

MEMORANDUM FOR: Commissioner  
Immigration and Naturalization Service

Attention: Mr. W. W. Higgins

SUBJECT: Nicolae MALAXA

1. Reference is made to your request of 26 February 1952, File No. A6-421-949 Inv. JFG, for derogatory information on Subject and to our interim report SO DB-50140 of 5 March 1952 re Nicolae MALAXA.

2. With specific reference to our interim report of 5 March 1952 the expression "conclusive evidence" was used mistakenly to describe reports in our possession which do not constitute legal evidence but from which certain conclusions could be drawn with regard to MALAXA's character and background.

3. The following paragraphs set forth certain data in our files and bring out pertinent points contained in documents purporting to be copies and certified translations of 52 official Rumanian and other records relating to MALAXA. These documents were made available to this Agency in November 1949 by Oscar COLCAIRE, who described himself as representing MALAXA. The documents also contain four notarized items over MALAXA's signature giving MALAXA's explanation of various of his past activities and transactions and referring to the transmittal of the documents delivered by COLCAIRE. The considerable task of selecting and collecting these numerous documents (some of them apparently classified) from various Rumanian Government offices, having them translated (in full or in selected extracts) into English and having them certified as being true copies and/or accurate translations, appears from the dates of certification to have been done nearly six years ago, very shortly before MALAXA departed from Rumania on an official mission for the Rumanian Communist Government on 17 June 1946. Copies of certain items from this file are attached hereto for ready reference. In addition, certain other pertinent information, including historical facts and statements by sources considered to be reliable, is incorporated below.

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CENTRAL INTELLIGENCE AGENCY  
SOURCES METHODS EXEMPTION 3B2B  
NAZI WAR CRIMES DISCLOSURE ACT  
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4. With reference to allegations that MALAXA collaborated with the Germans before and during World War II, a usually reliable source advises that, in a letter dated 19 March 1952, Dr. H. KLUGKIST, former German Commercial Attache to Rumania from 1936 to 1944, wrote:

"Economic collaboration with Germany was very useful to MALAXA and MALAXA used his considerable influence at the Royal Court in promoting and intensifying such collaboration."

In the same letter Dr. KLUGKIST quotes a statement which KLUGKIST said he received "from former Ministerialrat REINHARDT, who made frequent trips to Rumania for economic purposes during the Nazi regime." According to KLUGKIST, REINHARDT said:

"It is news to me that MALAXA should have been an opponent of German-Rumanian collaboration in the 1938-1940 period. I remain under the strong impression that, at that time, he sought of his own free will, collaboration with Germany industry."

Similar written statements were made by Dr. Wilhelm FABRICIUS, German Minister to Rumania before and during the ANTONESCU Government, and by Helmuth WOHLTHAT, chief German negotiator of the 1939 German-Rumanian economic agreement. Originals of the letters referred to above are on file in this agency.

5. In connection with allegations that MALAXA was pro-Nazi and connected with the Rumanian "Iron Guard" organization, the following points may be of interest. On 21 January 1941 the "Iron Guard", described by Henry L. ROBERTS in Rumania: Political Problems of an Agrarian State as "a copy of Italian fascism and German national socialism", rebelled against the government of General Ion ANTONESCU. According to Pe Marginea Prapastiei (On the Edge of the Abyss), published as an official report of the rebellion by the Rumanian Council of Ministers in 1942, the "Iron Guard" blamed the ANTONESCU Government for not following the Nazi line closely enough and for not contributing enough to the war effort against the Allies. The book further states that the rebellion was a culmination of Iron Guard leader Horia SIMA's struggle to overthrow ANTONESCU.

6. During this revolt "Iron Guardists" used MALAXA's home as a strongpoint in the fighting. In describing government countermeasures, Pe Marginea Prapastiei states:

"On the same afternoon the following places were occupied: police headquarters, Siguranta Generala, Iron Guard headquarters located at Alcea Vulpachis, Casa Malaxa, and the

majority of resistance centers of the rebels in the capital and provinces."

7. After the short-lived revolt SIMA and his important followers escaped and were given a haven in Germany. In Gerda de Fer, by Stephan PALANGITA, it is stated that SIMA arrived in Berlin via Bulgaria on 9 April 1941. In September 1944, immediately after Rumania joined the Allied forces, SIMA was made head of the German-sponsored Rumanian Government in exile in Vienna.

8. Following the suppression of the revolt, Nicolae MALAXA was arrested and imprisoned (23 January 1941). A New York Times article dated 29 January 1941, stated, "The Rumanian Government put Mr. MALAXA, wealthy munitions manufacturer, on trial today on charges that he financed tanks, arms, and munitions that the Iron Guard used in its revolt last week." (Attachment A)

9. A copy of a document in English purporting to be a translation from the Rumanian Official Gazette of 5 April 1941 indicates that, as of 3 April 1941, on the basis of the law "for the repressing of Acts perilous for the existence and interests of the State, the Minister of Home Affairs is authorized to fix a forced domicile for Engineer N. MALAXA." (Attachment B, certified 8 May 1946). Accordingly, after being imprisoned since 23 January 1941, MALAXA was released on 3 April and placed under house arrest, which continued until 9 September 1941.

10. Subsequently, according to items submitted by COLCAIRE which purport to be certified translations of certificates issued on 25 September 1944 by the Ministry of Home Affairs and on 28 September 1944 by the Military Court of Justice and Cassation (after the fall of the APTONESCU Government), it was asserted that MALAXA "did not participate in the legionary rebellion in January in 1941 nor has he ever had anything to do with the preparation preceding said rebellion." One of these documents limits itself to a statement of fact, whereas the other bases MALAXA's vindication upon an investigation allegedly made from 23 January 1941 to 2 April 1941. (Attachments C and D, certified 24 May 1946) It will be noted that, at the conclusion of the alleged investigation, the Council of Ministers decision of 3 April 1941 placed MALAXA under "forced domicile" for "acts perilous for the existence and interests of the State" and gave no indication that he had been absolved from responsibility for, or connection with, the Iron Guard uprising (see para. 9).

11. In what purports to be an English translation of extracts from Verdict No. 900 of June 14, 1941, given by the Military Tribunal of the

Military Command of Bucharest, it appears that one Ion MACOVEI and one Alexandru VODA were sentenced for violation of domicile on 22 January 1941 because

"the culprits knew that they were not allowed to enter Mr. MALAXA's residence without consent; nevertheless they entered fully determined and by force, the house of the above-named claimant, barricading the entrances."

(Attachment E, certified 9 May 1946). No mention is made of the fact that the above verdict was in connection with the Iron Guard rebellion (see para. 6 above). It is further noted that although only two men are charged with "violation of domicile", according to the New York Times (see para. 8), the taking of this stronghold required "artillery bombardment" before the rebels capitulated.

12. On 9 September 1941, according to copies of documents received from Mr. COLCAIRE, MALAXA was given full freedom (Attachment F, certified 24 May 1946). Concerning the question of the length of time MALAXA was in prison or under house arrest, it appears from Attachments B and F and The Council of Ministers publication that his imprisonment was limited to 70 days, followed by a period of "forced domicile" of 159 days, between the date of his imprisonment on 23 January 1941 and 9 September 1941.

13. In a copy of a document in English purporting to be a translation from the Rumanian Official Gazette of 19 February 1941 three of MALAXA's factories were confiscated on charges of profiteering which reached a figure as high as 1000% (Attachment G, certified 9 May 1946). According to this document, the state could not permit the entrepreneur to "collect provoking benefits to the detriment of the State and of the workman". There appears to be some confusion concerning the question of whether MALAXA was arrested for this charge. It will be noted that the decree confiscating the factories does not refer to the arrest of MALAXA which took place during the Iron Guard revolt. It will be further noted (see para. 9) that when he was released from prison on 3 April 1941 and placed under house arrest, the charge was for "activities perilous for the existence and interests of the State."

14. What purports to be a translation of an original document (on Rumanian Foreign Ministry stationery) from the Commission for the Control of Army Endowment Funds, dated 18 September 1944 states that:

"The investigations concerning the contracts for artillery munitions, mortars and 60 mm. Brandt munitions and U. E. Caterpillars, contracts concluded by the State with the N. MALAXA factories in

the interval from September 6th 1930 to September 6th 1940, -- said investigations have been taken off the roll, as it has been established that by the concluding and execution of said contracts the State was not in any way prejudiced."

(Attachment H, certified 24 May 1946). Except for armament contracts, no mention is made in this document of the charges of profiteering which were brought against MALAXA by the ANTONESCU Government as listed in Attachment G, dated 19 February 1941.

15. On 9 October 1943, according to an English translation of what purports to be an excerpt from Law No. 669, the State Rogifer Company (which had been formed by the Rumanian Government to operate the MALAXA companies) was liquidated and

"the shares of the MALAXA Companies foreseen in the decree No. 370 of February 19, 1941 together with their respective patrimonies from February 17, 1941, are nominated in the name of the shareholders beginning the same date."

A letter, published at the same time as the above and purporting to be signed by MALAXA, renounced any indemnity from the State in this connection. (Attachment I, certified 9 May 1946). It would thus appear that MALAXA's companies, expropriated in 1941 because of excess profits, were returned to him under the ANTONESCU Government while Rumania was still fighting at the side of Germany against the Allies.

16. With further reference to the question of MALAXA's ownership of his companies during the latter part of the ANTONESCU regime (in the light of assertions that he did not regain possession of these properties until 1945) a letter in French (with an English translation) purporting to be a copy of an original signed by MALAXA, indicates that, on 10 June 1944, Subject offered to the Standard Oil Company of New Jersey "one third of all my firm's properties in Roumania . . . . The price of this participation, which my firm offers to your firm, is \$5,000,000 payable in ten years." (Attachment J, dated 10 June 1944, not certified). The date of the letter indicates that it was written while ANTONESCU was still in power and while the Rumanians were fighting against the Allies.

17. The ANTONESCU Government was overthrown and Rumania joined the Russian forces against Germany on 23 August 1944. On 2 January 1945 the Minister of National Economy, LEUCUTIA, informed MALAXA by letter that, on 29 November 1944, the Soviet Commission of the Allied Control Commission had notified the Rumanian Government of its decision to take over MALAXA's 14" rolling mill and tube plant as war indemnity. According to

a document claimed to be a copy of the Rumanian original (with an English translation) LEUCUTIA further stated that he had appointed a commission to put a fair evaluation on the plant and that compensation to owners was a separate problem and would be so considered. (Attachment K, dated 2 January 1945, not certified).

18. An evaluation of \$2,460,000 was placed on the MALAXA plant and machinery taken as war indemnity in accord with the terms of the September 1944 Armistice Convention, as shown by what is reported to be a copy of the original document. (Attachment L, part 7). The evaluation, dated 1 March 1945, makes no mention of reimbursement to former owners of any item listed.

19. On 23 February 1945 the government of Prime Minister Nicolae RADESCU, who had assumed his post on 6 December 1944, was overthrown by the VISHINSKY-directed coup. On 6 March 1945 the VISHINSKY-imposed government under Communist Prime Minister Petru GROZA assumed office. In writing of this government in Speaking Frankly, former Secretary of State James F. BYRNES describes the manner in which that government was installed by VISHINSKY in March 1945, and labels it as completely Communist-dominated. John CAMPBELL, Department of State Rumanian desk chief at the time, in The United States in World Affairs, 1945 - 1947, writes:

"At the end of February 1945, the communists in Rumania provoked a political crisis which unseated the coalition government that included the main parties from conservatives to communists. Soviet Vice-Commissar VISHINSKY, arriving on the scene from Moscow, gave King MICHAEL no alternative to the appointment of a communist-dominated government headed by Petru GROZA. The 'historic' parties, which had considerable popular support but looked to the Western Powers and distrusted Russia, were left out."

In a copy of a notarized statement dated 18 March 1948 and signed by Nicolae RADESCU and on file in this Agency, it was stated:

"On the 28th of February 1945 as a result of an ultimatum presented to his Majesty King Michael (sic) the I, by the Soviet Envoy A. Vishinsky, I was obliged to resign, Vishinsky imposing on the country and King a pro-communists (sic) Government under P. Groza."

20. MALAXA's treatment by the Communist-dominated Rumanian Government is shown in information presented in documents supplied by COLCAIRE showing official Rumanian Government action in authorizing and making

available to Subject a large payment for a factory and industrial equipment taken by the Russians. In what is represented as a certified English translation (Attachment N, certified 9 May 1946) of Law Decree 282, as published in Official Gazette No. 85 of 13 April 1945, it is stated in Article 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 'N. MALAXA, Pipe and Steel Works,' Roumanian Joint Stock Company, free of any restriction whatsoever regarding the exchange 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."

21. In an English translation of what is said to be an extract from Official Gazette No. 94 of 13 April 1945, and an "integral part of Law No. 282" (Attachment N, certified but not dated), it is stated as follows in Article II of the "Transactions". "The Roumanian State acknowledges that N. MALAXA factories... are and remain the property of the N. MALAXA Companies ..." It was also decreed that, because of "misunderstandings" in the carrying out of Law No. 669 of 1943, detailed conditions for fully realizing the 1943 law were being presented. Article three of the "transaction" states that,

"as a counter value to the 14" rolling mill and of (sic) the machines in the pipe factory which the State handed over to the Soviet High Command in part payment of its war (sic) damages, the Roumanian State acknowledges (sic) the debt and lays at the disposal of the 'N. MALAXA' Pipe and Steel Works S.A.R. Company abroad (sic), the sum of \$2,460,000 U. S. A. dollars effectively and free of any present or future restrictions, namely the sum in dollars which the State has deducted from the war damages due to the U.R.S. (sic) by handing over the rolling mill and the machines."

