GERMANY AND AUSTRIA

TREATIES OF PEACE
BETWEEN
THE UNITED STATES OF AMERICA
AND
GERMANY AND AUSTRIA

WASHINGTON
GOVERNMENT PRINTING OFFICE
1921
SENATE RESOLUTION NO. 185.

[Submitted by Mr. Moses.]

In the Senate of the United States.
December 8, 1921.

Resolved, That the treaties of peace signed and proclaimed between the United States and Germany and Austria be printed as a Senate document.

Attest:

GEORGE A. SANDERSON,
Secretary.

By H. M. ROSE,
Assistant Secretary.
TREATY SERIES No. 658

TREATY OF PEACE WITH GERMANY

SIGNED AT BERLIN, AUGUST 25, 1921
RATIFICATION ADVISED BY THE SENATE, OCTOBER 18, 1921
RATIFIED BY THE PRESIDENT, OCTOBER 21, 1921
RATIFIED BY GERMANY, NOVEMBER 2, 1921
RATIFICATIONS EXCHANGED AT BERLIN, NOVEMBER 11, 1921
PROCLAIMED, NOVEMBER 14, 1921
TREATY WITH GERMANY.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress, approved March 3, 1921, it was declared that certain Acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial German Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved April 6, 1917, to exist between the United States of America and the Imperial German Government was declared at an end;

WHEREAS, a treaty between the United States and Germany was signed at Berlin on August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of war, which treaty is word for word as follows:

The United States of America and Germany:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

"RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF

Die Vereinigten Staaten von Amerika und Deutschland:

In der Erwägung, daß die Vereinigten Staaten gemeinschaftlich mit ihren Mitkriegführenden am 11. November 1918 einen Waffenstillstand mit Deutschland vereinbart haben, damit ein Friedensvertrag abgeschlossen werden könne;

In der Erwägung, daß der Vertrag von Versailles am 28. Juni 1919 unterzeichnet wurde und gemäß den Bestimmungen des Artikels 440 in Kraft getreten, aber von den Vereinigten Staaten nicht ratifiziert worden ist;

In der Erwägung, daß der Kongreß der Vereinigten Staaten einen gemeinsamen Beschluß gefaßt hat, der von dem Präsidenten am 2. Juli 1921 genehmigt worden ist und im Auszug wie folgt lautet:

Beschloßen vom Senat und dem Repräsentantenhaus der Vereinigten
THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

"Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the Staaten von Amerika, die zum Kongreß versammelt sind, daß der durch den am 6. April 1917 genehmigten gemeinsamen Beschlüsse des Kongresses erklärte Kriegszustand zwischen der Kaiserlichen Deutschen Regierung und den Vereinigten Staaten von Amerika hiermit für beendet erklärt wird.

"Section 2. Das durch Abgabe dieser Erklärung und als ein Teil davon den Vereinigten Staaten von Amerika und ihren Staatsangehörigen jedwede und alle Rechte, Privilegien, Entschädigungen, Reparationen oder Vorteile einstiflichtlich des Rechts, sie zwangswise durchzuführen, ausdrücklich vorbehalten werden, auf welche die Vereinigten Staaten von Amerika oder ihre Staatsangehörigen nach den am 11. November 1918 unterzeichneten Waffenstillstandsbedingungen sowie irgendwelchen Erweiterungen oder Änderungen derselben einen Anspruch erworben haben; oder die von den Vereinigten Staaten von Amerika infolge ihrer Beteiligung am Kriege erworben worden sind oder sich in ihrem Besitze befinden; oder auf die ihre Staatsangehörigen dadurch rechtmäßig Anspruch erworben haben; oder die in dem Vertrage von Versailles zu ihren oder ihrer Staatsangehörigen Gunsten festgelegt worden sind; oder auf die sie als einer der alliierten und anerkannten Hauptmächte oder kraft irgendeines vom Kongreß beschlossenen Geseles oder sonstwie einen Anspruch haben.

"Section 5. Alles Eigentum der Kaiserlichen Deutschen Regierung oder ihres Nachfolgers oder ihrer Nachfolger und das Eigentum aller deutschen Staatsangehörigen, das sich am 6. April 1917 im Besitze oder in der Gewalt der Vereinigten Staaten von Amerika oder eines ihrer Beamtten, Vertreter oder Angestellten befand oder
United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, where- soever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or

since these days in their possession or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, where- soever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or
of any operations of war,
or otherwise, and also shall
have granted to persons
owing permanent allegiance
to the United States of
America most-favored-nation
treatment, whether the same
be national or otherwise, in
all matters affecting resi-
dence, business, profession,
trade, navigation, commerce
and industrial property
rights, and until the Im-
perial German Government
and the Imperial and Royal
Austro-Hungarian Govern-
ment, or their successor or
successors, shall have re-
spectively confirmed to the
United States of America
all fines, forfeitures, penal-
ties, and seizures imposed or
made by the United States
of America during the war,
whether in respect to the
property of the Imperial
German Government or Ger-
man nationals or the Im-
perial and Royal Austro-
Hungarian Government or
Austro-Hungarian nationals,
and shall have waived any
and all pecuniary claims
against the United States of
America."

