.

Dat în București la 30 Septembrie 1948.

C. I. PĂRION
MARIN FLOREA IONESCU
 Ministru Justiției,
 Avram Buzachi.

Nr. 1848

RECTIFICĂRI

În Monitorul Oficial partea I, Nr. 225 din 28 Septembrie 1948, publicându-se cu erori și omisiuni de tipar, decretul de grațieri și reduceri de pedepse cu Nr. 1.639 din 28 Septembrie 1948, se fac urvenitele rectificări și intercalări:

La pag. 7857, coloana I, rândul 18 de sus în jos, se va citi: „Gloară Aurel”, în loc de „Gloară Aurel”.

Idem coloana II, rândul 26 de jos în sus, se va citi: „Lepșa Constantin”, în loc de „Lepșa Constantin”.

Idem coloana III, rândul 4 de sus în jos, se va citi: „Păun E. Constantin”, în loc de: „Păun N. Constantin”.

La pagina 7858, coloana III, rândul 27 de sus în jos, se va citi: „Băca Nicolae”, în loc de: „Băca Nicolae”.

La pagina 7859, coloana II, rândul 17 de sus în jos, se va citi: „Ciureanu Costică, grădinar, de restul se mai”, în loc de: „Ciureanu Costică, de restul se mai”.

La pagina 7860, coloana II, rândul 22, de sus în jos, se va citi: „Tribunalul Militar Timișoara”, în loc de: „Tribunalul Timișoara”.

La pagina 7862, coloana I, rândul 3, de sus în jos, se va citi: „Tafian Nicolae”, în loc de: „Tafian Nicolae”.

Idem, coloana III, rândul 15 de jos în sus, se va citi: „Marțiale a Corpului VII Armată”, în loc de: „Marțiale a Corpului VII Armată”.

Idem, coloana III, rândul 3 de jos în sus, se va citi: „Marțiale a Corpului V Teritorial”, în loc de: „Curtea Marțiale a Corpului V Teritorial”.

La pagina 7863, coloana I, rândul 14 de jos în jos, se va citi: „Krao Lidia”, în loc de: „Krao Lidia”.

Idem, coloana I, rândul 23, de sus în jos, se va citi: „la care a fost condamnat”, în loc de: „la care a fost condamnat”.

Idem, coloana III, rândul 5, de jos în sus, se va citi: „Curtea Timișoara”, în loc de: „Curtea Marțiale Timișoara”.

La pagina 7865, coloana II, rândul 21 de jos în sus se va citi: „închisoare corecțională, la care a fost condamnat”, în loc de: „închisoare, la care a fost condamnat”.

La pagina 7866, coloana I, rândul 18 de jos în jos, se va citi: „secția III civilo-corecțională, prin sentința Nr. ” în loc de: „secția III civilo-corecțională Nr. ”.

La pagina 7867, coloana I, rândurile 4, 5, 6 și 7, de sus în jos, se va citi: „la jumătate pedeapsă ce mai are de executat din pedeapsa de 2 ani închisoare corecțională, la care a fost condamnat de Judecătoria Brădicieni-Corj prin cartea de judecată Nr. ” în loc de: „la jumătate pedeapsă de 6 ani închisoare corecțională, la care a fost condamnat de Tribunalul Tecuci prin sentința Nr. 879 din 1948”.

La pagina 7868, coloana II, rândurile 32, 33, 34 și 35, de sus în jos, se va citi: „executat din pedeapsa de 3 ani și ”.

(..xhibit 44)

(Translation of)

Articles 17, 18 and 30 of Law No. 125 of 1948

THE PRESIDEM OF THE GREAT NATIONAL
ASSEMBLY OF THE ROMANIAN PEOPLE'S
REPUBLIC

In virtue of articles 44/2 and 45 of the Constitution of the
Romanian People's Republic,
With due regard to decision #959 of the Council of Ministries,
of 1943,

Issues the following

DECRETE # 125

on Romanian citizenship

* * * * *

SECTION IV.

Loss of citizenship through withdrawal
as a punishment.

Art. 17. - Romanian citizenship may be withdrawn from those
who:

- (1) have entered the service of another State
without authorization from the Romanian
State.
- (2) living abroad, fail to come back within
two months of the date on which they are
called back into the country.
- (3) living abroad, become guilty of deeds
contrary to their duty of faithfulness
toward their country, and act against the

interests of the Roumanian People's Republic,
or act in a way to prejudice the renown and
prestige of the Roumanian State.