The translations of the Decree 282 and of the articles of transaction show that they were signed by Gheorghe GHEORGHIU-IEJ (a long-time Communist and member of the Roumanian Communist Party Central Committee) and Petre BEJAN (a former dissident Liberal who voted in 1946 to unite his party to the Communists and who became a member of the Communist Party the same year).

22. On 15 September 1945 (according to what purports to be a signed copy of the original, with English translation), a letter was written by

the Rumanian Minister of Finance, Alexander ALEXANDRINI, to the American Joint Distribution Committee stating:

"We take note of your proposition offered in your letter of July 27, 1945, and take pleasure in informing you that the Rumanian Government has accepted this operation with the following modifications:

"The Rumanian Government, through the Finance Department will place at your disposal, in Roumania, 250,000 Rumanian gold pieces, which comply with the terms of Law. No. 656/945. These gold pieces will be free and negotiable by you and purchasers of such coins.

"In exchange, you will put an amount of gold, corresponding to these 250,000 gold pieces, at the disposal of the Rumanian Government in Switzerland, at a bank to be indicated.

"In addition to this, you will at the same time present a release by the N. MALAXA, UZINE DE TUBURI SI OTELARII S.A.R. Company to all claims resulting from the carrying out of the obligations provided for in Article 3 of the transaction dated April 17, 1945, published in Official Gazette No. 94, of April 24, 1945 for payment of the tube mill.

"We remain

Yours truly

MINISTER UNDERSECRETARY OF STATE

(Signed) Alexandrini"

(Attachment 6, dated 15 September 1945, not certified). ALEXANDRINI was Under Secretary of Finance in 1945 and was reappointed in 1946. On 23 August 1947, he was decorated by Premier Petru GROZA with the Star of Rumania, First Class. ALEXANDRINI was described in an official U. S. report in May 1946 as "formerly MALAXA's personal attorney."

23. In a notarized statement over MALAXA's signature, it is said that

"the Joint Distribution Committee offered to deposit 250,000 gold napoleons in Switzerland for the account of the government and from the profits resulting from the difference in the



exchange of gold in Switzerland against gold in Roumania, also by the \$2,460,000.00 debt which the Roumanian government owed to the MALAXA companies." (Statement dated 15 September 1949)

Despite numerous government laws, decrees and ministerial actions ratifying agreements to pay MALAXA, he (MALAXA) states, in a document over his signature submitted to this Agency by COLCAIRE, that this agreement "was never ratified as the representatives of the Communist party in the government were opposed to any payments being made to the companies."

24. MALAXA's statement appears to be contradicted in paragraph 21 above and in what purports to be a copy of the original (with an English translation) of Journal 722 of 7 June 1946, in which the government spelled out means of securing foreign exchange for full payment of the \$2,460,000 due MALAXA. (Attachment P, dated 7 June 1946, not certified). Article two stated:

"The foreign exchange needed for this payment shall be secured by the export of oil products, lumber, grain, vegetables or other domestic (indigenous) products, in their natural or transformed condition."

The signatures of Communist Premier GROZA, GHEORGHIU-DEJ, Petre CONSTANTINESCU-LASI, Stefan VOITEC and Tudor IONESCU appear on the page as endorsements of the Journal. GROZA, GHEORGHIU-DEJ and CONSTANTINESCU-LASI are all well-known leading Rumanian Communists. VOITEC, at that time a left-wing Socialist Minister of Education, in 1947 proposed the unification of the Socialist and Communist parties. In 1948, he became a member of the Central Committee of the Rumanian Communist party. IONESCU, then Secretary of Mines and Petrol, in 1947 received from GROZA the Star of Rumania, First Class. A written opinion disagreeing with Journal 722 was entered over what appears to be the signature of Minister without Portfolio Mihai ROMNICEANU, former Minister of Finance under RADESCU. (ROMNICEANU was wounded by gunfire while speaking against the undemocratic 1946 elections, arrested and, according to recent information, is still in prison).

25. A further effort of the government to provide financial reimbursement to Subject is indicated by S. Bertrand JACOBSON, former Assistant Director of the American Joint Distribution Committee in Rumania, who wrote in what is represented to be a copy (with English translation) of a letter to MALAXA on 11 April 1949:

"As a result of the conversation I had here this morning with Mr. Runcan, I have the honor to inform you of the following facts.

"1. During a conference held in Bucarest (sic) in June or July 1946, and which I attended as official representative of the JOINT and of the HICEM, and at which were also present Mr. Henry Soreanu, Mr. Basil Stefanescu, and Mr. Romulus Runcen, acting as representatives of the Malaxa works, and Mr. Alexandrini, Minister of Finance of Rumania, it was decided, as a result of the official decision of the Rumanian Government that Mr. Malaxa would be paid in lei by the Ministry of Finance as a compensation for the large Malaxa rolling mill which was part of the supplies delivered to USSR under the terms of the Armistice. The Ministry of Finance authorized the Malaxa Works to receive these sums provided that their equivalent should be paid to Mr. Malaxa by the HICEM and the JOINT in U. S. dollars or Swiss francs in New York or in Zurich. This decision had been reached because the Ministry of Finance did not have at its disposal the necessary amount in U. S. dollars or Swiss francs in order to reimburse Mr. Malaxa as had been provided by the official decision.

"In order to make the transfer possible, the Minister of Finance issued a 'Journal of the Council of Ministers' which authorized this operation.

"2. I moreover declare that, acting in my capacity as official representative in Rumania of the JOINT and of HICEM, I made this transfer arrangement on my own initiative and responsibility, without special authorization of my central services and without instructions from private persons.

"3. All following transfers which took place under this agreement were made by Mr. Henri Soreanu, as representative of the Malaxa Works, on one hand, and by myself as official representative of JOINT and HICEM in Rumania, on the other hand.

"I regret not having yet had the pleasure of meeting you, but I hope to go to New York soon and will not fail to come and see you then."

(Attachment Q, dated 11 April 1949, not certified).

26. The arrangement described in Para. 25 above as having been made in "June or July 1946" appears to have been reached very soon after Journal 722 (see Para. 24) was approved 7 June 1946. It is not known what sum was received by MALAXA from the transaction with JACOBSON. However, a notarized document, in the possession of this Office, dated 15 September 1949, presented by Mr. COLCAIRE and bearing MALAXA's signature states:

"As the Joint Distribution Committee and Hias (sic) continued to have great need of lei in Roumania and as the Malaxa companies received payment in lei from the Roumanian government, an arrangement was made, in the absence of Mr. Malaxa, by which the Malaxa companies turned over lei to these organizations and received in return, foreign currency outside of Roumania .... In this way, everyone was satisfied ... Mr. Malaxa was able to exchange a great portion of the lei he possessed for foreign currency."

27. It is known from the personal experience of U. S. official representatives in Bucharest that such transactions, without specific government approval such as was accorded to Mr. MALAXA, were illegal.

28. Files of the International Claims Commission of the Department of State would reflect whether any of the numerous American citizens whose holdings were confiscated by the Russians or the Roumanian Government since 1944 received treatment similar to that accorded to MALAXA.

29. Information received from numerous usually reliable sources indicates that MALAXA has provided since April 1948, and continues to provide, financial support to General Nicolae RADESCU, who has recently sponsored Roumanian emigre organizations composed largely of Iron Guardists. These groups have been set up as "Leagues" or "Associations" of Roumanians in eight western countries. One of these organizations in Germany, The Association of Free Germans from Roumania, is led by Hewart SCHEINER, an individual with a known Communist record.

30. Strong Iron Guard support of MALAXA is indicated by editorials published in the following Iron Guard newspapers: Romania, Argentina; Vestitorul, Austria; Patris, Germany; Chemarea, France and Germany and Libertatea, Spain. Extracts from an article in the Romania issue of March 1952 illustrate the type of editorial support given MALAXA:

"We learned from a recent issue of the Washington Post of February 19, 1952.... which is considered to be the semi-official newspaper of the American Government, while Drew Pearson, who signs the article, is one of the newspapermen and radio commentators with the greatest prestige in the United States ... Mr. Pearson states that he is ashamed and sorry ... 'I committed an injustice in connection with the Roumanian industrialist Nicolae Malaxa, when I wrote...that he had made arrangements with the Communists in view of getting back the price of his properties in Roumania,' ... Drew Pearson got the facts wrong in the first place through the machinations of men of ill faith interested in destroying the benefactor, Mr. Malaxa...Mr. Pearson, having to make a choice between the solemn assertions of the Committee Cretsiann and

Visoianu and a simple letter from General Radescu... he bows with respect before the letter from a simple citizen, Radescu. This is because the whole personality of Radescu, the simple citizen, breathes honesty, dignity, and the feeling for duty that are all three so absent in the case of the sorry gentlemen of the Committee... Will God in His mercy end up by enlightening Visoianu and Cretzianu, bowing down their necks and forcing them to admit, as did the American newspaperman, that they are wrong? It would be altogether too beautiful for our exile and for the gentlemen themselves, who might thus rehabilitate themselves and escape the contempt and hate with which an entire people will curse them."

31. In a notarised statement made by RADESCU on 18 March 1948 and submitted to this Agency by COLCAIRE in November 1949, which sets out that "the ANTONESCU Government confiscated all the works of Mr. E. MALAXA, arrested him and put him in jail so as to overcome the resistance which he had opposed to the German economic domination," no mention is made of the return of these properties by the same government. (See Attachment I).

32. Information from a usually reliable source indicates that in 1947 MALAXA applied for and was denied an immigration visa into Canada and that in 1948 he was unable to get even a visitor's visa to England. The specific reasons for the refusal of British and Canadian authorities to admit MALAXA into those countries are not known.

33. Information from sources considered usually reliable indicates that since 1947 MALAXA has had business associations with Jacques ROSENSTEIN, Carlo FLEISCHMANN and Maxim MAXIMO, all of whom are accused of engaging in trade with the satellite countries.

34. ROSENSTEIN, to whom, according to a reliable informant, MALAXA gave a Cadillac as a gift in 1949, has been described by a knowledgeable source as "the chief economic collaborator of the present Hungarian Government in the U. S."

35. Another source has stated that in 1948 MALAXA sent money through ROSENSTEIN to MAXIMO, who, together with another business contact of MALAXA's, Carlo FLEISCHMANN, set up in Switzerland the OFINA A. G. Company for trading with Soviet-Satellite countries. MAXIMO is reported by a source considered usually reliable and by Dan FRAGOMIRESCU, former Director General of MALAXA's Bucharest factories (in a signed statement, a copy of which is on file in this Agency), to have been MALAXA's business agent.

There is also available in this Agency a letter to MAXIMO signed by COLCAIRE and dated 15 August 1949 which states: "The important thing is to keep on good relations with Mr. MALAXA as I think that you will benefit in the end." According to the Swiss Neue Zuercher Zeitung of 18 June 1949, MAXIMO and FLEISCHMANN helped turn over the OFINA Company to the control of Solvan VITZIANU, whom the Swiss courts, in 1949, convicted as a Rumanian Communist spy. According to the 16 March 1952 issue of La Suisse, MAXIMO (described in the Swiss newspaper Die Nation of 19 March 1952 as a "Soviet Agent"), recently lost a libel suit against two persons who accused him of being a Communist.

/s/ Richard Helms  
For  
EDMAN B. KIRKPATRICK  
Assistant Director

SO DB-50140a

- Encl: 17
1. Tab A - Copy of New York Times Article re MALAXA's Arrest.
  2. Tab B - Journal Fixing Forced Domicile for Subject.
  - 3&4. Tabs C - Certificates Stating MALAXA not Involved in Legionnaire Rebellion
  5. Tab E - Verdict for Violation of Domicile.
  6. Tab F - Order Freeing MALAXA from Forced Domicile
  7. Tab G - Decree Confiscating MALAXA Factories and Charges of Profiteering.
  8. Tab H - Decision Concerning Investigation of Certain State Contracts with MALAXA.
  9. Tab I - Decree Returning Factory Shares to MALAXA and MALAXA Recognition of the Decree.
  10. Tab J - Letter from MALAXA to Standard Oil Co. Inviting Participation.
  11. Tab K - LEUCUTIA Letter re Russian Decision to Take Factories and Statements on Evaluation of and Compensation for the Factories.
  12. Tab L - Copy of Russian-Rumanian Armistice Convention.
  13. Tab M - Decree 282 Authorizing Payment to Subject for His Factories.
  14. Tab N - Transaction Listing Details of Achieving Decree 282.
  15. Tab O - Letter from Minister of Finance to JOINT Committee Agreeing to Proposed Financial Deal.
  16. Tab P - Journal 722 Authorizing Exports to Realize Funds to Pay MALAXA for His Factories.
  17. Tab Q - Letter from JACOBSON to MALAXA re Exchange of Lei for Dollars.

Distribution:

Orig. and 1 - I & NS  
Copy 3 - ADSO  
Copy 4 - RC  
Copy 5 & 6 - RI  
Copy 7 - SE/SO-5

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24 April 1952

24 April 52



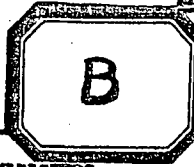
Copy of an Associated Press news item which appeared in the NEW YORK TIMES on 29 January 1941.

**AMMUNITIONS MANUFACTURER ON TRIAL**

Bucharest, January 28, 1941

"The Rumanian government put Mr. Molava, wealthy munitions manufacturer, on trial today on charges that he furnished tanks, arms and munitions that the Iron Guard used in its revolt last week. Government prosecutors said that Mr. Molava, detained in a basement cell in the police barracks, permitted the rebels to convert his stone mansion in the heart of the city to a citadel during the revolt. The home virtually was wrecked by artillery before the rebels capitulated."

