

JOSEPH AMSCHLER (UNITED STATES) *v.* AUSTRIA AND BANCA  
COMMERCIALE TRIESTINA

*(June 9, 1927. Pages 51-52.)*

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On behalf of the claimant in case styled and numbered as above <sup>1</sup> an award is sought against Austria based exclusively on a bank deposit of 5,248 kronen and 75 heller to the credit of claimant in the Banca Commerciale Triestina, located at Gorizia, which prior to the war was embraced in the territory of the former Austrian Empire. On the coming into effect of the Treaty of St. Germain on July 16, 1920, Gorizia became a part of and the debtor bank a national of Italy. <sup>2</sup>

The Commissioner holds that the Banca Commerciale Triestina is not with respect to claimant an "enemy debtor" within the meaning of that term as found in the Treaty of Vienna and that the claim here asserted is not an "enemy debt" falling within the terms of that Treaty.

Applying the rules announced in Administrative Decision No. II to the facts as disclosed by the record herein the Commission decrees that under the Treaty of Vienna of August 24, 1921, the Government of Austria is not obligated to pay to the Government of the United States any amount on behalf of the claimant herein.

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