- (4) leave the country clandestinely or fraudu-
lently, or do not return after the delay of
validity of the traveling documents issued
by the Roumanian authorities comes to an end.
- (5) have been naturalized fraudulently.

SECTION V.

Effects of the withdrawal of
Roumanian citizenship

Art. 18.- The properties of those from whom Roumanian citizenship
has been withdrawn shall become state property.
The property transferred or assigned by the guilty
party between August 23, 1944 and the date of the
withdrawal of his Roumanian nationality shall also be
deemed to belong to him.

If this property was transferred or assigned to relatives,
relatives by marriage, up to and including the
fourth degree, or to co-partners and technical adminis-
trative or legal counsels, or to any other assignee
whosoever, the acts of transfer are rightfully null
and void.

If the transfer was made to other persons, the deed
shall not be null and void if the purchaser can estab-
lish his good faith.

Art. 19. - In all cases, Roumanian nationality is withdrawn
independently from the punishments provided by penal

law for the acts which caused the withdrawal of
nationality.

Art. 20.- Those from whom Roumanian nationality has been with-
drawn no longer may acquire it through any manner.

* * * * *

SECTION III.

Withdrawal of Roumanian citizenship

Art. 30.- Roumanian citizenship is withdrawn by a decree of the
Presidium of the Grand National Assembly on the basis
of a decision of the Council of Ministers, on the
proposal from the Ministry of Justice.

* * * * *

GIVEN IN BUCHAREST, July 6, 1948

signed: C. I. PARHON

signed: Maria Florea IONESCU

No. 1229

signed: The Minister of Justice
Avram BUNACIU

PREZIDIUL MARI ADUNARI NAȚIONALE
A REPUBLICII POPULARE ROMÂNE

În temeiul art. 44, pct. 2 și art. 45 din Constituția Republicii Populare Române,

Văzând decizia Consiliului de Miniștri cu Nr. 969 din 1948,
Emite următorul

DECRET Nr. 125
pentru cetățenia română

CAPITOLUL I /
Dispozițiuni generale

Art. 1. — Orice persoană, fără deosebire de vârstă, sex, naționalitate, rasă, religie sau grad de cultură, dobândește cetățenia română sau pierde această cetățenie, în condițiunile prezentelor legi.

Drepturile și obligațiunile ce decurg din calitatea de cetățean român, se exersează deosemena, în mod egal, de toți acei care au această calitate, fără deosebire de sex, naționalitate, rasă, religie sau grad de cultură.

Art. 2. — Nici un cetățean român, fie chiar minor, nu poate dobândi cetățenia altui stat, și nici nu poate beneficia de o asemenea cetățenie, decât cu autorizarea Ministerului Justiției.

CAPITOLUL II /

Dobândirea și pierderea cetățeniei române

Art. 3. — Cetățenia română se dobândește:

1. Deplin drept.
2. Prin înscăpțenire.

Art. 4. — Cetățenia română se pierde:

1. Prin dobândirea cetățeniei unui alt stat.
2. Prin retragerea cu titlul de pedepză.

SECȚIUNEA I

Dobândirea de plin drept a cetățeniei

Art. 5. — Cetățenia română se dobândește de plin drept, prin filiațiune ori după locul nașterii, potrivit art. 9.

Art. 6. — Sunt cetățeni români prin filiațiune, copiii legitimi sau nelegitimi, chiar dacă sunt născuți pe teritoriul altui stat, ai căror părinți sunt sau devin cetățeni români.

Art. 7. — Sunt deosemeni cetățeni români prin filiațiune, copiii legitimi sau nelegitimi din ai căror părinți numai unul este cetățean român sau devine cetățean român mai înainte ca ei să fie majori.

În cazul în care numai unul din părinți este cetățean român, copiii pot deveni totuși cetățeni străini dacă, conform legii de cetățenie a părintelui străin, ar urma cetățenia acestuia sau dacă, prin naștere într-o țară străină, ar dobândi cetățenia, potrivit legilor acelei țări și, în ambele cazuri, numai dacă, în termen de o lună de la data când au devenit majori, își manifestă voința de a dobândi cetățenia străină, prin declarație dată Ministerului Justiției.