**JOURNAL**  
**OF THE COUNCIL OF MINISTERS**  
**BOME OFFICE.**



The Council of Ministers, in the meeting of April 2, 1941,  
Taking into deliberation the report made by the Minister of Home  
Affairs, filed under No 50 of April 2, 1941,  
Decides:

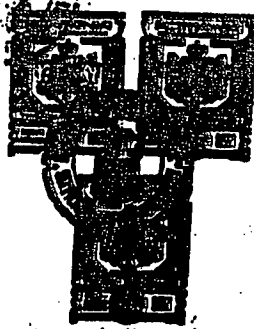
On basis of art. 25 of the law for the repressing of acts perilous  
for the existence and interests of the State, the Minister of Home  
Affairs is authorized to fix a forced domicile for Engineer E. Hulanz  
at his home in Bucharest.

General Ion Antonescu, General D.I. Popescu, General Ion Sichițiu  
General Radu Rosetti, General Gh. Georgescu, Const. Stoicescu, E. Fra-  
goair, Nichifor Crainic.

No 404.

For above transla-  
tion in accordance with  
the publication of the  
Official Gazette No. 50 of  
April 2, 1941.

*Handwritten signature*



*27/4/41*  
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*V. U. H. H. H.*  
*8 Mai 1941*  
*Solomon*  
*(c. Sofnie)*



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ROUMANIE



MINISTERUL AFACERILOR STRĂINE

Translation from the



THE MILITARY COURT OF JUSTICE AND CASCATION

Public Prosecutor

C E R T I F I C A T

we, Magistrate General G. Pais, Attorney General at the Military Court of Justice and Cascation, hereby certify that engineer NICOLAE MALALA, residing at no. 38, Aleea Alexandru, Bucharest, did not participate at the legionary rebellion of January 1941 and did not have any thing to do with the preparations preceding said rebellion, so that this question was taken off the roll, in as far as the above-mentioned is concerned, in accordance with the resolution of May 14th, 1941 written by the Minister of National Defense on the report No. 3 of May 14th, 1941 drawn up by the Department of Military Justice.

In witness whereof we grant the present Certificate.

ATTESTED Gascata  
Magistrate General,

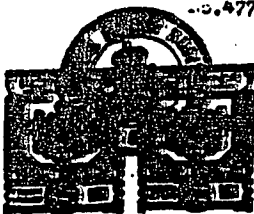
signed: G. Pais / Pais

Public Prosecutor  
Secretary,

No. 477 of September 26th, 1944.

G. Pais / Pais

signed: Pais / Pais



LE GÉNÉRAL EN CHEF DE LA COUR MILITAIRE DE JUSTICE  
A BUCHAREST LE 26 MAI 1945

INTERPRETE  
R. 1525 / Pais

LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE  
A BUCHAREST LE 26 MAI 1945

INTERPRETE PRÈS CE MINISTÈRE  
BUCHAREST LE 26 MAI 1945

POUR LE MINISTRE / Pais

12

ROUMANIA



MINISTERUL AFACERILOR STRAINE

No. \_\_\_\_\_

ANNEX No. 1.

Admission from the Roumanian



MINISTERUL AFACERILOR STRAINE

Minister's Office

CERTIFICATE

We hereby certify that from investigation (filed number 4.75/941 and Official Record of May 9th, 1941) carried out by the Army Judiciary Police of Bucharest, between January 23rd, 1941 and April 2nd, 1941, it results that engineer M. Malafa of Bucharest, Loc. Alexandru 30, did not participate in the legionary rebellion of January 1941 nor has he ever had any connection with the legionary movement.

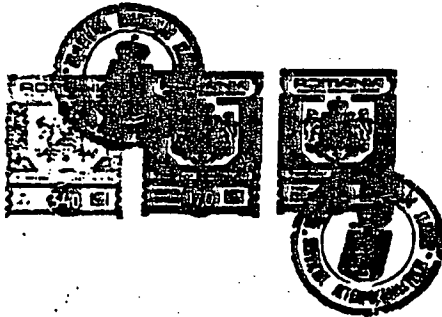
MINISTERUL AFACERILOR STRAINE

Army Corps General

Signed: Idea /L.O./

No. 3251

Dated: Bucharest, 5th, 1944.



LE MINISTRE CERTIFIE LA VÉRITÉ DE LA PRÉSENTE DÉCLARATION  
EN TOUTE FOI LAISSÉ SA SIGNATURE

L'INTERPRÈTE

No. 1586 *[Signature]*

LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE

CERTIFIE LA SIGNATURE CI-DESSUS DE M. V. D. H. Holoboc

INTERPRÈTE PRÈS CE MINISTÈRE

BUCHAREST LE 24 Mai 1946.

POUR LE MINISTRE:

*[Signature]*

(P. Jofouci)

- U. S. Department of State

E I



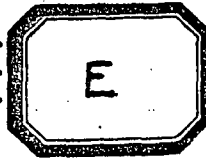
**EXTRACT**

from

DECREE No. 500 OF JUNE 14, 1941, GIVEN BY THE MILITARY TRIBUNAL OF THE MILITARY COMMAND OF BUCHAREST, SECTION I.

**In fact :**

On the day of January 22, 1941, the defendants Macovei Ion and Vodi Alexandru have introduced themselves by force into house of Engesser Malaxa of Bucharest, Alecu Alexandru No. 28, barricading the entrances.



**In right :**

Considering that for the above mentioned facts, the said defendants have been sent for trial to the Military Tribunal of the Bucharest Military Command charged with the crime of domicile violation, a crime foreseen and sanctioned by art. 215 of the Penal Code and by the art. 1 of the Law-Decree No. 2626/1940, combined with art. 22 of the Law-Decree No. 228/1941;

Considering that the offense done by the culprits Macovei Ion and Vodi Alexandru by the fact that they introduced themselves by force into the Mr. Malaxa's house in Bucharest, Alecu Alexandru No. 28, contains all requested elements to form the crime of violation of domicile, as described and punished by article I of the Decree No. 2626/1940, because although the culprits knew that they were not allowed to enter Mr. Malaxa's residence without consent, nevertheless they entered fully determined and by force, the house of the above named claimant, barricading the entrances.

Consequently, the said defendants are to be sentenced on the above mentioned law texts together with that of art. 157 of the Penal Code.



This above translation is true to the original Decree No. 500 of June 14th, 1941 presented to the



LE MINISTRE DE LA CONFÉRENCE DE LA PRESSE TRADUCTEUR  
AU NOME DE LA PRESSE "ROUMANIA"

CONFÉRENCE

*102*

LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE  
CERTifie LA SIGNATURE ET L'IDENTITÉ DE M. *M. M. M. M.*  
INTERPRÈTE PRÈS CE MINISTÈRE

BUCAREST LE *9 Mai 1941*

POUR LE MINISTRE *[Signature]*



*(C. S. S. S.)*

ROMANIA



MINISTERUL AFACERILOR INTERNE

CABINETUL SECRETARULUI GENERAL

nr. 9877  
9. X. 1941.

OPERAT

URGENT  
CONFIDENTIAL

GENERALA POLITIEI  
ARHIVA SIGURANTEI  
Nr. 63078 + 11. OCT 1941  
DOSAR Nr. 35526

(30)

A. 3 -  
- 9 OCT. 1941

Ordin

*Ed. J. J.*  
*3*

DIRECTIUNEA GENERALA A POLITIEI  
Cabinet.



Din ordinea Domnului Ministru al Afacerilor  
Interne;

Cu ocare se face cunoscut că se ridică  
"domiciliul obligatoriu", aplicat D-ului Ing. N.  
Malasa.

In consecință, susnumitul va fi lăsat li-  
ber.

Vă rugăm a dispune de urmare.

SECRETAR GENERAL



*A. Patrușoiu*

*Pătrușoiu.*

*1/2*  
*Av. J. J.*

SECRETAR  
Insp. Gl. Jand.  
Prof. Pol. Gsp.

CORPUL MILITAR  
No. 134 din 14-X-41

Nr. 1590/24.8.1946  
Prințul Ministerului Afacerilor Interne  
pentru confruntarea traducerii



55  
C. S. M. - R. G. Inspectorii Cabinet

MINISTRE DE MISES AFFAIRES  
Office of the Secretary General



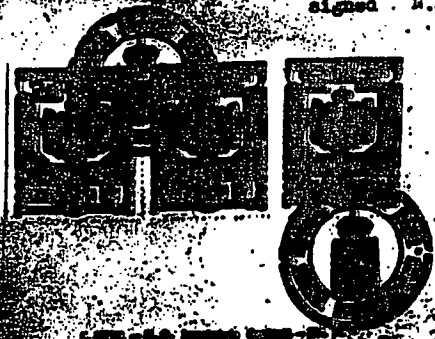
Police Headquarters  
Suresse Arcadives  
No. 62/78 of oct. 11th, 3rd  
File No. 35526

Order of the Minister of Home Affairs  
We hereby inform you that the "compulsory  
clause" applied to engineer A. A. A. is

In compliance, the above must shall be  
released.

You are requested to bring the above order  
into force.

Secretary General,  
signed: E. F. Trucioiu /U.S./



LE MINISTRE GÉNÉRAL DE LA RÉPUBLIQUE ROMAINE  
AU TITRE DE LA MISE EN ŒUVRE

LE MINISTRE DES AFFAIRES ÉTRANGÈRES DE ROUMANIE  
CERTIFIE LA SIGNATURE DE M. M. H. H. H.  
INTERPRETE PRÈS CE MINISTÈRE  
BUCAREST LE 24 Mai 1946  
POUR LE MINISTÈRE

(C. S. F. F. F.)



EXCERPT



from

LAW - DECREE No. 870

regarding the transfer of certain shares to the patrimony of State.

Art. 1. - In conformity with Mr. Malaxa's act of January 28, 1941, registered with the Presidency of the Council of Ministers under No. 4636 of 1941, 50% of the shares of the companies: "E.MALAXA", Roumanian Joint-Stock Company, Bucharest, Locomotives and Armament Work Halta Titan; "E.MALAXA", Roumanian Joint-Stock Company, Bucharest, Works of Tohamul Vechi; "E.MALAXA", Roumanian Joint-Stock Company, Bucharest, Pipe and steel work, pass-over, without compensation, to the State patrimony.

Art. 2. - In the interest of the national economy and for the basic needs of the national defense, the remaining 50% of the following companies' assets: "E.MALAXA", Roumanian Joint-Stock Company, Bucharest, Locomotives and Armament Work, Halta Titan; "E.MALAXA", Roumanian Joint-Stock Company, Bucharest, Works of Tohamul Vechi, shall be expropriated; as well as 50% of the obligations of the Roumanian Joint-Stock Company "E.MALAXA", Bucharest, Pipe and Steel Works, Halta Titan.

Art. 3. - By these, the entire patrimony of the above named companies passes into the possession of the State per data of the present Decree ipso-jure and without any other legal formality.

Art. 4. - The Roumanian State does not undertake the debts and obligations of the companies mentioned in this decree, but after a revision procedure.

Art. 5. - The Roumanian State will not pay out the compensation established through the expropriation procedure provided by the above article, until the completion of the reports of the investigation or judicial commissions, appointed according to



L

I

Law-Decree No. 3078 of 1940, of the Commission for the investigation of the investigation of the Roumanian Railway Company's orders (Law-Decree No. 3078 of 1940), of the Commission for the investigation of armament and army supply orders (Law-Decree No. 3078 of 1940), and of the Commission for the investigation and control of the National Bank (Law-Decree No. 3078 of 1940).

Payment shall be made only after establishing the extent of the occasional prejudices suffered by the Roumanian State as a result of onerous contracts or other irregular conditions in the agreements drawn up with the "Malaxa" enterprises.



**EXCERPT**

from

the Report of the Minister Secretary of State at the Presidency of the Council of Ministers to the Leader of the Roumanian State and President of the Council of Ministers.

.....

From the report drawn up by the National Bank, regarding the "Malaxa" enterprises, it results that they had an excessive profit as compared to the difficult working conditions, the wages of the workmen and especially as compared to the state's own difficulties.

Indeed, it results from this report that the Malaxa plants collected a charging percentage of 232% on locomotives compared to the cost value, that the charging percentage on Diesel engines, trailers and repairs was of 302%, the charging percentage on springs was of 1.140%, on brakes it was of 866%, and on armament it amounted to 810%. The National Bank mentions as an example an armament order whose cost value amounted to 182,034,579.- lei and whose invoice value was 1,658,159,605.- lei, which represents a profit of 810%. From the same report it results that the goods registered in the accounts of the exploitation on December 31, 1939 with 487,738,775.- lei, costing price at the factory, have been valued for the sale at 1,508,025,552.- lei, thus ensuring a rough profit of 1,115,286,777.- lei, which being appreciated as probable, has been distributed until December 31, 1939.



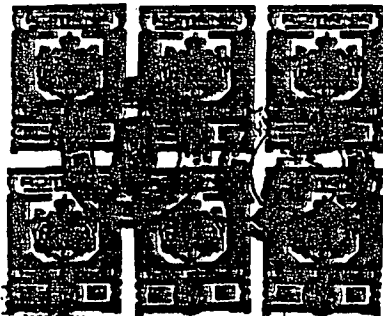


This excessive profit has been supplied by the State orders which means that the State has paid for this equipment a colossal price, as compared to the cost price, thus ensuring illegal profits.

At all events, and especially today, the State can no longer allow over-spending for the metallurgical industry, likewise it cannot allow the enterpriser's profit to reach 1.000%, while the living conditions of the workmen, employees and technicians are under the level, and the State must apply new taxes in order to cover the maintenance of such an expensive industry.

