

ESTATE OF ALEXANDER ORTLIEB (UNITED STATES) *v.* AUSTRIA
AND EDWARD COUMONT, EXECUTOR OF ESTATE OF LOUIS
ORTLIEB

(*January 6, 1928. Page 60.*)

This case having come before the Commission for decision upon the statement of facts submitted by the American Agent, and due consideration having been had, the Commissioner finds that the claim does not fall within the terms of the Treaty of Vienna of August 24, 1921, it appearing that it is based exclusively on a demand for payment of four annuities of \$2,000.00 each payable in the United States on December 25 of the years 1917, 1918, 1919, and 1920, under the will of decedent claimant's brother, an Austrian national, which annuities remain unpaid except for three sums aggregating \$1,650.000 received in 1923 and 1924, the last annuity fully paid being that for the year 1916, and it further appearing that there is no debt herein asserted which fell due during the period of belligerency arising out of a pre-war transaction or contract within the meaning of the Treaty of Vienna and Administrative Decision No. II; therefore it is by the Commission.

Decreed, That under the Treaty of Vienna of August 24, 1921, and in accordance with its terms the Government of Austria is not obligated to pay to the Government of the United States any amount on behalf of the claimant, Estate of Alexander Ortlieb, deceased, and the case numbered and styled as above³ is hereby dismissed.

³ Original report: United States of America on behalf of Estate of Alexander Ortlieb, deceased, claimant, *v.* Austria and Edward Coumont, Executor of Estate of Louis Ortlieb, deceased, *Impleaded*, docket No. 811.