Art. 8. — Adopțiunea nu produce efecte în privința cetățeniei.

Art. 9. — Sunt cetățeni români copiii născuți pe teritoriul Republicii Populare Române, din părinți necunoscuți.

Copiii găsiți pe teritoriul Republicii Populare Române, se prezumă, până la dovedea contrarie, că sunt născuți în țară.

SECȚIUNEA II

Dobândirea cetățeniei române prin înscăpțenire

Art. 10. — Cetățenia română se poate dobândi prin înscăpțenire:

1. Cu stăgii.
2. Fără stăgii.

Înscăpțenirea se acordă la cerere și numai individual.

Art. 11. — Cetățeanul străin poate cere înscăpțenirea dacă a locuit în țară, în mod neîntrerupt, timp de 5 ani, dacă declară că renunță la cetățenia străină, dacă a avut o purtare bună și dacă nu a avut atitudine antidemocratică, sau potrivnică intereselor Republicii Populare Române.

Apărății sunt acțiunile de declarațiune prevăzută la alina precedentă.

Termenul prevăzut la alineațiunea 1, se reduce la un an, dacă cetățeanul străin îndeplinește una din următoarele condițiuni:

1. Dacă este născut în țară.
2. Dacă a făcut serviciul militar în Armata Română.
3. Dacă a adus importanță serviciului Republicii Populare Române.

4. Dacă se bucură de dreptul de refugiu în Republica Populară Română, potrivit art. 35 din Constituțiune.

În toate cazurile termenul de un an poate fi redus sau suprănat de ministrul Justiției.

Art. 12. — Dacă cel care cere înscăpțenirea a mai fost cetățean român, el va fi dispensat de condițiunile stăgiiului.

Art. 13. — Cei căsătorii cu o persoană de cetățenie română, pot cere înscăpțenirea numai cu singura condițiune a renunțării la cetățenia străină.

Căsătoria unei persoane de cetățenie română cu o persoană de altă cetățenie nu atrage pierderea cetățeniei române.

Art. 14. — Soțul celui înscăpțenit devine cetățean român, în termen de 6 luni de la publicarea decretului de înscăpțenire, el va putea opta pentru vechea cetățenie, prin declarațiune dată Ministerului Justiției.

Art. 15. — Efectele înscăpțenirii se produc de la data depunerii jurământului de credință.

SECȚIUNEA III

Pierderea cetățeniei române prin dobândirea cetățeniei unui alt Stat

Art. 16. — Cetățeanul român care dobândește cetățenia altui Stat, în condițiunile art. 2 și 7, alin. II, din prezenta lege, pierde de drept cetățenia română de la data comunicării prevăzute la art. 29 sau de la data declarațiunii.

SECȚIUNEA IV

Pierderea cetățeniei prin retragere cu titlul de pedepză

Art. 17. — Cetățenia română, poate fi retrasă acelor care:

1. Fără autorizarea Statului Român, au intrat în serviciu al unui alt Stat.
2. Locuind în străinătate, nu se întorc în termen de 2 luni de la data când sunt obligați să revină în țară.

3. Locuind în străinătate, se fac vinovați de un fapt potrivit îndatoririi de fidelitate, față de țară, sau vinovați contra intereselor Republicii Populare Române, ori prejudiciind bunul renume și prestigiul Statului Român.

4. Pleacă din țară, în mod clandestin sau ilegal, sau în altă mod în țară după expirarea termenului de valabilitate a actelor de călătorie, eliberate de autoritățile române.

5. În alte cazuri înscăpțenirea în mod fraudulos.

SECȚIUNEA V

Efectele retragerii cetățeniei române

Art. 18. — Averele acelor cărora li s'a retras cetățenia română, va fi trecut în proprietatea Statului.

Vor fi scoțite ca aparținând celui vinovat și bunurile pe care acesta le-a înstrăinat deja 23 August 1944 până la data retragerii cetățeniei.

Dacă aceste bunuri au fost înstrăinate către rude sau afine, până la al 4-lea grad inclusiv, sau către coasociați, consilieri tehnici, administrațivi sau juridici, sau către orîi care alt prepus, actele de înstrăinare sunt nule de drept.

Dacă înstrăinarea s'a făcut către alte persoane, actul nu va fi nul dacă dobânditorul va putea dovedi buna lui credință.