Therefore, we considered that for the interest of the State, of the national defence, of a good managing of State orders and of a wise social policy we must not allow the enterpriser to collect provoking benefits to the detriment of the State and of the workmen. We have thus deemed it necessary to change completely the legal regime of this industry.

As the State has invested a large capital in this industry, the State being also the representative of all the orders which are being carried out in this enterprise, it is only natural that the State should become also the possessor of rights, not only the supporter of all burdens.



LE DIRECTEUR GÉNÉRAL DES PENSIONS MILITAIRES  
Lorraine

1053

*Leubronne*

V. H. Hottel

LE DIRECTEUR GÉNÉRAL DES PENSIONS MILITAIRES  
LUCASST LE 9 mai 1946  
POUR LE MINISTRE

*Leubronne*

above translation is  
extracts of the Publication  
"Official Gazette" No. 42 of 1946  
May, 1941, part. I, page 818.



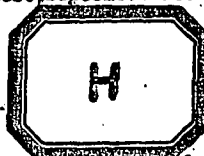
(C. Sofovic)

GOVERNMENT OFFICE  
COMMISSION FOR THE CONTROL OF  
ARMY EXPENDITURE FUNDS

No. 157

Bucharest, September 18th, 1944

To  
engineer E. Malana  
Alexa Alexandru  
Bucharest



In answer to your application registered under No. 261 of  
September 18th, 1944:

We beg to inform you that, by final Decision No. 68 of July  
1st, 1942 the investigation concerning the contracts for mortar  
ammunitions, mortar and 60 mm mortar munitions and U.E. cases, il-  
lars, contracts concluded by the State with the E. Malana fac-  
tories in the interval from September 5th, 1940 to September 5th,  
1940, - said investigations have been taken off the roll, as it has  
been established that by the concluding and the execution of  
said contracts the State was not in any way prejudiced.

PRESIDENT OF THE COMMISSION

signed: D. Arizon

/L.S./

Counselor at the High Court  
of Cassation

Secretary of the Commission,

signed: Colonel I. X. Ionescu

LE MINISTRE DES AFFAIRES ETRANGERES DE ROMANIE  
EN VUE DE L'ARTICLE 20 DE LA LOI  
N° 1573

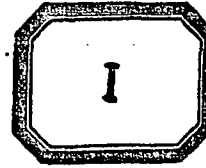
LE MINISTRE DES AFFAIRES ETRANGERES DE ROMANIE  
EN VUE DE L'ARTICLE 20 DE LA LOI N° 1573

ATTESTE LE PRESIDENT DE LA COMMISSION  
LE 18 SEPTEMBRE 1944

DANS LE BUREAU



1 1



**EXCERPTS**

From  
LAW No 698.

.....

LAW-DECREE

regarding the transfer to the State patrimony  
of some Armament Works.

.....

Art. 2. The "Hogifer" Company of Bucharest is liquidated. The leasing contract of the "Malaxa" Works of October 7, 1941 is cancelled by right.

.....

Art. 4. Relations between the Roumanian state and the "Malaxa" Companies will be governed by a convention based on the present Law-Decree.

The shares of the "Malaxa" Companies foreseen in the Decree no. 270 of February 19, 1941, together with their respective patrimonies from February 17, 1941, are nominated on the name of the shareholders beginning the same date.

Art. 5. The Law Decree No. 270 of February 19, 1941 and No. 1506 of May 27, 1943 are abrogated.

.....

At the same time with the Law-Decree  
was published Mr. Malaxa's letter, as an explanatory document.

Sir,

I am fully informed of the Law-Decree No. 2681 of 1943, which provides the following:

(The following text allows the text of the above decree)



any State interest in  
Works.

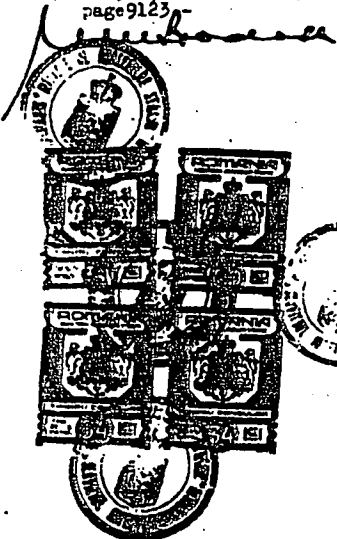
Respectfully yours,  
sgt./ E. Molana.

The above translation is true to extracts of the publication in the "Official Gazette" No. 237/ of 9th October 1943, part I, page 9123.

LE GOUVERNEMENT DE LA REPUBLIQUE DE LA PELOUSE TRAVANANT  
LE MINISTRE DES AFFAIRES ETRANGERES DE PORTUGAL  
LE MINISTRE DES AFFAIRES ETRANGERES DE PORTUGAL  
LE MINISTRE DES AFFAIRES ETRANGERES DE PORTUGAL  
LE MINISTRE DES AFFAIRES ETRANGERES DE PORTUGAL

1062  
9 mai 1946  
LE MINISTRE  
LE MINISTRE

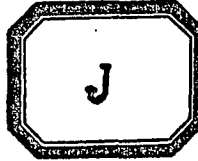
(C. Sofouie)



(27)

M. MALAKA  
BUCUREȘTI

Le 10 Juin 1944



Titl.  
Standard Oil Co. (NJ)  
80 Rockefeller Plaza  
New-York N.Y.

Messieurs,

Mon concerne, désireux de trouver une puissante collaboration avec un grand concerne américain, - déjà introduit et intéressé dans la vie économique de la Roumanie et désireux de développer ces intérêts dans notre pays -, collaboration concernant l'activité des usines de mon concerne, offre, à la compagnie Standard Oil Co. (NJ), un tiers de tout ce que mon concerne possède en Roumanie, dans le but que les deux concernes, unis ainsi par les mêmes intérêts, puissent se juxtaposer et se soutenir réciproquement.

Sans énumérer in extenso, les propriétés du concerne Malaka, propriétés desquelles vous avez sans doute des informations précises, je dois mentionner, que le concerne possède en Roumanie, une usine de tubes sans soudure, mise en fonction en 1929, avec la capacité de produire 80.000 tonnes tubes de différentes catégories qui constituent le fondement de l'industrie du Pétrole et du Gaz Métan, comme aussi une usine qui produit du matériel roulant de chemin de fer (locomotives, automotrices, wagon-citernes, tracteurs, etc.), équipements pour les raffineries de pétrole, des tours pour la distillation fractionnée et heat exchanges.

J

Le groupe qui concerne possède la majorité des actions du capital particulier de la seule société de participation au Romania, avec les sondes et les puits, libérés, qui, aujourd'hui, a une capitalisation de 600.000.000 et des réserves de 200.000.000 pour une consommation deux fois plus grande que celle d'aujourd'hui.

La participation que vous concerne concerne, les 5.000.000.

Comme nous sera payée des bénéfices de participation qui vous sera concédée.

En cas où les parts de bénéfices ne suffiront pas à couvrir le prix de 5.000.000, vous êtes libre de garder seulement la quantité d'actions qui aura été couverte par les bénéfices, dans le délai de dix ans, ou si vous voulez, de compléter le prix, par vos propres moyens.

La présente option est valable six mois à partir d'aujourd'hui, c'est-à-dire, jusqu'à 10 Décembre 1944.

En cas où cette option trouvera un bon accueil de votre part, nous allons établir de commun accord, les conditions en détail, dans une convention définitive, au plus tard jusqu'à 10 Janvier 1945.

J

H. Malaxa  
Bucharest  
Standard Oil Company  
30 Rockefeller Plaza  
New York, N. Y.

June 10, 1944.

Gentlemen:

My firm, anxious to find a strong co-operation with a large American concern—already established in Roumania and interested in the economic life of Roumania and wishing to develop its interests in our country—a co-operation with respect to the factories of my firm, offers to the Standard Oil Co. of New Jersey, one-third of all of my firm's properties in Roumania, to the end that the two firms, thus united by common interests, may come together and lend each other mutual support.

Without giving a detailed list of the properties of the Malaxa organization, about which you doubtless have accurate information, I wish to state that my firm owns in Roumania a seamless tube plant, which started operations in 1939, with a productive annual capacity of 80,000 tons of tubes of different types, which are at the foundation of the oil and natural gas industry, as well as a plant which manufactures railroad rolling stock (locomotives, self-propelled cars, tank cars, tractors, etc.) equipment for oil refineries, fractional distillation towers and heat exchangers.

Similarly, the firm controls the majority of the shares of the private capital of the only natural gas corporation in Roumania, with wells and pipe lines, with today a yearly production of 600,000,000 cubic meters and reserves for at least 300 years, based on a consumption twice as large as that of today.

Wes. Journ.  
30 Rockefeller  
Bldg. Wash. D.C.  
Buckley  
H. Malaxa

J

The price of this participation, which my firm offers to your firm, is \$5,000,000, payable in ten years.

This sum will be paid to us out of the profits upon the participation which will be given to you.

In case the profits are not sufficient to cover this amount of \$5,000,000, you are free to keep only such proportion of the stock as will have been covered by such profits, over a ten-year period, or if you prefer, to make up the price with your own funds.

This option is valid for six months, dating from today, that is, until December 10, 1944.

In case you entertain this proposition favorably, we will establish the details of the arrangement by mutual agreement, to be entered in a final document, at the latest by January 10, 1945.

(ss:) H. Malaxa



# Ministerul Economiei Naționale

Cabinetul Ministrului

K

nr. 581 /Cab.  
2 Ianuarie 1945.

Onor.

"Societății H. MALAZA, Uninele de Tuburi și Oțelării",

L. O. C. O.

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

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 Noiembrie 1944 am încuștărit pe Dl. Inginer H. Malaza despre situație prin Dl. Inginer C. Dimu, Secretarul General al Departamentului nostru și i-am invitat să ia parte la evaluarea fabricii sau să ne dea concursul la aceasta, interesul Statului Român fiind să ajungem, vis-a-vis de 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., a despăgubirilor de război, iar interesul D-Voastră nefiind contrariu acestuia. S'am obținut însă concursul cerut.

Dacă atunci rezerva D-Voastră s'ar fi putut explica prin concepția ca nu cunșta concursul dat la evaluare să fie interpretat ca o consimțire la predarea fabricii de țevi, astăzi când ne aflăm în fața unei stări de fapt având origine în voința unilaterală a Comisiei Aliate (Sovietice) de Control - problema unei înregistrări fidele a ceea ce se ia precum și aceea a justei evaluări a părților de fabrică ce se ridică trec înaintea preocupării ipotetice subliniate mai sus.

În privința înregistrării a ceea ce se ia, am luat măsura ca organele fabricii să fie asistate de doi delegați ai Departamentului nostru.

În privința evaluării, am instituit o comisiune, compusă din Doamii:

-Inginer Alexandru Pop, directorul general al "Reșiței"

-G. Brînzescu, secretarul general al "Creditului Industrial"

-Inginer C. Erhicșanu, dele "Creditul Industrial";

care să facă această lucrare față de tehnicienii sovietici.-

Vă rugăm să binepșiți:

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

K

Menționăm că problema despăgubirii proprietarilor de bunuri industriale care se predau sau se preiau în contul despăgubirilor de război - așadar problema raporturilor dintre Stat și acești proprietari - este distinctă de acceste și se tratează separat.

b) să participe prin delegații Dumei voastră la predarea către organele Comisiunii Aliate (Sovietice) de Control a părților de fabrică ce se ridică, știind că până acum nu s'au încheiat încă procese-verbale definitive de predare-primire, ci numai procese verbale zilnice de înregistrare a ceea ce se încarcă și se expediază.



COMMISSION  
NATIONAL

*Recuiter*

Translation

K

MINISTRY OF NATIONAL ECONOMY

MINISTER'S OFFICE

Mr. Malaxa  
\*581/CAB

January 2, 1945

To:

H. Malaxa, Uzinele de Tuburi si Otelarii (City)

As you know, the allied control commission (Soviet Commission) notified the Roumanian Government on Nov. 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. Dimu, 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 \$50,000,000 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 Recita.

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

Mr. C. Erhiceanu, 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.

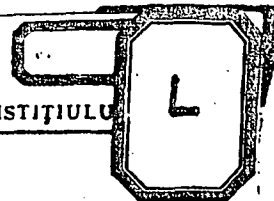
We wish to mention the fact that the problem of compensating the owners of industrial property to be financed from war damages - therefore the problem between the state and such owners - is distinct from the other problem and as such to be handled separately.

