

N° 2776.

**ÉTATS-UNIS D'AMÉRIQUE
ET ESPAGNE**

Echange de notes relatif au règlement des réclamations réciproques.
Washington, les 24 août 1927,
13 mai et 20 juin 1929.

**UNITED STATES OF AMERICA
AND SPAIN**

Exchange of Notes relating to the Settlement of the reciprocal Claims. Washington, August 24, 1927, May 13 and June 20, 1929.

No. 2776. — EXCHANGE OF NOTES BETWEEN THE SPANISH GOVERNMENT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, RELATING TO THE SETTLEMENT OF THE RECIPROCAL CLAIMS. WASHINGTON, AUGUST 24, 1927, MAY 13 AND JUNE 20, 1929.

Nº 2776. — CANJE DE NOTAS ENTRE LOS GOBIERNOS DE ESPAÑA Y LOS ESTADOS UNIDOS DE AMÉRICA, RELATIVO AL ARREGLO DE LAS RECLAMACIONES RECIPROCAS. WASHINGTON, 24 DE AGOSTO DE 1927 Y 13 DE MAYO Y 20 DE JUNIO DE 1929.

Textes officiels anglais et espagnol communiqués par le ministre des Affaires étrangères d'Espagne. L'enregistrement de cet échange de notes a eu lieu le 8 août 1931.

Cet échange de notes a été transmis au Secrétariat par le « Department of State » du Gouvernement des Etats-Unis d'Amérique, le 25 juin 1931.

English and Spanish official texts communicated by the Spanish Minister for Foreign Affairs. The registration of this Exchange of Notes took place August 8, 1931.

This Exchange of Notes was transmitted to the Secretariat by the Department of State of the Government of the United States of America, June 25, 1931.

I.

THE SECRETARY OF STATE (KELLOGG) TO THE SPANISH CHARGÉ D'AFFAIRES *ad interim* (DE AMOEDO).

DEPARTMENT OF STATE.

WASHINGTON, August 24, 1927.

SIR,

The Ambassador's note of July 26, 1927, with further reference to the claims of the heirs of Señor Manuel Arias Brios, and to the suggestions made in my note of May 31, last, relative to the desirability of an informal consideration of such claims as either Government may now desire to bring to the attention of the other, was duly received and has had consideration.

With respect to His Excellency's request for a statement of the precise steps contemplated for the consideration of such claims, it is suggested (1) That each Government should submit to the other on or before a specified date in the near future, a list of the claims which each desires to urge for the consideration and allowance of the other, together with a brief statement of the facts. This Government would suggest that such lists should be exchanged by January 1, 1928. (2) Subsequently, at the expiration of an agreed period of time, say three months, required for the examination of the claims presented, the two Governments should designate representatives, one each, to confer

together in an effort to decide upon the merits of the claims, and, if possible to concur in conclusions as to the appropriate disposition to be made of each of the claims presented. (3) The claims which the representatives agree should be paid shall be referred by them to the respective Governments with their recommendations. (4) Cases in which the representatives do not agree or in which the recommendations of the representatives are not accepted by the two Governments might be disposed of by such further agreement as might at the time seem expedient.

Accept, Sir, the renewed assurances of my high consideration.

Frank B. KELLOGG.

Señor Don Mariano de Amoedo y Galarmendi,
Chargé d'Affaires *ad interim*
of Spain.

II.

THE SECRETARY OF STATE (STIMSON) TO THE SPANISH AMBASSADOR (PADILLA).

DEPARTMENT OF STATE.

WASHINGTON, May 13, 1929.

EXCELLENCY,

Reference is made to this Government's note of August 24, 1927, to the Chargé d'Affaires *ad interim* of Spain concerning an arrangement for the informal consideration of claims of the United States against Spain and Spanish claims against this Government.

As no reply to this communication has been received this Government is uncertain as to the acquiescence of the Spanish Government in the suggestions made therein. As previously indicated this Government is desirous of settling all outstanding claims between the two Governments and is willing to submit for consideration by the Spanish Government a list of claims in which it feels that satisfaction should be made. Before proceeding to the preparation of such list, however, it desires to be informed whether the arrangement proposed in its note of August 24, 1927, is concurred in by the Spanish Government and whether that Government will submit a list of its claims to this Government for use in carrying out the purposes of the proposed arrangement.

It is understood that the claims referred to are distinct from those of American citizens and protégés which have arisen in that part of Morocco commonly known as the Spanish Zone and which were made the subject of a special arrangement through my predecessor's note of November 7, 1927, and Your Excellency's note of February 1 (11), 1928, in reply thereto.

Accept, Excellency, the renewed assurances of my highest consideration.

Henry L. STIMSON.

His Excellency
Señor Don Alejandro Padilla y Bell,
Ambassador of Spain.

III.

THE SPANISH AMBASSADOR (PADILLA) TO THE SECRETARY OF STATE (STIMSON).