Art. 19. — În toate cazurile, cetățenia română se retrage independent de sancțiunile prevăzute de legile penale pentru infracțiunile care au provocat retragerea cetățeniei.

Art. 20. — Oei cărora li s'a retras cetățenia română, nu mai pot dobândi această cetățenie pe nici o cale.

CAPITOLUL III

Dovada cetățeniei

Art. 21. — Dovada cetățeniei se va face:

1. În cazul dobândirii cetățeniei prin filiație sau după locul nașterii, prin certificat de cetățenie eliberat de primăria domiciliului sau locului de naștere al celui interesat.

Primăriile vor elibera certificate de cetățenie:

a) Celor ce au dobândit cetățenia prin filiație, pe baza dovezii cetățeniei ambilor părinți sau a unuia din ei;

b) Celor ce au dobândit cetățenia după locul nașterii, fiind găsiți pe teritoriul țării sau născuți din părinți necunoscuți, pe baza extractului de naștere.

2. În cazul dobândirii cetățeniei prin încetățenire, cu actul constatator al dobândirii acesteia.

3. În cazul înscrierii în registrele de naționalitate sau cetățenie, prin certificate eliberate de autoritatea în păstrarea cărora se află registrele respective.

Art. 22. — Dovada pierderii cetățeniei române în cazurile prevăzute de art. 16 se poate face cu certificat eliberat de Ministerul Justiției.

Dovada retragerii cetățeniei române se face prin decretul Președintelui Marii Adunări Naționale, care propune retragerea cetățeniei.

Art. 23. — Ministerul Justiției ține registrul persoanelor care:

1. Au obținut cetățenia română potrivit art. 11.

2. Au pierdut sau li s'a retras cetățenia română.

Ministerul Justiției trimite din oficiu Ministerului Afacerilor Interne și comunei, copie de pe aceste registre, împreună și indicații pentru schimbările intervenite.

CAPITOLUL IV

Dispozițiuni procedurale

SECȚIUNEA I

Încetățenire

Art. 24. — Cererea de încetățenire se adresează Ministerului Justiției. Ea va fi însoțită de actele doveditoare cu privire la îndeplinirea condițiilor prevăzute de art. 11, 12 sau 13.

Art. 25. — Ministerul Justiției va putea dispune să se le informeze în privința solicitantului.

El va putea lua de asemenea avizul Comisiunilor consultative locale.

Art. 26. — Încetățenirea se acordă prin decret al Președintelui Marii Adunări Naționale, dat în baza deciziei Comisiunii de Miniștri, la propunerea Ministerului Justiției.

Art. 27. — Sub sancțiunea pierderii beneficiului încetățenirii, solicitantul este obligat ca în termen de 60 zile de la invitațiunea Ministerului Justiției, să depună, în fața ministerului Justiției sau a judecătorului de judecătoria populară a domiciliului solicitantului, jurământul de credință în forma următoare:

„Jur a fi credincios poporului și a spăra Republica Populară Română împotriva dușmanilor dinăuntri și din afară. Jur a respecta legile Republicii Populare Române”.

Ministrul Justiției va putea, pentru motive temeinice, să acorde prelungirea termenului.

Ministerul Justiției va elibera celui încetățenit un certificat de încetățenire.

SECȚIUNEA II

Obținerea autorizației pentru dobândirea cetățeniei altui Stat

Art. 28. — Cererile pentru autorizări de dobândire a cetățeniei unui alt Stat, se înaintează Ministerului Justiției, arătându-se, în același timp, care este cetățenia pe care petiționarul vrea să o dobândească.

Sunt aplicabile dispozițiunile art. 25.

Art. 29. — Cetățeanul român care dobândește cetățenia altui Stat, în condițiunile art. 2, trebuie să comunice această Ministerului Justiției în termen de 8 luni de la data dobândirii, înaintând și actele doveditoare; în cazul contrar autorizațiunea își pierde valabilitatea.

SECȚIUNEA III

Retragerea cetățeniei române

Art. 30. — Cetățenia română se retrage prin decret al Președintelui Marii Adunări Naționale, dat în baza deciziei Comisiunii de Miniștri, la propunerea Ministerului Justiției.

