

ARBITRATION

Convention signed at Washington May 2, 1908

Senate advice and consent to ratification May 6, 1908

Ratified by the President of the United States January 8, 1909

Ratified by the Netherlands March 5, 1909

Ratifications exchanged at Washington March 25, 1909

Entered into force March 25, 1909

Proclaimed by the President of the United States March 25, 1909

Extended by agreements of May 9, 1914;¹ March 8, 1919;² February 13, 1924;³ and February 27, 1929⁴

Expired March 25, 1930⁵

36 Stat. 2148; Treaty Series 519

The Government of the United States of America and Her Majesty the Queen of the Netherlands, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on July 29, 1899;⁶

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have appointed as their Plenipotentiaries to conclude the following agreement, to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

Her Majesty the Queen of the Netherlands, Mr. W. A. Royaards, Counselor of Legation and Chargé d'Affaires ad interim of the Netherlands at Washington;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed on the following articles:

¹ TS 617, *post*, p. 67.

² TS 641, *post*, p. 71.

³ TS 682, *post*, p. 73.

⁴ TS 786, *post*, p. 95.

⁵ A new arbitration treaty signed at Washington Jan. 13, 1930 (TS 820, *post*, p. 100), entered into force July 17, 1930.

⁶ TS 392, *ante*, vol. 1, p. 230.

ARTICLE I

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two contracting States, and do not concern the interests of third Parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of the Netherlands they will be subject to the procedure required by the constitutional laws of the Netherlands.

ARTICLE III

This Convention is concluded for a period of five years, counting from the date of the exchange of ratifications, which shall take place as soon as possible.

Done in duplicate at Washington, in the English and Dutch languages, this second day of May, 1908.

ELIHU ROOT [SEAL]

W. A. ROYAARDS [SEAL]