TEXTE ESPAGNOL. — SPANISH TEXT. ¹ TRADUCTION. — TRANSLATION.

ROYAL SPANISH
EMBASSY.

No. 80/23.

WASHINGTON, 20 de junio de 1929.

SEÑOR SECRETARIO :

Con referencia a la atenta Nota de Vuestra Excelencia, fechada el 13 de mayo de 1929, relacionada con otra anterior del 24 de agosto de 1927, por las que se expresaba el deseo del Gobierno de los Estados Unidos de llegar a la terminación de las reclamaciones recíprocas, pendientes actualmente entre España y Norte América, tengo la honra de participar a Vuestra Excelencia, que he recibido contestación telegráfica de Madrid, comunicándome que el Gobierno de Su Majestad acepta gustoso el empezar dicho estudio y al efecto, y por correo, me remitirán detalladas instrucciones para comenzar dicho trabajo.

Aprovecho esta oportunidad, para reiterar a Vuestra Excelencia, Señor Secretario, las seguridades de mi más alta consideración.

Al. Hon.

Henry L. Stimson,
Secretario de Estado.

Alejandro PADILLA.

ROYAL SPANISH
EMBASSY.

No. 80/23.

WASHINGTON, June 20, 1929.

MR. SECRETARY :

With reference to Your Excellency's note of May 13, 1929, relating to the previous one of August 24, 1927, in which was expressed a desire on the part of the Government of the United States to arrive at a conclusion on the reciprocal claims now pending between Spain and North America, I have the honour to inform Your Excellency that I have received a telegraphic answer from Madrid informing me that the Government of His Majesty gladly agrees to begin a study of the case and to that end will send me by mail detailed instructions to start the work.

I avail myself of this opportunity, Mr. Secretary, to renew to Your Excellency the assurances of my highest consideration.

The Honorable

Henry L. Stimson,
Secretary of State.

Alejandro PADILLA.

Es copia conforme con el original :

Madrid, 1º de Agosto de 1931.

El Subsecretario :

F. Agramonte.

¹ Traduction du Gouvernement espagnol.

¹ Translation of the Spanish Government.

¹ TRADUCTION. — TRANSLATION.

N^o 2776. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT ESPAGNOL ET LE GOUVERNEMENT DES ETATS-UNIS D'AMÉRIQUE, RELATIF AU RÈGLEMENT DES RÉCLAMATIONS RÉCIPROQUES. WASHINGTON, LES 24 AOUT 1927, 13 MAI ET 20 JUIN 1929.

I.

LE SECRÉTAIRE D'ÉTAT (KELLOGG) AU CHARGÉ D'AFFAIRES ESPAGNOL *p. i.* (DE AMOEDO).

DÉPARTEMENT D'ÉTAT.

WASHINGTON, le 24 août 1927.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai bien reçu et donné toute mon attention à la dépêche de l'Ambassadeur, en date du 26 juillet 1927, qui revient sur les réclamations des héritiers de Señor Manuel Arias Brios et se réfère aux suggestions formulées dans ma note du 31 mai dernier, relevant qu'il serait désirable de soumettre à un examen de caractère officieux les réclamations sur lesquelles l'un ou l'autre des gouvernements désire appeler l'attention de l'autre.

Son Excellence ayant exprimé le vœu qu'on lui fit connaître les mesures précises envisagées pour l'étude desdites réclamations, j'ai l'honneur de faire savoir que l'on propose : 1^o Que chaque gouvernement soumette à l'autre, à une date déterminée, ou même avant, dans un avenir prochain, une liste des réclamations que chaque gouvernement désire voir examiner et admettre par l'autre gouvernement ; à cette liste serait joint un bref exposé des faits. Le Gouvernement américain suggère que lesdites listes soient échangées avant le 1^{er} janvier 1928. 2^o Ultérieurement, à l'expiration d'un laps de temps convenu — trois mois, par exemple, — nécessaire pour l'examen des réclamations présentées, les deux gouvernements désigneraient des délégués — chaque gouvernement en désignant un — dont la mission serait de discuter et de décider du bien-fondé desdites réclamations et, si possible, de se mettre d'accord sur le règlement approprié de chacune desdites réclamations. 3^o Les réclamations dont le paiement aura été reconnu légitime par les deux délégués seront transmises par eux à leur gouvernement respectif, accompagnées de leurs recommandations. 4^o Les réclamations sur lesquelles les deux délégués ne seraient pas tombés d'accord ou au sujet desquelles les recommandations des délégués ne seraient pas acceptées par les deux gouvernements, pourraient faire l'objet d'un accord complémentaire et être réglées de la manière qui, à ce moment-là, paraîtrait le plus pratique.

Veuillez agréer, etc.

Frank B. KELLOGG.

Señor Don Mariano de Amoedo y Galarmendi,
Chargé d'Affaires *p. i.* d'Espagne.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.