CAPITOLUL V

Dispozițiuni finale și tranzițorii

Art. 31. — Cetățenia română, cu titlu de cetățenie de onoare pentru servicii aduse Republicii Populare Române, se poate acorda la propunerea Guvernului, de Președintele Marii Adunări Naționale a Republicii Populare Române.

Art. 32. — Când pentru dobândirea, păstrarea sau pierderea cetățeniei, legea de față pune obligațiunea unei declarațiuni, aceasta trebuie făcută în forma autentică.

Art. 33. — Cererile de naturalizare și reconaștere, în curs de rezolvare, sunt supuse dispozițiunilor prezentei legi referitoare la încetățenire.

Art. 34. — Sunt și rămân cetățeni români toți acei care au dobândit și păstrat această cetățenie, potrivit dispozițiunilor legale anterioare.

Art. 35. — Se abrogă legea din 19 Ianuarie 1939, privitoare la dobândirea și pierderea naționalității române, legea din 9 Decembrie 1940, modificată prin legea Nr. 6 din 20 Ianuarie 1948, precum și orice alte dispozițiuni contrare prezentei legi.

Dez în București la 8 Iulie 1948.

C. I. PĂRHOV
MARIN FLORIN IONERCU

Ministerul Justiției, 7

Averea Românească

Nr. 1.928

SECRET

COPY

Exhibit 45

June 21, 1948

The Honorable
The Attorney General
Washington, D.C.

Dear Mr. Attorney General:

Reference is made to the Conference Report on Bill H. R. 6396 and S. 2242 appearing on page 9004 of the Congressional Record of June 18, 1948, concerning authorization for a limited period of time of the admission of displaced persons into the United States for permanent residence, and for other purposes.

In connection therewith, we desire to submit at this time application for consideration under these bills when they become law in behalf of Nicolai Malaxa, a native of Rumania.

He is an alien who entered the United States prior to April 1, 1948, and is otherwise admissible under the immigration laws. He therefore qualifies under Section 4 of the bill as a person entitled to apply to the Attorney General for adjustment of his immigration status.

More particularly, the facts in his case are as follows; He was admitted to the United States on September 29, 1946, at LaGuardia Field by plane as a Section 32 visitor for business for a period of five months and has since that time secured extensions of stay in the United States until August 15, 1948. He holds Roumanian passport No. 023526 dated August 15, 1946. A non-immigrant visa No. 670 was issued to him

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SECURITY INFORMATION

August 7, 1946. A non-immigrant visa No. 670 was issued to him August 7, 1946. He was born in Roumania and has continued to be a citizen of that country.

Prior to his entry into this country he was unquestionably the leading industrialist of Roumania. He owned a number of steel companies and was a stockholder in a large number of other Roumanian enterprises. Although as a matter of business he was compelled to deal with the Roumanian Government both under Nazi control and under Soviet control he has never engaged in partisan politics.

Since the Soviet government has come into control in Roumania his property, which consisted of the largest industrial plants in that country, has been confiscated and he is unable to return without peril to himself and his family. Because his opinions are so opposed to those of the government now in power he would face political persecution and peril to his safety and that of his family if he entered Roumania or attempted to do so.

He has many close friends prominent in the Roumanian government who have been forced to depart from Roumania because of their views. Among them are Mr. Nicolae Padescu, former Premier of Roumania, and Mr. Viorel Tilea, former Roumanian Ambassador to Great Britain, both of whom are now temporarily in the United States as refugees. He came to the United States for the purpose of developing trade between Roumania and the United States at a time when he thought that he would be permitted to operate his industrial properties. Such visit and

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activities here were approved by representatives of the State Department. Since entry into this country he was first deprived of all effective control of his industrial properties in Roumania. Later these valuable properties were seized by the present Roumanian government. He has no further property or interests in Roumania to which he can effectively assert title.

He has had extensive experience in industrial management, in machine design and is qualified as an agriculturalist. He has sufficient means so that there is no possibility of his becoming a public charge.

He is a strong believer in the American conception of democracy and in the American capitalistic competitive system. All his life he has been devoted to the building of industry under those conceptions. He has never sympathized with the Nazi regime and he regards both the Nazi activities and the Communist philosophy as destructive of every orderly process both in business and in government.