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.

cc: The Minister of National Economy

Leucutia

COMISIUNEA ROMÂNĂ PENTRU APLICAREA ARMISTIȚIULUI



# CONVENȚIE

INTRE GUVERNUL UNIUNII REPUBLICELOR  
SOCIALISTE SOVIETICE ȘI GUVERNUL ROMÂN

DIN 16 IANUARIE 1945,

CU PRIVIRE LA ~~EXECUTAREA~~ EXECUTAREA ARTICOLULUI 11

DIN

CONVENȚIA DE ARMISTIȚIU

DIN 12 SEPTEMBRIE 1944



BUCUREȘTI 1945

ANEXA I

LIVRAREA MĂRFURILOR  
DE CĂTRE  
ROMÂNIA

ÎN CURSUL CELOR ȘASE ANI DE APLI-  
CARE A CONVENȚIEI DE ARMISTIȚIU  
CU ROMÂNIA, DIN 12 SEPTEMBRIE 1944

(DELA 12 SEPTEMBRIE 1944  
PÂNĂ LA 12 SEPTEMBRIE 1950)

7

**1. PRODUSE PETROLIFERE**

Denumirea produselor	Unitatea de măsură	Total pe 6 ani	Prețul per tona în dol. americani	Repartiția veniturilor pe ani		Pe veniturile în dol. anual
				Anul I	Anul II	
Produse petroliere	În mil. dolari	150.000,0	-	31.871,6	35.022,3	25.877,9 71.817,5
Benzină	În mil. tone	10.192,8	-	1.712,8	1.722,0	1.702,0 71.015,9
Motorină	1.000 tone	362,0	37,19	12,0	79,9	79,9
Ulei motor	1.000 "	6.262,0	18,25	620,0	600,0	600,0
Ulei pentru mașini	1.000 "	1.560,0	15,25	210,0	270,0	270,0
Ulei pentru tractoare	1.000 "	1.000,0	12,43	100,0	100,0	100,0
Ulei pentru tractoare agricole	1.000 "	2.912,0	6,25	112,0	600,0	381,0
Ulei pentru tractoare forestiere	1.000 "	300,0	10,50	300,0	-	-
Ulei pentru tractoare agricole forestiere	1.000 "	12,0	67,78	2,0	2,0	2,0
Cărbuni pentru tractoare	1.000 "	2,0	12,00	2,0	2,0	2,0

7 Cărbuni utilizate pe calea ferată în anul IV de Exercițiu.

**OBSERVAȚIUNI:** 1. În anul următor condițiile tehnice ale produselor petroliere, artate în schema de față, se vor avea în vedere următoarele: pe veniturile produselor de bază stabilite, calculul pentru produsele petroliere rezultate se va face în proporție egală cu veniturile produselor de bază stabilite, cu excepția diferenței caracterizate de transport și producție de către Ploiești-Constanța și Ploiești-Galați. Este de asemenea posibil să se realizeze și în anul următor, pe baza veniturilor realizate în 1953 în România, următoarele: 2. Dacă în anul următor din partea veniturilor, o creștere totuși din țară sau din produsele petroliere se va transporta din țară în ajunarea de transport servicii (ciment, combustibil), prețurile stabilite nu vor fi modificabile.

**2. CEREALĂ**

Denumirea produselor	Unitatea de măsură	Total pe 6 ani	Prețul emiliar	Repartiția veniturilor pe ani		Pe veniturile în dol. anual
				Anul I	Anul II	
Cereale total	XII și XII tone	16.022,5 622,7	-	11.027,7 474,9	4.914,8 200,4	-
Din care:						
Grâu	Tone	270,0	21,73	250,0	120,0	-
Porumb	"	271,7	22,00	189,3	84,4	-
Orz	"	25,0	21,00	31,0	-	-

**OBSERVAȚIUNI:** 1. Prețurile indicate mai sus sunt stabilite: a) pentru țara C. F. cantitatea largi stațiunile servitilor de grâu și făină servitilor-române. b) Pe calea ferată Galați, Galați, Brăila. c) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. d) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. e) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. f) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. g) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. h) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. i) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. j) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. k) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. l) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. m) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. n) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. o) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. p) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. q) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. r) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. s) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. t) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. u) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. v) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. w) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. x) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. y) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila. z) Pe calea ferată Galați, Galați, Brăila, în cerea Direcțiunii Lăcășilor din România, în urma treburilor și a efectuării în porturile Galați și Brăila.

**1. VITE**

Denumirea materii	Unitatea de măsură	Total pe 6 ani	Preț pe tonă grasă în de- talii anu- reale	Hiperinflarea în rîndurile pe ani		Pe termen 1 ani, anual
				Anul I	Anul II	
Total.....	MG JAL. ANER.	6.971,8		1.279,2	1.258,1	1.443,5
Bovina .....	Capete	200.000		20.000	20.000	20.000
	Teat. pro- teat.	75.520,0	60,00	11.228,0	13.000	13.216,0
	Capete	100.000	—	13.000	13.000	17.200
Porc .....	Teat. pro- teat.	12.719	120,00	1.207,5	1.207,5	2.212,0
	Capete	200.000	—	60.000	100.000	103.200
Ov .....	Teat. pro- teat.	13.257	62,00	1.222,5	2.024,5	2.212,0
	Capete	—	—	—	—	—

\*) Anotez cifre sunt valabile pentru anul al IV-lea.

**OBSERVAȚIUNI:** 1. Primirea calitatii și procentajele cantitative a vitelor se efectuează în punctele de primire-produs  
afiate pe teritoriul României, în scopurile grădii și animale și utilizate de către producător cu mijloacele proprii, încheiate al  
de către producătorii de carne și animale pentru înregistrarea normală a vitelor cu licențe de adăvire, eliberare de cămin  
și pentru adăvirea pentru înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor. După per-  
formarea adăvirii pentru înregistrarea normală a vitelor, producătorii este obligat, pe contul propriei cu mijloacele proprii și pe răspunderea sa  
demonstrarea primirii a vitelor, producătorii este obligat, pe contul propriei cu mijloacele proprii și pe răspunderea sa  
făcând vînt în punctele de primire-produs, al le ține în punctele de primire-produs și să se adreseze cu înregistrarea primirii până la  
punctele de primire-produs.  
2. În cazul în care grădii și animale sunt produse defectiv în grădii servit-română se efectuează de către producător pe contul  
lui pe de primire-produs și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
3. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
4. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
5. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
6. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
7. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
8. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
9. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.  
10. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a vitelor și a încheierilor pentru primirea vitelor.

**4. C A I**

Denumirea materii	Unitatea de măsură	Total pe 6 ani	Preț pe cap în dol. anuer.	Distribuția divizării pe ani:		
				Anul I	Anul II	
Ov .....	cap. dol.	10.200,0	57,00	1.160,0	1.700,0	
Total .....	capete	190.000	—	20.000	30.000	
<b>OBSERVAȚIUNI:</b> 1. Raportarea calitatii și cantității de înregistrare se efectuează conform achivelor următoare (per- pete sunt calculate în tabelul următor pentru 1 cap):						

Analiza în con	C a i			
	Buni	Satisfactori	Foarte buni	Buni
100-104 .....	53	48	—	—
105-108 .....	59	34	—	—
109-112 .....	65	29	125	120
113-116 .....	70	20	125	125
117 și mai buni .....	79	71	116	111

**OBSERVAȚIUNI:** 1. Primirea calitatii și procentajele cantitative a calitatii se efectuează în punctele de primire-produs, afiate pe teritoriul  
României, în scopurile grădii și animale și utilizate de către producător cu mijloacele proprii, încheiate al  
de către producătorii de carne și animale pentru înregistrarea normală a calitatii cu licențe de adăvire, eliberare de cămin  
și pentru adăvirea pentru înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii. După per-  
formarea adăvirii pentru înregistrarea normală a calitatii, producătorii este obligat, pe contul propriei cu mijloacele proprii și pe răspunderea sa  
demonstrarea primirii a calitatii, producătorii este obligat, pe contul propriei cu mijloacele proprii și pe răspunderea sa  
făcând vînt în punctele de primire-produs, al le ține în punctele de primire-produs și să se adreseze cu înregistrarea primirii până la  
punctele de primire-produs.  
2. În cazul în care grădii și animale sunt produse defectiv în grădii servit-română se efectuează de către producător pe contul  
lui pe de primire-produs și pe contul lui al producătorilor de înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii.  
3. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii.  
4. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii.  
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9. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii.  
10. Primirea este obligat cu mijloacele proprii și pe contul lui al producătorilor de înregistrarea normală a calitatii și a încheierilor pentru primirea calitatii.









## ANEXĂ LA PUNCTUL 7 «INSTALAȚIUNI INDUSTRIALE»

## I. CARACTERISTICILE GENERALE ALE LAMINORULUI STIEFEL PENTRU ȚEVI ȘI ALE INSTALAȚIUNILOR ANEXE AJUTĂTOARE ACESTUIA

I. Laminorul Stiefel pentru țevi fabricat «Schloemann» pentru țevi de la 5 țoli până la 14", se compune din:

1. 2 laminoare perforatoare cu 2 reducătoare de viteză dințate principale de antrenare, care se închid pneumatic prin cerceas, și cu un complex de instalațiuni pentru schimbare de sens.
2. Tren de role între cupțor și laminorul perforator Nr. 2 împreună cu un grătar înclinat, o platformă de dirijare, și cu instalațiunile pneumatice aferente.
3. Laminorul automat Duo, cu un reductor de viteză dințat principal, cu roțile de angrenare, cu cutii de viteză, și cu un tren de role, cu o instalație de oprire, cu grătarele înclinate respective, cu o platformă de dirijare și cu aparatele de conducere.
4. 2 laminoare netezitoare cu 2 reducătoare de viteză dințate, cu trenurile de role respective, platformele de dirijare și aparatele pneumatice.
5. Un laminor calibror cu 5 trepte, cu un reductor de viteză dințat principal, un tren de role staționar cu un tren de role echilibrat, cu grătarele respective și un complex de schimbătoare de sens.
6. Pat de răcire cu 8 șlepe și stație.
7. Mașină de îndreptat țevi tip Abranson, cu role și cu mese de trecere.
8. Presă hidrolică de centrat blocuri, conform specificației Nr. 1, pozițiile 13 și 14.
9. Strung pentru valțuri, strunguri și cântore pentru cântărire fabricator, conform specificației Nr. 1, pozițiile 19, 20, 18 și 17.
10. Presă de îndreptat, mașini de retezat, mașini de tăiat și ghivețat mufe, conform specificației Nr. 1, pozițiile 21, 22, 25, 26, 23, 27, 34, 35 și 39.
11. Presă hidrolică de probat țevi, conform specificației Nr. 1, poziția 30.
12. Cântar pentru cântărit țevi, conform specificației Nr. 1, poziția 31.
13. Pompă de înaltă presiune, 115 atm., conform specificației Nr. 1, poziția 26.
14. Fierăstrăie pentru tăiat țevi pentru mufe, strunguri pentru filetat mufe, și mașini pentru încercat probe, conform specificației Nr. 1, pozițiile 32, 33 și 28.
15. Presă hidrolică pentru refudat țevi, conform specificației Nr. 1, poziția 24.
16. Mașini electrice pentru alimentarea cu curent continuu, conform specificației Nr. 1, pozițiile 37 și 38.
17. Atelier mecanic conform specificației Nr. 2.
18. Toate valțurile de lucru existente ale laminorului mare de 14" Stiefel pentru: laminoarele de perforat, pentru Duo, pentru calibror; doșuri de vâlțuit pentru perforator, Duo și netezitoare; dormtange pentru perforatoare, Duo și netezitoare și scule de măsurat și controlat (calibre, gablone de ghivețat, cutite, etc.) în greutate totală până la 500 tone.

Instalație indicată mai sus și laminoarele se predau complet în ceea ce privește partea mecanică și electrică (motoare, aparatură de comandă și de măsurat, etc.), cu tot complexul de scule existente și piesele de rezervă pentru laminorul Stiefel de 14", de asemenea cu toate desenele și sisteme referitoare la ele și cu desenele ce se vor ridica după natură în fabrica Malaxa care ar permite efectuarea lucrărilor de construcție și montaj.

Totodată se vor preda toate desenele existente pentru instalațiuni primite de la firmele furnizoare, iar pentru instalațiunile executate în uzinele proprii se va preda tot complexul de desene de execuție.

II. SPECIFICAȚIA

Laminorul de țevi Siefel pentru țevi dela 3" și

lui auxiliare

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Denumirea	Indicativ pe planul stăruirii
1 Laminor perforator Nr. 1 și 2 cu instalația pentru tăgilele și ghidaj de introducere, cu suport și pentru val de diametru de 885 mm. 6, cu electromotoare de 2450 kw. acționat prin angrenaje reductoare, cu motoarele auxiliare și toată aparatură de comandă pentru electromotoare și cilindri pneumati.	2 com.
2 Tren de role pentru conducerea țagilor dela laminorul perforator Nr. 1 la laminorul perforator Nr. 2, cu valuri și roti dințate cașice, cu 3 reductoare de vită, cu grătare pentru trecerea țagilor către laminorul perforator și laminorul Doo subsonat, complet cu electromotoarele și aparatură de comandă.	1
3 Un tren de role intermediar pentru trecerea țagilor dela trenul de role poziția 2 la laminorul Doo automat, acționat prin role mișcate de electromotoare, cu aparatură de comandă.	1
4 Laminor automat Doo cu masă mobilă de lucru și masă stabilă pentru încălzirea suportului, cu valuri de lucru de 1000 mm. 8, acționate de electromotoare de 1325 kw. (prin angrenaje reductoare) complet cu electromot. auxiliare și aparatură de comandă pentru electromotoare și cilindrii pneumatici.	1
5 Laminor otetilor cu tren de role și masă de lucru pentru introducerea tuburilor, cu paliere de sprijin pentru aciere, cu valuri de lucru de 800 mm. 6, cu electromotoare de curent continuu de 450/600 kw. acționând prin angrenajele reductoare, cu aparatură de comandă pentru electromotoare și cilindrii pneumatici.	2
6 Tren de role pentru transportul tuburilor brute dela laminorul otetitor la laminorul calibror, cu role acționate individual prin electromotoare, cu aparatură respectivă.	1
7 Laminor calibror cu 5 trepte, cu valuri de introducere de 450 mm. 6, cu plan orizontal de lucru și role de 620 mm. 8, acționate de electromotoare de 300 kw. prin angrenaje cașice și cilindrie, cu toată aparatură.	1
8 Tren de role pentru transportul țevilor dela laminorul calibror la nasa de răcire, cu electromotoare individuale, cu toată aparatură de comandă pentru electromotoare și cilindrii pneumatici.	1
9 Masă de răcire cu șleper pentru țevi, complete, cu diși și masă, cu electromotoare acționând prin angrenaje reductoare.	2
10 Tren de role pentru transportul țevilor dela laminorul de îndreptare tip Abramson, cu role de introducere, complet cu electromotoare și aparatură necesară de comandă.	1
11 Cântar combinat cu trenul de role dela poziția 10, pentru cântărirea țevilor, capacitate până la 2 tone.	T. 210
12 Mașină pentru îndreptarea țevilor tip Abramson, fabricat Meyer, cu dispozitiv pentru introducerea și scutirea țevilor fabricat Malaxa, complet cu aparatură de comandă.	T. 203
13 Presă hidrolică pentru o capacitate de 500 tone, fabricație Hidraulik pentru sport bleouri, completă, cu tren de role, ghidaj, acumulatoar și aparatură de comandă pentru electromotoare și cilindrii hidrolici și pneumatici.	T. 208 T. 208 207
14 Mașină de centrare completă cu electromotoare.	T. 208
15 Role de fricțiune, reductoare complete, cu electromotoare și aparatură de pornire.	1
16 Bastele de control cu trenul de role de aducere, după mașina de la dreapta tip Abramson, conform planului general al fabricii Laminorul de țevi.	1
17 Cântare pentru țagile de țevi, pentru 20 și respectiv 10 tone.	T. 205 209