Being desirous of restoring the
friendly relations existing be-
tween the two Nations prior to
the outbreak of war:

Have for that purpose ap-
pointed their plenipotentiaries:

THE PRESIDENT OF THE
UNITED STATES OF AMER-
ICA
ELLIS LORING DRESEL, Com-
missioner of the United
States of America to Ger-
many,

and

THE PRESIDENT OF THE
GERMAN EMPIRE
Dr. FRIEDRICH ROSEN, Minis-
ter for Foreign Affairs,
ober auf andere Weise erlitien
haben, ferner solchen Personen, die
zu den Vereinigten Staaten von
Amerika in einem dauernden Treu-
verhältnis stehen, das Rechtsbeizin-
tigungsrcht in allen Angelegen-
heiten, betreffend Niederlassung,
Geschäftsbetrieb, Berufsausübung,
Verkehr, Schiffahrt, Handel und
gewerbliche Schutzrechte, zugesan-
den haben, einerlei, ob dieses Recht
auf die Nationalität abgestellt oder
sonstwie bestimmt ist; endlich bis
die Kaiserlich Deutche Regierung
beiziehnusweise die K. u. K.
Österreich-Ungarische Regierung
oder ihr Nachfolger oder ihre Nach-
folger den Vereinigten Staaten
von Amerika gegenüber alle von
diesen während des Krieges aufer-
legten oder verfügten Strafgelder,
Verwirkungen, Bußen und Be-
schlägenabnomen beäigt haben,
gleichviel ob diese Eigentum der
Kaiserlich Deutschen Regierung
oder deutscher Staatsangehöriger
oder der K. u. K. Österreichisch-
Ungarischen Regierung oder öster-
reichisch-ungarischer Staatsange-
höriger betreffen, und bis sie auf
allen und jeden Geldanspruch gegen
die Vereinigten Staaten von Amer-
ika verzichtet haben."
Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States.

ARTICLE II.

With a view to defining more particularly the obligations of Germany under the foregoing Article with respect to certain provisions in the Treaty of Versailles, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States shall have and enjoy, are those defined in Section 1, of Part IV, and Parts V, VI, VIII, IX, XI, XII, XIV, and XV.

The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty mentioned in this paragraph will do so in a manner consistent with the rights accorded to Germany under such provisions.

(2) That the United States shall not be bound by the pro-
visions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in Paragraph (1) of this Article, which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Sections 2 to 8 inclusive of Part IV, and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other Commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 440 of the Treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Berlin.

In Witness Whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

ejenes Vertrags noch an irgendwelche Bestimmungen jenes Vertrags, mit Einfluss der in Nr. 1 dieses Artikels erwähnten, gebunden sein sollen, die sich auf die Völkerbundesstatut beziehen, daß auch die Vereinigten Staaten durch seine Maßnahme des Völker-
bundes, des Völkerbundesrates oder der Völkerbundesversammlung gebunden sein sollen, es sei denn, daß die Vereinigten Staaten ausdrücklich ihre Zustimmung zu einer solchen Maßnahme geben;

3. daß die Vereinigten Staaten keine Verpflichtungen aus den Bestimmungen des Teiles II, Teiles III, der Abschritte 2 bis einschließlich 8 des Teiles IV und des Teiles XIII des bezeichneten Vertrags oder mit Beziehung auf diese Bestimmungen übernehmen;

4. daß, während die Vereinigten Staaten berechtigt sind, an der Reparationskommission gemäß den Bestimmungen des Teiles VIII jenes Vertrags und an irgendeiner anderen auf Grund des Vertrags oder eines ergänzenden Übereinkommens eingelagerten Kommission teilzunehmen, die Vereinigten Staaten nicht verpflichtet sind, sich an irgendeiner solchen Kommission zu beteiligen, es sei denn, daß sie dies wollen;

5. daß die im Artikel 440 des Vertrags von Versailles erwähnten Zeiten, soweit sie sich auf eine Maßnahme oder Entscheidung der Vereinigten Staaten beziehen, mit dem Inkrafttreten des gegenwärtigen Vertrags zu laufen beginnen sollen.