On the basis of these facts it is respectfully requested that the Attorney general of the United States determine that he is qualified under the provisions of Section 4 of the bill entitled "The Displaced Persons Act of 1948" for permanent residence in the United States. It is further requested that his name be sent to the Congress for appropriate action under this section as soon as the above entitled bill becomes law. He is willing to submit himself to examination or interrogation at any time or place and to supply evidence, documents, or other proof which may be requested.

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This application is being made in the absence of official forms under the bill. When such forms are available his application will be made to conform to them but in the meantime it is requested that his application be given the date of this letter.

Respectfully submitted,

NICOLAI MALAXA

By Thurman Arnold

Thomas B. Shoemaker

SECRET

EXHIBIT
#46

80TH CONGRESS
2D SESSION

S. 2942

IN THE SENATE OF THE UNITED STATES

AUGUST 7 (legislative day, AUGUST 5), 1948

Mr. BALDWIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

For the relief of Nicolae Malaxa.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in the administration of the immigration and naturali-
4 zation laws, the Attorney General is authorized and directed
5 to record the lawful admission for permanent residence of
6 the alien, Nicolae Malaxa, of New York, New York, as of
7 the 29th day of September 1946, the date on which he
8 entered the United States for a temporary stay, if he is other-
9 wise admissible under the provisions of the immigration
10 laws. Upon the enactment of this Act, the Secretary of

- 1 State shall instruct the proper quota-control officer to deduct
- 2 one number from the Rumanian quota for the first year such
- 3 quota is available.

80th CONGRESS
2d Session

S. 2942

A BILL

For the relief of Nicolae Malaxa.

By Mr. BALDWIN

August 7 (legislative day, August 5), 1948
Read twice and referred to the Committee on the
Judiciary

EX 17 II 47

80TH CONGRESS
2D SESSION

H. R. 7160

IN THE HOUSE OF REPRESENTATIVES

August 7, 1948

Mr. LODGE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the relief of Nicolae Malaxa.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That in the administration of the immigration and naturaliza-
 4 tion laws, the Attorney General is authorized and directed
 5 to record the lawful admission for permanent residence of
 6 the alien, Nicolae Malaxa, of New York, New York, as of
 7 the 29th day of September 1946, the date on which he
 8 entered the United States for a temporary stay, if he is
 9 otherwise admissible under the provisions of the immigration
 10 laws. Upon the enactment of this Act, the Secretary of

- 1 State shall instruct the proper quota-control officer to deduct
- 2 one number from the Rumanian quota for the first year such
- 3 quota is available.

80TH CONGRESS
2d Session

H. R. 7160

A BILL

For the relief of Nicolae Malaxa.

By Mr. LOOBS

August 7, 1948

Referred to the Committee on the Judiciary

EXHIBIT
48

TELEPHONE: GROSVENOR 4331

TELEGRAMS: UNIDIL, AUDLEY, LONDON

THE CRYSTAL MANUFACTURING CO., LTD.,
SPECIALISTS IN SPRAY EQUIPMENT

2 SOUTH AUDLEY STREET, MAYFAIR, LONDON, W.1

Directors:
MR C. P. BENTWISTLE, K.C. (Chairman)
MAJOR W. I. ANDERSON
V. V. TILIA, C.S.E. (Secretary)
W. A. WILLIAMS, M.S.E.
D. J. HALL

SOLE CONCESSIONAIRES:
UN-GUN LUBRICATING EQUIPMENT LTD.

1st July 1946.

YOUR ASP.

OUR ASP

Dear Mr. Malaxa,

I hear with pleasure that you are in Paris and are going to stay there some time. I am therefore using this occasion to write to you in a matter which I have kept secret for many years: you will remember that a few days after Hitler took Prague, in March 1939, you sent H. Adrian Dumitrescu to Paris to telephone me from there all the details of the German economic demands which Clodius handed over to the Roumanian Government. As you know, I have used them in my conversations with members of the British Government and have also published them fully in the Times, Daily Telegraph and Daily Mail. The results of those conversations and publications was on the one hand that Lord Halifax tried immediately to create, together with Russia, a peace block ~~against~~ against Germany and on the other hand that the Anglo-Saxon public opinion became aware of the danger

of German economic domination in Europe.

For obvious reasons I have so far not mentioned to anybody your name, which, during German occupation, would of course endanger your life. But I should like to ask you to consent now that in my conversations or writings I may use your name, although you had never asked me to keep the secret of this matter.