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Nr. crt.	Denumirea	Cantitate	Echivalent pe planul stabilizării
18	Strunguri pentru cași țepale, 250 mm. Înălțimea chearnelor, 2.000 mm. distanța între chearnere	2	CMC 424-372
19	Strung pentru calibrarea valurilor de lucru, 600 mm. Înălțimea chearnelor, 6500 mm. distanța între chearnere, fabricat Soest	1	T. 151
20	Strung pentru calibrarea valurilor laminorului calibror, 250 mm. Înălțimea chearnelor, 2500 mm. distanța între chearnere	2	T. 167-111
21	Presă excentrică pentru îndreptat țevi până la 14" Ø, fabricat Malaxa	1	T. 204
22	Mașină de rețezat până la 14", fabricat Malaxa, cu tren de role, dispozitiv de ghidaj și de alimentare	2	T. 201-202
23	Idem	2	T. 205 a. 206 a.
24	Presă hidrolică verticală pentru presarea capetelor de țevi, capacitate 300 tone la o presiune de 110 atm., fabricat Hidraulik, completă, cu aparatul auxiliar	1	T. 160
25	Strung automat de ghiventare pentru țevi până la 14" Ø, fabricat Fronsep	2	T. 84-85
26	Strung pentru filetat țevi până la 14", fabricat Wirth	2	T. 57-58
27	Strung de filetat țevi până la 8" Ø, fabricat Wirth (automat)	2	T. 80-81
28	Mașină de presat capetele la țevi	2	T. 41-42
29	Mașină pentru înșurubat mufele la țevi până la 14" Ø, fabricat Skulford	1	T. 40
30	Presă hidrolică pentru probat țevi cu multiplicator pentru țevi până la 350 mm. Ø, cu o presiune de 120 atm., fabricație Hidraulik, cu rastele și acumulatori	1	T. 34
31	Cântar pentru țevi, capacitatea 1,6 tone	1	T. 37
32	Fierăstrău pentru tăiat țevi la mufe până la 35 mm. Ø, fabricat Ohler	2	T. 6-7
33	Strung pentru ajustarea mufelor pentru burlane de foraj tip revolver, fabricat Böhlinger	2	T. 28-29
34	Strung pentru ghiventat mufe până la 8", fabricat Wirth	2	T. 13-14
35	Idem până la 14"	2	T. 15-16
36	Pompă de înaltă presiune cu acumulator, 115 atm. 315 litri pe minut, fabricat Hidraulik	1	T. 279
37	Redresor cu mercur Nr. 418.300, 780 kw., 450 volți, 1.700 A., cu toată aparatul de pornire, utilajul și conductele	1	—
38	Grup convertitor electric din motor și generator: Nr. 4.497.550, 380 V., 120 A., 65 kw., 970 ture pe minut; Nr. 4.489.282, 230 V., 240 A., 55 kw., 970 ture pe minut; pe placă comună de basă, cu tot aparatul de pornire, utilajul și conductele	1	—
39	Afară de acestor: Presă hidrolică cu cântarul respectiv Acestă presă cu cântarul ei a fost fabricată din nou de fabrica Malaxa în locul presei T. 33 și a cântarului T. 36	1	—

## III. SPECIFICAȚIA Nr. 2

a mașinilor-unelte din atelierul de reparatii a fabricii de laminați fier

Nr. art.	Cant.	Nr. de inventar	Denumirea	Caracteristici	
				Unit. chm.	Dispoz. la re. chm.
1	1	1	Siring pentru filetat.	380	1.600
2	1	1	Siring pentru filetat.	300	2.000
3	1	1	Siring pentru filetat.	250	1.600
4	1	1	Siring pentru filetat.	220	1.600
5	1	1	Siring pentru filetat.	200	1.700
6	1	1	Siring pentru filetat.	350	1.000
7	1	1	Siring pentru filetat.	400	10.000
8	1	1	Siring pentru filetat.	400	4.500
9	1	1	Siring pentru filetat.	460	1.500
10	1	1	Siring pentru filetat.	420	1.500
11	1	1	Siring pentru filetat.	250	700
12	1	1	Siring pentru filetat.	220	2.000
13	1	1	Siring pentru filetat.	240	1.300
14	1	1	Siring pentru filetat.	350	1.600
15	1	1	Siring pentru filetat.	220	2.000
16	1	1	Siring pentru filetat.	250	2.500
17	1	1	Siring pentru filetat.	600	850
18	1	1	Mașină de marșant 370 g peibă.	—	1.000
19	1	1	Mașină de marșant 300 g peibă.	—	600
20	1	1	Mașină de gătit radială Raboma 50 g grunb.	—	600
21	1	1	Idem	—	—
22	1	1	Idem	—	—
23	1	1	Presă verticală 800 g masa	—	—
24	1	1	Mașină verticală de îndreptat batul 1200 X 1200 X 800.	—	—
25	1	1	Rabotama transversală cursa 530 mm.	—	—
26	1	1	Rabotama longitudinală cursa 2000 mm.	—	—
27	1	1	Îngrijosa mesei 800 mm.	—	—
28	1	1	Siring cerușei, 750 mm Ø disc	—	—
29	1	1	Polișor	—	—



**LAW**



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: "H. Halaxa" Roumanian Joint Stock Company, "H. Halaxa" Pipe and Steel Works, Roumanian Joint Stock Company and "H. Halaxa Work of Rohand Fuchlu" 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 "H. Halaxa, 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 forementioned 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 "H. Halaxa" Company to the companies mentioned in the above art. I the same.



[ ]



...together with all their subsequent additions and modifications are abrogated as the date of their publication and promulgation, all steps and administrative or judicial 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 these laws-decrees.

Article. 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 fines, even should there exist any deeds of contravention, they being considered annulled on the mentioned date.

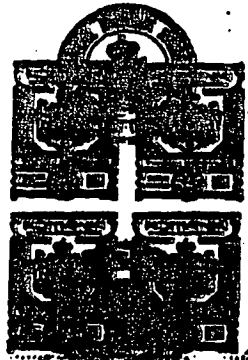
Made in Bucharest, on April 18, 1945.

sgd. Mihai.

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

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

The above translation is true to extract of the publication in the official gazette No. 6 of 13th. prii 1945, part. 1, page 300.



1064  
9 mai 1946  
POUR LE MINISTRE  
(C. Sofonea)

1 MAY 52  
(CONT)

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Translation from the Roumanian

PROCEVERAL AFACERILOR STRAINE

SERVICIUL INTERPRETOR



EXTRACT

No. \_\_\_\_\_

from the Official Gazette No. 94 pt. 1, PAGE 5375, column 2 and pages 5374, 5375 and 5376 columns 1 and 2.-

MINISTRY OF INDUSTRY AND COMMERCE

The following transaction and act of compromise are integral part of the Law No. 282 of 1945 inserted in the Official Gazette No. 85 pt. 1 of April 13th, 1945.-

Transaction

on the conditions of taking over "N. Malaxa" Factories by the "N. Malaxa" Companies intervened between the Roumanian State, on one hand, and the "N. Malaxa" Companies, on the other.-

Considering the Decree Law No. 669 of October 9th, 1945 annulling the Decree Law No. 370 of February 19th, 1941, which acknowledged certain rights to the "N. Malaxa" Companies and considering that misunderstandings in the carrying out of this Decree Law arose, it was decided, - with the object that the realization of these rights be made without delay in the interest of national economy - to conclude

Between the Roumanian State, through the Ministry of Public Works and Communications, the Ministry of Industry and Commerce by representatives legally authorized by Decree Law No. 282 of 1945 and by Journal of the Council of Ministers No. 586 of 1945, and the state's Company "Kogalniceanu" by its legal representatives, with head offices at Bucharest as holder in fact of the goods which are to be returned and with which the present transaction deals, on one hand, and

The Companies "N. Malaxa" S.A.R., "N. Malaxa Pipe and Steel Works" S.A.R. and "N. Malaxa Toghanel Vechi Factory" with head Offices at Bucharest, hereafter briefly called "The Companies N. Malaxa", represented by Mr. Nicolae Malaxa, on the other hand, - a transaction in the following conditions:

Art. 1.- The Companies "N. Malaxa" renounce the rights conferred on them by art. 3 of Decree Law No. 669 of October 9th, 1945.

Art. 2.- The Roumanian State renounces to dispositions of art. 1 of the Decree Law No. 669 of October 9th, 1945.

The Roumanian State acknowledges that "N. Malaxa" Factories of Bucharest, Balta Titan as well as the Factories of Toghanel Vechi, with the entire inventory existing on October 1st, 1941, together with the additions and the improvements realized, are and remain the property of the "N. Malaxa" Companies, namely to the Companies "N. Malaxa" S.A.R., "N. Malaxa Pipe and Steel Works" S.A.R. and "N. Malaxa Toghanel Vechi Factory" S.A.R.



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MINISTERUL AFACERILOR STRĂINE  
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Art. 3.- As beginning with April 22nd 1945, the possession and the exploitation of the "H. Malaxa" factories of Bucharest, Slatina, etc., as well as "Tobacco Works Factories" will pass from the State, - which was exercising these rights through its company "Rogifer", - into that of the "H. Malaxa" Companies.

Authorized delegates representing the State and the State's Company "Rogifer" will hand over to the delegates of the "H. Malaxa" Companies the factories with the entire inventory taken over by the State and with all the additions and the improvements carried out since, on the basis of the inventories drawn up on October 1st, 1941.

As a counter value to the 14" rolling mill and of the machines in the pipe factory which the State handed over to the Soviet High Command in part payment of its war damages, the Romanian State acknowledges the debt and lays at the disposal of the "H. Malaxa" Pipe and Steel Works S.A. R. Co., any amount, the sum of 2,400,000 U.S. dollars collectively and free of any present or future restrictions, namely the sum in dollars which the State has deducted from the war damages due to the U.S.A. by handing over the rolling mill and the machines.

Art. 4.- The entire stock of materials and raw materials pertaining to the State's Company "Rogifer" is taken over by selection by the "H. Malaxa" Companies in the following conditions:

a) The "H. Malaxa" Companies take over by selection up to the total value of the raw and management materials, taken by the State's Company "Rogifer" on October 1st, 1941:

raw materials amounting to a value of Lei 996,091,257

management, firm materials and means of transport to a value of Lei 13,417,994.-

total Lei 1,009,509,251.-

The price will be the price of cost on record.

If the management and firm materials and of means of transport will not attain the sum of Lei 13,417,994.- the difference shall be made up by taking over raw materials from other enterprises at the selection of the "H. Malaxa" Companies.

b) the rest of raw and management materials are also taken over by selection by the "H. Malaxa" Companies, at the official price or at the maximum price established and in existence on the time of the present transaction;

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STAVRA APRETELOR STRAINI

SERVICIUL INTERPRETOR

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c) Raw and management materials rejected and not taken over by the "H. Malaxa" Companies remain at the disposal of the State's Company "Rogifer", which will liquidate same as it shall think fit;

d) semi-manufactured goods are taken over by the "H. Malaxa" Companies at net cost if these are destined and to be used for orders, which will be accepted by the "H. Malaxa" Companies and the execution of which will be carried on as such by said Companies.

Under these conditions semi-manufactured goods amounting to Lei 668,826,442.- at least, will be taken over.

Semi-manufactured goods which will be rejected and will not be taken over by the "H. Malaxa" Companies remain by right to the State's Company "Rogifer" which will alone liquidate them;

e) Manufactured goods, ready for delivery, remain the exclusive property of the State's Company "Rogifer" to realign them; into the property of the same company remain also the goods ready for reception, for which the State's company "Rogifer" shall pay up reception and expedition expenses.