Artikel III.

Der gegenwärtige Vertrag soll gemäß den verfassungsmäßigen Formen der Hohen Vertragsfassenden Teile ratifiziert werden und soll sofort mit Aus-
tauf der Ratschätzungs- und feindens, der so bald als möglich in Berlin allmählich, in Kraft treten.

Zu Urpfund dessen haben die beiden-
zeitigen Bevollmächtigten diesen Vertrag unterzeichnet und ihre Siegel beigeschlagen.
Done in duplicate in Berlin this twenty-fifth day of August 1921. 

[seal.] Ellis Loring Dresel [seal.] Ellis Loring Dresel 

[seal.] Rosen [seal.] Rosen

AND WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Berlin on November 11, 1921;

NOW THEREFORE be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and Germany terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fourteenth day of November One Thousand Nine Hundred and Twenty-one and of the Independence of the United States of America the One Hundred and Forty-sixth

By the President:

Charles E. Hughes

Secretary of State.
TREATY SERIES No. 659

TREATY OF PEACE WITH AUSTRIA

SIGNED AT VIENNA, AUGUST 24, 1921
RATIFICATION ADVISED BY THE SENATE, OCTOBER 18, 1921
RATIFIED BY THE PRESIDENT, OCTOBER 21, 1921
RATIFIED BY AUSTRIA, OCTOBER 8, 1921
RATIFICATIONS EXCHANGED AT VIENNA, NOVEMBER 8, 1921
PROCLAIMED, NOVEMBER 17, 1921
TREATY WITH AUSTRIA.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress approved March 3, 1921, it was declared that certain acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial and Royal Austro-Hungarian Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved December 7, 1917, to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government was declared at an end;

WHEREAS, a treaty between the United States and Austria to establish friendly relations between the two nations was signed at Vienna on August 24, 1921, which treaty is word for word as follows:

The United States of America and Austria:

Considering that the United States, acting in conjunction with its co-belligerents entered into an Armistice with Austria-Hungary on November 3d, 1918, in order that a Treaty of peace might be concluded;

Considering that the former Austro-Hungarian Monarchy ceased to exist and was replaced in Austria by a republican Government;

Considering that the Treaty of St. Germain-en-Laye to which Austria is a party was signed on September 10th, 1919, and came into force according to the terms of its Article 381, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution approved by the President July 24, 1921, which reads in part as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, . . . . .

"That the state of war declared to exist between the Imperial and Royal Austro-Hungarian Government and the United States of America by the joint resolution of Congress approved December 7th, 1917, is hereby declared at an end.

"Sec. 4. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 3d, 1918, or any extension or modifications thereof; or
which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the Treaty of St. Germain-en-Laye or the Treaty of Trianon, have been stipulated for its or their benefit; or to which it is entitled as one of the principal Allied and Associated Powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

"Sect. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was on April 6th, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property, of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7th, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government or its agents, or the Imperial and Royal Austro-Hungarian Government or its agents since July 31st, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government or its successor or successors shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of establishing securely friendly relations between the two Nations;

Have for that purpose appointed their plenipotentiaries;

The President of the United States of America:

ARTHUR HUGH FRAZIER

and the Federal President of the Republic of Austria:

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

Article I.

Austria undertakes to accord to the United States and the United States shall have and enjoy all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 24th, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of St. Germain-en-Laye which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States. The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty, will do so in a manner consistent with the rights accorded to Austria under such provisions.

Article II.

With a view to defining more particularly the obligations of Austria under the foregoing Article with respect to certain provisions in the Treaty of St. Germain-en-Laye, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States which it is intended the United States shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, XI, XII and XIV:

(2) That the United States shall not be bound by the provisions of Part I of that Treaty nor by any provisions of that Treaty including those mentioned in paragraph (1) of this Article which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Part IV and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty and in any other commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 381 of the Treaty of St. Germain-en-Laye shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

Article III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Vienna.
In witness whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Vienna, this twentyfourth day of August 1921.

[seal.] Arthur Hugh Frazier. [seal.] Schober

AND, WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Vienna on November 8, 1921:

NOW, THEREFORE, be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and the Imperial and Royal Austro-Hungarian Government, which was declared by the said resolution of December 7, 1917, to exist, terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this seventeenth day of November, One Thousand Nine Hundred and Twenty-one, and of the Independence of the United States of America the One Hundred and Forty-sixth.

WARREN G HARDING

By the President:

Charles E. Hughes
Secretary of State.
Hollinger Corp.

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