Would you kindly reply to the above business address.

Hoping to see you during your stay in France,

I remain yours sincerely

V.V. TILIA *V.V. Tilia*
Tilia

V.V. Tilia
Hotel George V
Paris

MEMORANDUM RE AMERICAN ROUMANIAN TRADING
AND DEVELOPMENT CORPORATION

EXHIBIT
50

At a meeting of the Incorporators of the American Roumanian Trading and Development Corporation held on the 27th. Day of March 1947, in the Borough of Manhattan, City of New York, the By-Laws of the Corporation were adopted. The Chairman of the meeting reported that subscriptions to the Capital Stock of the Corporation by the following named firms had been received. By a resolution unanimously carried these subscriptions were accepted.

<u>NAMES</u>	<u>NUMBER OF SHARES</u>
Standard Oil Export Corporation	2
International Telephone & Telegraph Corp.	2
R. B. Rogers Co. Inc.	2
Thonet Bros. Inc.	2
Bowmall & Co. Inc.	2
Westinghouse Electrical Corp.	2
National Supply Corp.	2
Occidental Trading and Investing Corporation	6

At a subsequent Special Meeting of Stockholders a Board of Directors was elected. Due note was taken at the meeting of the fact that Mr. F. M. BALLING, the President of the Standard Oil Export Corporation, would act in the place and stead of Mr. Ralph Bolton, as the representative of that corporation.

BOARD OF DIRECTORS

<u>F. M. BALLING,</u>	representing Standard Oil Export Corporation (President)
<u>OSWALD C. BUCHANAN</u>	representing International Telephone & Telegraph (Treasurer)
<u>R. B. ROGERS</u>	representing R. B. Rogers Co. Inc. (President)
<u>LEO W. BOWMALL</u>	representing Bowmall & Co. Inc. (President)

BOARD OF DIRECTORS (Cont'd)

MAX AUSNIT representing Occidental Trading
and Investing Corp-
oration (President)

It was unanimously resolved that as soon as the Westinghouse Electrical Corp. designates its representative, the latter will be elected to the Board, and further, that as soon as the AMERICAN ROUMANIAN TRADING AND DEVELOPMENT CORPORATION receives the subscription of the Continental Grain Company and designates its representative, the latter will also be elected to the Board.

The adoption of the By Laws at the meeting of the Incorporators was confirmed with one amendment, namely the addition of Article LX, which provides for protection to the Directors under and pursuant to Article VI-A of the General Corporation Law of the State of New York.

The Chairman reported that the aforementioned subscribers to the Capital Stock of the Corporation had subscribed to an additional 480 shares at the total par value therefor being \$240,000, to be allocated to the respective stock holders in accordance with the terms of their subscription. It was resolved that this subscription be called by the Board of Directors as soon as the officers are elected.

The proposed slate of officers is as follows:

F. M. BALLING	President
MAX AUSNIT	Executive Vice President
OSWALD C. BUCHANAN	1st. Vice President
LEO W. BOWMALL	2nd. Vice President
STEFAN AUSNIT	Secretary
LEO W. BOWMALL	Treasurer

At the first meeting of the Board of Directors, the officers for the ensuing year will be elected.

The AMERICAN ROUMANIAN TRADING AND DEVELOPMENT CORPORATION has been authorised to notify, through the Board of Directors, the Roumanian Legation, Banks and proper American Authorities of its existence and of its objects, namely, to foster trade with Roumania, and especially exports from Roumania to the West, to make possible the repayment of the loan service, and to create credits for the purchase of materials needed for the development of Roumanian production in general and in particular the production of the Roumanian enterprises in which the stockholders are interested. Another of the purposes of the Corporation is to promote and develop the financing, through the Export-Import Bank or World Bank, of enterprises to bring about the new production of export commodities.

F 81317
II 51

Feb. 20, 1948

Walter Winchell In New York

A Balkanist on Broadway.
 In America a man who supports all parties lacks principle. In the Balkans a businessman who doesn't lack common sense in the Balkans has just a measure of business acumen and the only way to avoid a loss is to hedge the bet by backing all parties.