Art. 5.- The taking-over price both, for raw and management materials as well as for semi-manufactured goods established as stated above shall be paid as follows:

a) The sums owed by the "H. Malaxa" Companies for raw and semi-manufactured materials taken over at prices established in accordance with stipulations set out in art. 4 above, shall be paid up successively, without any interest and as far as they shall be used up, namely within 30 days from the date of cashing-in of the invoices by the "H. Malaxa" Companies for manufactured goods delivered.- One year after entering the Factory, the "H. Malaxa" Companies shall pay, for the sums not paid up and representing materials not used up, the interest charged by the "C.A.F.A." until these shall be completely used up. These shall have to be paid up, independently of their being used up or not, in an interval of 2 years at the utmost from the date of the present transaction;

b) Management and farm materials and means of transportation follow the same course as the raw materials from art. 4, letter a, but these shall have to be paid up within 30 days from taking over at the cost price on record;

c) As in the price of semi-manufactured goods taken over, the profit of 8 per cent. due to the State's Company "Rogifer" is included, these semi-manufactured goods shall enter in the calculation of the price of finished goods, in which they have been included for State orders, without the 8 per cent. pro-

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ISTEȘTE AFACERILOR STRĂINE

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As mentioned above.

d) For raw and semi-manufactured materials taken over by the "M. Malaxa" Companies, the State's Company "Rogifer" shall have the privilege of the seller, respectively the right of industrial pledge over delivered goods.

Art. 6. - Implements, verifiers, counter-verifiers, control-apparatuses, etc. mentioned in the handing over inventory of October 1st, 1941, shall be returned to the "M. Malaxa" Companies, taking into account the percentage value of the objects established in the handing over inventory as compared with their prices on record at the date of restoration.

Differences as to quantities and as to utility coefficients shall be compensated in the following manner:

Losses in quantity shall be replaced by similar implements of equal value.

Differences in utility coefficients shall be added up and the equivalent in new or used implements shall be found.

In the event when some of the plus or minus differences could not be liquidated by the equivalent of similar implements existing in the patrimony of the state's company "Rogifer", these shall be estimated in lei on the basis of prices on record.

The surplus stock of implements - after the restoration will be carried out according to above stipulations, - shall remain by right the property of the state's Company "Rogifer", which may trade with same, granting the right of preference to the "M. Malaxa" Companies under the conditions stipulated for raw materials.

Art. 7. - Dispositives, models and semi-manufactured goods carried out for Tank-fighter and Tractor T. orders, which have been definitely stopped, shall be free to trade with by the State's Company "Rogifer", giving preference to the "M. Malaxa" Companies for equal terms and conditions.

Art. 8. - Orders for materials, machines, apparatuses, etc. within the country or abroad, made by the State's Company "Rogifer" shall be taken over by selecting, by the "M. Malaxa" Companies, at actual cost price, refunding payments or payments on account in proportion as such orders shall arrive and in an interval of one year since the date of the present transaction.

Machines and goods arriving after such an interval shall remain the property of the State's Company "Rogifer".

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which may also change over or liquidate some of the orders abroad if such operations shall be considered useful by said Company.-

Art. 9.- Although the "H. Malaxa" Companies are not in any way the successors of the State's Company "Hogifer", nevertheless, it has been agreed that the "H. Malaxa" Companies shall, in duty bound, take over all the employees and all the workmen of the Bucharest and the Ichnaul Veachi Factories, who shall then be treated according to laws in force.

The State's Company "Hogifer" shall retain the personnel necessary to that Company.

The "H. Malaxa" Companies shall retain from the workmen and employees taken over, their debts towards the State's Company "Hogifer", resulting from drawing of money on account, from supplies, etc., and such retentions shall be paid monthly to the State's Company "Hogifer", in proportion to the sum collected.

Art. 10.- The "H. Malaxa" Companies, renouncing the right due to them by virtue of Law No. 649 of October 9th, 1943 of exploiting together with the State, through the intermediary of an exploitation concern, the Hunedoara Factories, so as to ensure the running of the "H. Malaxa" Factories, and with a view of getting the raw materials necessary for the activity of these factories, a reference contract for furnishing raw materials was concluded to-day between the "H. Malaxa" Companies and the "Hunedoara" Factories, for a duration of 5 years, for 50 per cent of the production of semi-manufactured steel materials - at least 21,000 tons per annum - of the "Hunedoara" Factories, at current price. The State guaranteeing the carrying out of the present convention.

For the duration of the war, within the plan of war production which also includes the "H. Malaxa" Factories, the State may not reduce this quota by more than one fifth, and only in the case when this kind of production of home factories would not be sufficient for the program of war production.

In any case, if the monthly requirements would not have been possible to fulfil, these requirements shall have to be fulfilled in the following three months, either from the "Hunedoara" Factories production, or from the production of other similar factories.

Further, during this time, the State will secure

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GENERAL APARTMENT STRIKE

GENERAL INTERPRETOR



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for the "Malaxa" factories in the war production plan, the rest of the necessary raw materials which do not form the subject of the "Munacoara" factories production.

After such an interval, and in the case when the raw materials necessary for the running of the "Malaxa" factories could not be found in sufficient quantities at home, the state shall authorize the "Malaxa" factories to procure same abroad by import in the most favourable conditions granted to others, by observing the laws of public order which will govern trade relations with foreign countries

art.11.- a) The state should conclude a new contract for the rest of the munitions to be carried out by the State's Company "Kogifer" and which is reckoned at present at the sum of 2 1/2 billion lei ( 2,500,000,000.-)

Old contracts, non completed by the State's Company "Kogifer" shall be annulled on the date of the present transaction.

b) The autonomous Institution C.F.R. (Romanian Railways) shall conclude a new contract with the "Malaxa" Companies for the order of 50 new railway engines in course of execution at the State's Company "Kogifer", the State's Company "Kogifer" order becoming void on the date of the present transaction.

The present contract is estimated to-day at approximately 3,200,000,000 lei;

c) For the new orders of C.F.R. and S.F.R. repairs, amounting to approx. 5,000,000,000.- lei, which were begun at the end of February 1944, without yet concluding the contracts, the "Malaxa" Companies shall refund the expenses incurred by the State's Company "Kogifer", and approved by the C.F.R. and S.F.R. and shall conclude directly the mentioned contracts;

d) In order to ensure the activity of the factories, the state shall allot orders to the "Malaxa" factories, either orders for the fulfillment of armistice conditions, or for its own needs.

art.12.- Private orders in course of execution shall be carried out by the "Malaxa" Companies, at the request of the State's Company "Kogifer", after the latter shall pay to the "Malaxa" Companies the respective payments on account.

art.13.- The orders shall be paid in accordance with the usual procedure in such cases for all heavy metalur-

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STEFAN APĂDOLEAȘ STRĂINEZ

SERVICIUL INTERPRETOR



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gical industries at home and which to-day, for payments on account, - which shall be paid both, for orders specified in art.11, letters 1, 2, 3, 4, 5, as well as for those specified in art.11, letter 6, - are :

For orders intended for the U.S.A., 50 to 50 per cent payment on account, and for the Roumanian Army and the C.F.R. institution, 20 to 40 per cent payment on account, by contracts within the above limits, the payment on account shall be established from case to case, by agreement.

Art.14.- The " N. Kalaza " Companies renounce to the obligation undertaken by the State by law No.669 of 9th October 1935, to ensure the entire financing of the " N. Kalaza " Factories.

For carrying out the obligatory plan of work shown above the State ensures with the C.A.F.A. institution, - and in the event when the latter institution be abolished, with its successor, and in case when said institution would not be replaced by a similar institution, with some other important financial institution - , for the benefit of the " N. Kalaza " Companies, a credit for running cash amounting to 4,000,000,000,- lei exclusively for the functioning of the factories. The credit shall be increased in proportion with the increase of all the component elements of the net cost of manufactured products ( raw materials, materials, salaries, taxes, etc.)

This credit shall be guaranteed by first grade mortgage on the railway engines factories which belong to the " N. Kalaza " S.A.S. Company ensuring said credit over a period of three years, refunding to begin at the expiration of this period by annuities in an interval of another two years.

Promissory notes for running cash shall also be given for discounting again with the National Bank of Roumania.

Both, the mortgage document as well as running cash promissory notes shall be free of stamp tax, in accordance with the C.A.F.A. institution law.

Art.15.- In the course of five years from the payment of the present transaction each of the " N. Kalaza " Companies may present a letter of guarantee from one of the other " N. Kalaza " Companies, - instead of the guarantee specified in ordinances and conditions for sales to the State, Autonomous Institutions, General Managements, both for the carrying out of contracts as well as for obtaining payments on account.

Art.16.- The guarantees contained in various letters of guarantee given by the " N. Kalaza " Companies to the



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Ministry of War Production for the execution by the "Astra" and "Resita" Companies of some contracts of the latter with the Ministry of War Production, expire as a result of the present transaction.

Art.17.- The State's rights for investments, repairs as a result of air-raids, displacement expenses, as well as the rights of the "M. Malaxa" Companies for amortisation and for being prevented from using the factories since these have been taken out of their possession up to the date of re-entering into possession, are reciprocally acknowledged, and they will have to be established and estimated by equity by the Committee created on the basis of art.24 of the present transaction.

In the event when, following the compensation of the sums to be established, a balance in the State's favour would result, the "M. Malaxa" Factories shall pay up these sums to the State's Company "Rogifer", by compensation with half of the amortisation rates included in the values of the orders given for execution by the State to the "M. Malaxa" Companies.-

Art.18.- The State undertakes to obtain the agreement of all the State's Company "Rogifer" creditors concerning the manner of liquidating the raw materials and semi-manufactured goods mentioned above and which form the above provisions.

Art.19.- For a definite settling of relations between the "M. Malaxa" Companies, the State's Company "Rogifer", the National Bank of Roumania and the State it is agreed to make the following compensations with the payment of respective differences :

A.- The "M. Malaxa" Companies are the owners of the treasury bonds issued by the Ministry of Army endowment, capital and interest given to the "M. Malaxa" Companies for the execution of the contracts agreed upon and partially carried out up to 1st, October 1941, amounting to 1,208,927,410.- lei, rate of exchange of 10th, October 1944.

These treasury bonds are pledged by the "M. Malaxa" Companies with the B.B.R. for guaranteeing the debt of lei 1,154,613,000.- rate of exchange of 10th, October 1944.

The State takes over the above mentioned debt of lei 1,154,613,000.- in exchange for treasury bonds amounting to lei 1,208,927,410.- paying the difference to the "M. Malaxa" Companies, within 15 days from the date of the present trans-

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STERIL AFACERILOR STRAINE

SERVICIUL INTERPRETELOR



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action, undertaking to obtain the agreement of the S.L.S. and to fulfil all necessary formalities for carrying out this operation.

B.- The "M. Malaxa" Companies owe to the Ministry of Army Endowment the sum of Lei 947,000,000.- from the non-execution of contracts cancelled in October 1941, and, in their turn, they have to receive from the State's Company "Rogifer" for raw materials and semi-manufactured goods taken over and not yet paid up, the sum of Lei 1,200,000,000.-

The "M. Malaxa" Companies delegate to the State the payment due to them from the State's Company "Rogifer", so as to cover their debt to the Ministry of Army Endowment, and the State's Company "Rogifer" accepts this delegation and considers itself in debt to the State for the sum of Lei 947,000,000.- The difference due to the "M. Malaxa" Companies is to be paid in cash or goods, at the selection of the latter.

Art. 20.- The "M. Malaxa" Companies shall render all assistance gratuitously to the State's Company "Rogifer" in the necessary work for liquidating the State's Company "Rogifer", having at the same time the custody of materials not taken over and left to the latter.

In exchange, the State's Company "Rogifer" shall lay at the disposal of the "M. Malaxa" Companies, without payment, part of the building rented in Sosea Victoriei, No. 139, in order to preserve the unity of management absolutely necessary in the work of liquidation and continuity in the exploitation of the Factories.

Art. 21.- The shares of the "M. Malaxa" Companies, together with all rights acquired in the mean time, have become the shareholders' patrimony on the date of 17th February 1941 and were nominalised in accordance with art. 4 para 2 of law No. 669 of 9th October 1943; in accordance with the same text there have re-entered the patrimony of the "M. Malaxa" Companies all the latter's participations (shares in various Companies) free of all charges and with any rights resulting from the ownership of said shares, from February 17th, 1941 to the present.

All the foreign currency which the "M. Malaxa" Companies are holding at present abroad, and registered in the balance sheets of 1941 to 1943, remain at the free and effective disposal of the "M. Malaxa" Companies, which companies may dispose of same either in accordance with authorization granted, or for acquiring raw materials, spareparts, machines, etc., for the functioning needs of the factories of the "M. Malaxa" Companies.

For the above purposes, the Romanian State shall carry out all necessary formalities.

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STESLA APACHELON STRAIN  
SERVICIUL INTERPRETOR

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Art. 22.- The State undertakes to perform all legal and administrative steps for realizing the liquidation of the State's Company "Rogifer", which company entirely appertains to it since 15th February 1945, as holder of all shares, and to accomplish the things stated above.

Art. 23.- The Ministry of Finance shall exempt the "H. Malaxa" Companies of all and any stamp duties and taxes, both concerning the present transaction, as well as for handing over the raw materials, management materials and semi-manufactured goods, by the State's Company "Rogifer" to the "H. Malaxa" Companies.-

Art. 24.- For settling all misunderstandings, dissensions and eventual disputes which might arise from the putting into force, the execution and the interpretation of the present transaction, both parties agree to accept for the entire duration of the present transaction the arbiters and the decision of a committee of arbiters as follows :

The Roumanian State appoints as arbiters in the following order :

- 1.- Director M. Butoiaru
- 2.- Engineer Alex. Bilj
- 3.- Engineer Nicolae Stefan

The "H. Malaxa" Companies appoint as arbiters, in the following order :

- 1.- Lawyer Emil Ott. Ionescu
- 2.- Engineer Romulus Buncean
- 3.- Engineer Stefan apure

The appointed arbiters will take part in the judgement in the above order ; in the event when the first will be prevented from taking part, the second arbiter will judge by right the dispute ; and in the event when the first two will be prevented from attending, the third will follow.

The Committee of arbiters which will be constitute for every dispute will be presided over by a super-arbiter, chosen by common agreement, he will judge the disputes together with the arbiters of the parties, by majority of votes.

