



Treaty Series No. 1 (1935)

[Reprint of "Irish Free State Treaty Series No. 13 (1934)"]

Exchange of Notes

between the Government of the Irish Free State
and the German Government

in regard to the

Release of German Property

Dublin, September 14, 1934

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE
IRISH FREE STATE AND THE GERMAN GOVERNMENT IN
REGARD TO THE RELEASE OF GERMAN PROPERTY.

Dublin, September 14, 1934.

No. 1.

*From the Minister for External Affairs to the German Minister at
Dublin.*

*Department of External Affairs,
Dublin, September 14, 1934.*

Excellency,

I HAVE the honour to refer to previous correspondence and conversations in relation to the release of German property situated in Saorstát Éireann.

On behalf of the Government of Saorstát Éireann I have the honour to declare that they undertake, subject to the following regulations, to release and, where necessary, to retransfer to the original German owners or to the persons deriving title through them, the property, rights and interests originally belonging to them and now subject to the charge created in pursuance of the Treaty of Versailles in so far as such property, rights and interests have not already been liquid or liquidated or finally disposed of on the 1st day of September, 1929.

The property, rights and interests covered by this Note are those only which were on the 10th day of January, 1920, within the territory now comprised in Saorstát Éireann; and the expression "liquid or liquidated or finally disposed of" used herein includes property, rights and interests—

- (a) which on the 1st day of September, 1929, have been sold or realised, or are the subject matter of an agreement for sale or other realisation entered into by the Custodian of Ex-enemy Property, or of a judgment in legal proceedings given in favour of the Custodian;
- (b) in respect of which the Custodian has, prior to the 1st day of May, 1929, issued a certificate under the "Treaty of Peace Order, 1919," as amended and applied that such property is subject to the charge created by the "Order in Council," and has required the person or corporation in possession or control thereof, or from whom the same is due, to hand over or transfer the same to him.

No claim will be made by the Government of Saorstát Éireann for the delivery by the German Government of any securities, certificates or deeds or other documents of title relating to property.

rights or interests to be released in pursuance of paragraph 10 of the Annex of Section 4 of Part X of the Treaty of Versailles.

The Government of Saorstát Éireann will, before releasing or transferring any particular property, right or interest, be entitled to charge and be paid such legal and other expenses incurred in connection with that property, right or interest, including the authorised fee of 2 per cent. on the value thereof to cover the services of the Custodian.

Due diligence will be observed in arranging the details of the procedure to be followed for the releases herein provided for and in giving effect to such releases, but no time limit shall be fixed during which any outstanding questions concerning property, rights and interests must be finally determined.

The proceeds of liquidation of German property, rights and interests not released in pursuance of the proposed arrangement or otherwise, and not already credited, shall be credited as heretofore.

The present Note and your Excellency's reply conveying the German Government's acceptance of the foregoing will constitute an arrangement between our two Governments on this question.

Accept, &c.

EAMON DE VALERA,

President of the Executive Council.

Minister for External Affairs.

No. 2.

From the German Minister at Dublin to the Minister for External Affairs.

German Legation, Dublin,

September 14, 1934.

Excellency,

I HAVE the honour to acknowledge receipt of your Excellency's Note of the 14th instant with reference to the release of German property situated in the Irish Free State, in which you informed me of the following:—

(Here follows the text of the Irish Note from the second to the final paragraphs, inclusive.)

In the name of the German Government I have the honour to inform your Excellency that they agree with the above regulation and consider the agreement to be concluded this day.

Accept, &c.

GEOERG VON DEHN-SCHMIDT,

Envoy Extraordinary and Minister

Plenipotentiary of the German

Reich.