The Balkans never produced a more typical figure than Nikoza Malasa operating eight news in N. Y. C. Malasa was born in Romania but lived his early years in the Balkans. He is important because he commands Soviet. When King Ferdinand died Malasa's only ally was the Communist Party. He was elected its first president. Malasa's only ally was the Communist Party. He was elected its first president. Malasa's only ally was the Communist Party. He was elected its first president.

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Exhibit "F", Annexed to Affidavit
of Max Ausanit

Translation

(Exhibit 52)

[Letterhead of]

UNIVERSITY OF PARIS
Faculty of Sciences
Institute of Mechanics

Paris, March 27, 1949

Dear Sir:

I learn that you have not been informed of the fate of the MALAXA PRIZE, which you so generously had the idea of founding in the year 1938, and which was destined to reward the best aggregate of important work in the solution of differential equations and of integral equations. This prize, for the award of which the jury included M. Levi-Civita and myself, was actually awarded at the appointed time to M. Jean LERAY, then Professor at the University of Nancy, and to M. SCHAUDER, of the University of Warsaw. The value of the prize was actually turned over to the interested parties.

Since that time, already so far in the past, the fate of the two laureates has been very different. M. Schauder was savagely killed by the Nazis, as well as his wife (they were put through the gas chambers, as Jews). They have left a little girl, who has been found, tuberculous, in a sanitarium. M. Jean LERAY, who is the best mathematician at present alive in the world, passed through the German prison camps, where he remained for more than 4 years; he has become a corresponding fellow of the Institute, and a professor at the College de France. He is one of the French scientists who is most in the public eye. The help which you brought to him through your fine initiative has been an important factor in his brilliant career.

It is very precious to me to be able to tell you again today of all the gratitude which the modern mathematical world has for your gesture, at the same time so generous and so effective. Perhaps some day it will be permitted to me to tell it to you in person. While waiting, I am happy to have the opportunity today to express to you herein the very cordial and sympathetically devoted sentiments of

(Signed) Henri Villat

HENRI VILLAT

Professor at the Sorbonne

Director of the Institute of Mechanics
of the University of Paris,

Member of the Institut de France

47 Blvd. Auguste Blanqui, PARIS XIII.

UNIVERSITÉ DE PARIS

FACULTÉ DES SCIENCES

INSTITUT DE MÉCANIQUE

MÉCANIQUE DES FLUIDES

(FONDATION DU MINISTÈRE DE L'AIR)

*

Paris, le 27 mars 1949

EXIBIT
#52

Cher Monsieur,

J'apprends que vous n'êtes pas informé du sort advenu au PRIX MALAXA, que vous aviez eu la si généreuse idée de fonder en l'année 1938, et qui était destiné à récompenser le meilleur ensemble de travaux importants sur la résolution des équations différentielles et des équations intégrales. Ce prix, pour lequel le jury comprenait M. Levi-Civita et moi-même, a été décerné à l'époque convenue, à M. Jean LERAY, alors professeur à l'Université de Nancy, et à M. SCHAUDER, de l'Université de Varsovie. La valeur du prix a été effectivement versée aux intéressés.

Depuis cette époque déjà lointaine, le sort des deux lauréats s'est trouvé bien différent: M. Schauder a été sauvagement tué par les nazis, ainsi que sa femme (ils ont passé par les chambres à gaz, comme israélites..) ils laissent une petite fille, qu'on a retrouvée, tuberculeuse, dans une maison de santé.. M. Jean LERAY, qui est le meilleur mathématicien actuellement vivant au monde, est passé par les camps de prisonniers chez les allemands, où il est resté plus de quatre ans; il est devenu correspondant de l'Institut, et professeur au Collège de France. Il est l'un des savants

français les plus en vue. Le soutien que vous lui avez apporté par votre belle initiative, a été pour beaucoup dans sa carrière brillante.

Il m'est précieux de pouvoir vous redire aujourd'hui toute la reconnaissance que le monde mathématique moderne porte à votre geste, à la fois si généreux et si efficace. Peut-être quelque jour me sera-t-il permis de vous le dire de vive voix. En attendant, je suis heureux d'avoir aujourd'hui l'occasion de vous exprimer ici les sentiments les plus corda-
lement et sympathiquement dévoués de votre



Henri VILLAT

Professeur à la Sorbonne

Directeur de l'Institut de Mécanique de
l'Université de Paris,

Membre de l'Institut de France

47, bd Auguste Blanqui PARIS.XIII.