By common agreement the parties have decided to appoint three super-arbiters namely

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MINISTERUL AFACERILOR STRĂINE  
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Nr. \_\_\_\_\_

- 1.- General Stefan Demetrescu
- 2.- General Vasile Negrei
- 3.- General Gh. Rosin

who will attend to the judgement in the mentioned order, just as the arbiters.

The judgement of every dispute shall take place in an interval of 6 months from the formation of the committee of arbiters.

In the event when an arbiter will be absent after the formation of the committee of judgement, the judgement of the dispute shall take place with the arbiters present only.

The decision of the Committee of arbiters is final and to be brought into force and shall not be liable to any ordinary or extraordinary appeal, contestation, revision, etc. In the event when, however, the decision will be attacked in any way, including by an action of annulling, the execution may not be suspended, not even by depositing a security.

Art. 25.- The obligations assumed by every party constitutes an indivisible unity and every obligation is essential.-

Made at Bucharest in two copies this day of the 17th, April 1945.-

Minister of Communications and Public Works :  
Gh. Gheorghiu-Dej

Minister of Industry and Commerce : Petre Nejan

- " H. Malaxa " S.A.R. : H. Malaxa
- " H. Malaxa " Pipe and steel Works, S.A.R. : H. Malaxa
- " H. Malaxa " Tohamul Vechi Factory, S.A.R. : H. Malaxa
- " Rogifer " Roumanian Limited Company under liquidation :  
I. Partenie, T. Arsenovici, H. Pascu

Visaed in accordance with Public Lawyers Law :  
Eugen Galles, Counselor

The above translation is true to the original  
Transaction is Romanian inserted in the Official Gazette  
No. 94 of 1945



MINISTERUL FINANTELOR  
CABINETUL SUBSECRETARILOR DE STAT

Ep-148e  
15 Septembrie 1945

AMERICAN JOINT DISTRIBUTION COMMITTEE

L O C O

Înfiind cunoștință de propunerea făcută de Dvs.  
prin scrisoarea din 27 Iulie 1945,

Avea onoare a vă aduce la cunoștință cu Statul  
Român acceptă această operațiune, cu modificările ce  
urmeză:

Statul Român prin Ministerul Finanțelor, vă  
pune la dispoziție în România, 250.000 medalii româ-  
nești de aur, întrunind condițiunile legii Nr.656/945.  
Aceste medalii vor fi liber negociabile de către Dvs.  
și achizitorii lor.

În schimb Dvs. puneți la dispoziția Statului  
Român, în Elveția, la banca ce vi se va indica, can-  
titatea de aur corespunzătoare celor 250.000 piese  
de aur.

Pe lângă aceasta și în același timp, veți mai  
prezenta renunțarea Societății " N. MALAXA, UZINE  
DE TUBURI SI OTELARII S.A.R. ", la orice pretențiuni  
rezultând din executarea obligațiunii prevăzută în  
a. t. 3 al tranzacției din 17-IV.1945, publicată în  
Monitorul Oficial Nr. 94 din 24-IV.1945, de răspun-  
dubire pentru laminorul de țevi.

Vă rugăm, asigurarea deosebitei noastre  
considerațiuni.-

MINISTRUL SUBSECRETARILOR DE STAT,  
*Ștefan Ștefan*

MINISTRY OF FINANCE  
Office of the  
Under-Secretary of State

No. 1430  
September 15, 1945

AMERICAN JOINT DISTRIBUTION COMMITTEE  
(City)

We take note of your proposition offered in your letter of July 27, 1945, and take pleasure in informing you that the Roumanian government has accepted this operation with the following modifications:

The Roumanian government, through the Finance Department, will place at your disposal, in Roumania, 250,000 Roumanian gold pieces, which comply with the terms of Law No. 656/1945. These gold pieces will be free and negotiable by you and purchasers of such coins.

In exchange, you will put an amount of gold, corresponding to these 250,000 gold pieces, at the disposal of the Roumanian government in Switzerland, at a bank to be indicated.

In addition to this, you will at the same time present a release by the E.MALAZA, UZINE DE TURBURI SI OTELARII S.A.R Company to all claims resulting from the carrying out of the obligations provided for in article 3 of the transaction dated April 17, 1945, published in Official Gazette No. 94, of April 24, 1945, for payment of the tube mill.

We remain

Yours truly,  
MINISTER UNDERSECRETARY OF STATE  
(signed) Alexandrini

P

JURNAL Nr. 722

Sedința din 7. Iunie 1946

Conciliul de Miniștri luând în deliberare referatul D-lui Vice Președinte al Conciliului de Miniștri Ministrul de Externe și Ministrul ad interim al Finanțelor și al D-lui Ministru al Industriei și Comerțului Nr. 1445 din 6. V. 1946

Având în vedere prevederile Legii Nr. 282/1945 publicată în Monitorul Oficial Nr. 86 din 13 Aprilie 1945, și transacția anexă publicată în Monitorul Oficial Nr. 94 din 24 Aprilie 1945,

Având în vedere interesul pe care îl are economia românească în realizarea unei colaborări industriale cu industria americană

DECIDE :

Art. 1. Societatea "M.MALAXA, Uzine de Tuburi și Oțelărie S.A.R. convine ca datoria de 2.460.000.- dolari ai Statelor Unite, efectivi și liberi de orice restricții prezente sau viitoare, pe care Statul Român o are față de ea, în baza Legii Nr. 282/1945 publicată în Monitorul Oficial Nr. 86 din 13 Aprilie 1945 și transacției anexă publicată în Monitorul Oficial Nr. 94 din 24 Aprilie 1945, să fie plătită înăuntru unui termen de cel mult doi ani de zile de la data semnării prezentului Jurnal.

Art. 2. Devisele necesare acestei plăți se vor procura din exporturi de produse petrolifere, cherestea, cereala, legume sau alte produse indigene în stare brută sau industrializate.

Exporturile vor fi făcute de Societatea "M.Malaxa Uzine de Tuburi și Oțelărie S.A.R. sau de una sau mai multe societăți desemnate de Stat, Societatea "M.Malaxa, Uzine de Tuburi și Oțelărie S.A.R. fiind în drept a ceda către orice persoane drepturile de export ce îi sunt acordate prin prezentul Jurnal, precum și devisole rezultând din aceste exporturi, fără a avea







**JOURNAL No. 722**

**June 7 Session**

The Council of Ministers, deliberating on a report of the Vice-Premier, Foreign Minister and Finance Minister ad Interim and of the Minister of Commerce and Industry, #1446, of June 6, 1946.

Bearing in mind the provisions of Law No. 282/945 published in the Official Gazette bearing #86, of April 1945 and the annexed compromise published in the Official Gazette bearing #94, of April 24, 1945.

Having full regard for the interest of the Roumanian economy in bringing about industrial cooperation with American industry.

Decides as follows:

Art. 1. - The N. Malaxa U. de T. S. O. SAR company agrees that the U. S. \$2,460,000, effective and free of all present and future encumbrances which the Roumanian Government has toward it in virtue of Law No. 282/945 published in Official Gazette #86, of April 13, 1945, and of the attached compromise published in Official Gazette #94, of April 24, 1945, be paid in two years or less from the date of signing this gasette entry.

Art. 2. - The foreign exchange needed for this payment shall be secured by the export of oil products, lumber, grain, vegetables or other domestic (indigenous) products, in their natural or transformed condition.

The exports shall be made, either by the N. Malaxa U. de T. S. O. SAR company, or by one or several companies to be designated by the State, N. Malaxa U. de T. S. O. SAR, having the right to transfer the export rights granted to it by this gasette entry to any person whatsoever, as well as the right to transfer the foreign exchange proceeds of these exports, without the need for any approval or authorisation to this end.

The Roumanian State shall issue the requisite export permits as distinct from and beyond the quotas decided upon by decisions of the Ministries, offices or any other organisations, for various products, until full payment of the \$2,460,000 claim.

If the Roumanian State were to have foreign exchange made available to it by the unfreezing of funds, loans or other exports, the Roumanian State shall pay off its debt in the meantime, thereby releasing the National Bank from the obligations undertaken by it under Article 3, as follows:

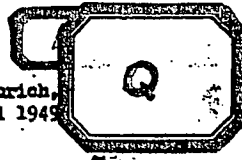
Art. 3. - In order to mobilize the claim for the purpose of achieving

Industrial cooperation with American industry, the State shall take steps with the National Bank of Roumania for the latter to issue a letter whereby it obligates itself to the creditor, or a foreign Bank to be designated by the E. Malaxa U. de T. S. O. SAR company, without any reservation whatsoever, to pay to said E. Malaxa U. de T. S. O. SAR company or to a foreign Bank to be designated by the creditor, at the end of two years, either the full amount of the claim, or the unpaid balance on said claim, in effective dollars, free from any present or future encumbrances.

The foreign exchange proceeds of the export shall be deposited with the designated Foreign Bank for the account of the E. Malaxa U. de T. S. O. SAR. company, sums which shall be deducted from the obligation undertaken by the State and the National Bank.

Art. 4. - The Ministries of Finance and Commerce and Industry shall be responsible for implementation of this gasette entry.

Hotel Savoy, Zurich,  
Le 11 Avril 1946



Monsieur Nicolas Malaxa,  
New York, N.Y.

Par l'intermédiaire de M. Romulus Runcoan

Cher Monsieur,

Comme suite à l'entretien que j'ai eu ici ce matin avec Monsieur Runcoan, j'ai l'honneur de porter à votre connaissance les faits suivants :-

1. Dans une conférence qui a eu lieu à Bucarest en Juin ou en Juillet 1946, où assistaient moi-même, en ma qualité de représentant officiel de la JOINT et de la HICEM, en présence de M. Henri Sorenbu, M. Basil Stefanescu et M. Romulus Runcoan, tous les trois de la part des Usines MALAXA, et Monsieur Alexandri, Ministre Des Finances de Roumanie; il a été convenu, comme suite disposition officielle du Gouvernement Roumain que Monsieur Malaxa va être payé en Lei par le Ministère des Finances pour la grande Laminoire MALAXA qui a été prise par l'URRS à titre de fourniture d'armistice, -- le Ministre des Finances autorisa les Usines MALAXA de recevoir ces sommes contre paiement à Monsieur Malaxa par la HICEM et la JOINT, de leur équivalent en US Dollars ou en Francs Suisses respectivement à ZENITH New York et à Zurich. On est arrivé à cet arrangement parce que le Ministère des finances ne posséda pas les devises nécessaires en US Dollars ou francs suisses pour rembourser Monsieur Malaxa ainsi que prévu dans la disposition officielle respective. Pour autoriser ce transfert, le Ministre de finances a fait émettre un Journal de Conseil de Ministres qui autorise cette opération

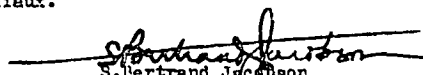
2. Je déclare, en outre, que moi-même, comme représentant officiel en Roumanie de la JOINT et de la HICEM, a fait cet arrangement de transfert sur ma propre initiative et responsabilité

sans autorisation spéciale de mes Bureaux centraux et sans instructions des personnes particulières.

3. Tous les transferts successifs qui ont été faits sous cet accord, ont été effectués par, d'un part, M. Henri Soreanu, comme représentant des Usines Malaxa, et d'autre part, par moi-même, comme représentant officiel de la JUNIT et de la NICEA en Roumanie.

Je regrette que jusqu'ici, je n'ai pas eu le plaisir de faire votre connaissance, mais j'espère faire un voyage bientôt à New York, et à cette occasion je ne manquerai pas de venir vous saluer.

Veillez agréer, cher Monsieur, l'expression de mes sentiments très cordiaux.

  
S. Bertrand Jacobson  
Ancien Directeur de la JUNIT et de la NICEA  
en Roumanie.

Hotel Savoy, Zurich,  
April 11, 1949

Dear Mr. [unclear]

In the conversation I had here this morning with Mr. Runcan, I have the honor to inform you of the following facts:

During a conference held in Bucharest, in June or July, 1946, and which I attended as official representative of the JOINT and of the HICEM, and at which were also present Mr. Henry Soreaux, Mr. Paul Stefanescu, and Mr. Runcan, acting as representatives of the Malaxa Works, and Mr. Alexandru, Minister of Finance of Rumania, it was decided, as a result of the agreement between the Rumanian Government that Mr. Malaxa would be paid for the supplies of the Ministry of Finance as a compensation for the large Malaxa supplies which were part of the supplies delivered to USSR under the terms of the agreement. The Ministry of Finance authorized the Malaxa Works to receive the amount provided that their equivalent should be paid to Mr. Malaxa by the HICEM and the JOINT in U.S. dollars or Swiss francs in New York or in Zurich. This decision had been reached because the Ministry of Finance did not have at its disposal the necessary amount in U.S. dollars or Swiss francs in order to reimburse Mr. Malaxa as had been provided by the official decision.

In order to make the transfer possible, the Minister of Finance issued a "Journal of the Council of Ministers" which authorized this operation.

2. I moreover declare that, acting in my capacity as official representative in Rumania of the JOINT and of HICEM, I made this transfer arrangement on my own initiative and responsibility, without special authorization of my central services and without instructions from private persons.

3. All following transfers which took place under this agreement were made by Mr. Henri Soreaux, as representative of the Malaxa Works, on the one hand, and by myself as official representative of JOINT and HICEM in Rumania, on the other hand.

I regret not having yet had the pleasure of meeting you, but I hope to go to New York soon and will not fail to come and see you then.

Yours sincerely,

S. Bertrand Jacobson  
Former Manager of JOINT and  
HICEM in Rumania

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