

## CLAIMS AGAINST AUSTRIA AND HUNGARY

*Agreement signed at Washington November 26, 1924*

*Ratified by the President of the United States August 4, 1925; by*

*Austria August 25, 1925; by Hungary November 5, 1925*

*Ratifications exchanged at Washington December 12, 1925*

*Entered into force December 12, 1925*

44 Stat. 2213; Treaty Series 730

The United States of America and the Republic of Austria, hereafter described as Austria, and the Kingdom of Hungary, hereafter described as Hungary, being desirous of determining the amounts to be paid by Austria and by Hungary in satisfaction of their obligations under the treaties concluded by the United States with Austria on August 24, 1921,<sup>1</sup> and with Hungary on August 29, 1921,<sup>2</sup> which secure to the United States and its nationals rights specified under a Joint Resolution of the Congress of the United States of July 2, 1921,<sup>3</sup> including rights under the Treaties of St. Germain-en-Laye<sup>4</sup> and Trianon,<sup>5</sup> respectively, have resolved to submit the questions for decision to a commissioner and have appointed as their plenipotentiaries to sign an agreement for that purpose:

The President of the United States of America, Charles Evans Hughes, Secretary of State of the United States of America,

The President of the Federal Republic of Austria, Mr. Edgar L. G. Prochnik, Chargé d'Affaires of Austria in Washington, and

The Governor of Hungary, Count László Széchenyi, Envoy Extraordinary and Minister Plenipotentiary of Hungary to the United States,

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

### ARTICLE I

The three governments shall agree upon the selection of a Commissioner who shall pass upon all claims for losses, damages or injuries suffered by the

<sup>1</sup> TS 659, *post.*

<sup>2</sup> TS 660, *post.*

<sup>3</sup> 42 Stat. 105.

<sup>4</sup> For relevant portions of the Treaty of St. Germain-en-Laye, see TS 659, *post.*

<sup>5</sup> For relevant portions of the Treaty of Trianon, see TS 660, *post.*

United States or its nationals embraced within the terms of the Treaty of August 24, 1921, between the United States and Austria and/or the Treaty of August 29, 1921, between the United States and Hungary, and/or the Treaties of St. Germain-en-Laye and/or Trianon, and shall determine the amounts to be paid to the United States by Austria and by Hungary in satisfaction of all such claims (excluding those falling within paragraphs 5, 6 and 7 of Annex I to Section I of Part VIII of both the Treaty of St. Germain-en-Laye and the Treaty of Trianon) and including the following categories:

(1) Claims of American citizens arising since July 31, 1914, in respect of damage to or seizure of their property, rights and interests, including any company or association in which they are interested, within the territories of either the former Austrian Empire or the former Kingdom of Hungary as they respectively existed on August 1, 1914;

(2) Other claims for loss or damage to which the United States or its nationals have been subjected with respect to injuries to or death of persons, or with respect to property, rights and interests, including any company or association in which American nationals are interested, since July 31, 1914, as a consequence of the war;

(3) Debts owing to American citizens by the Austrian and/or the Hungarian Governments or by their nationals.

#### ARTICLE II

Should the Commissioner for any cause be unable to discharge his functions, a successor shall be chosen in the same manner that he was selected. The Commissioner shall hold a session at Washington within two months after the coming into force of the present agreement. He may fix the time and the place of subsequent sessions according to convenience. All claims shall be presented to the Commissioner within one year from the date on which he holds the first session required by the foregoing provision.

#### ARTICLE III

The Commissioner shall cause to be kept an accurate record of the questions and cases submitted and correct minutes of proceedings. To this end each of the Governments may appoint a secretary, and these secretaries shall act together as joint secretaries and shall be subject to the direction of the Commissioner.

#### ARTICLE IV

The three Governments may designate agents and counsel who may present oral or written arguments to the Commissioner under such conditions as he may prescribe.

The Commissioner shall receive and consider all written statements or documents which may be presented to him, in accordance with rules which

he may prescribe, by or on behalf of the respective Governments in support of or in answer to any claim.

The Governments of Austria and Hungary shall be notified of all claims filed with the Commissioner and shall be given such period of time as the Commissioner shall by rule determine in which to answer any claim filed.

The decisions of the Commissioner shall be accepted as final and binding upon the three Governments.

#### ARTICLE V

Each Government shall pay its own expenses, including the compensation of the secretary appointed by it and that of its agent and counsel. All other expenses which by their nature are a charge on the three Governments, including the compensation of the Commissioner and such employees as he may appoint to assist him in the performance of his duties, shall be borne one-half by the Government of the United States and one-half by the Governments of Austria and Hungary in equal moieties.

#### ARTICLE VI

This agreement shall be ratified in accordance with the constitutional forms of the contracting parties and shall come into force on the date of the exchange of ratifications.

In faith whereof, the above named plenipotentiaries have signed the present agreement and have hereunto affixed their seals.

Done in triplicate at the City of Washington this twenty-sixth day of November, one thousand nine hundred and twenty-four.

[For the United States:]  
[For Austria:]  
[For Hungary:]

CHARLES EVANS HUGHES [SEAL]  
EDGAR PROCHNIK [SEAL]  
LÁSZLÓ SZÉCHÉNYI [SEAL]