

ADVANCEMENT OF PEACE

Treaty signed at Lima July 14, 1914

Senate advice and consent to ratification August 20, 1914

Ratified by the President of the United States December 1, 1914

Ratified by Peru January 26, 1915

Ratifications exchanged at Lima March 4, 1915

Entered into force March 4, 1915

Proclaimed by the President of the United States March 6, 1915

39 Stat. 1611; Treaty Series 613

The United States of America and the Republic of Peru, with the earnest desire to strengthen their bonds of friendship and to contribute to the development of the spirit of universal peace, have resolved upon the celebration of a treaty containing the rules for the practice of these high proposals, and to that end have nominated as their plenipotentiaries:

The President of the United States, Benton McMillin, Envoy Extraordinary and Minister Plenipotentiary of the United States in Peru; and

The President of Peru, Doctor J. Fernando Gazzani, Minister of Foreign Relations;

Who, after having examined their full powers, which were found in due form, have agreed upon the following articles:

ARTICLE I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to an International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

The International Commission shall be composed of five members, two named by each one of the respective Governments and one named jointly

by them. The designations made by each Government can only devolve one on a citizen of the State itself and the other on a citizen of a third country. The designation of the fifth member can not devolve upon a citizen of either of the two interested nations.

Each of the High Contracting Parties reserves to itself the right to withdraw its two Commissioners, or one of them, before the initiation of the investigations, and, within the same period, to withdraw its agreement to the joint designation of the fifth member. In these cases, they shall proceed to replace them according to the forms above laid down.

During the period of investigation the Commissioners shall receive such pecuniary compensation as shall be agreed upon by the High Contracting Parties.

The Commission, whose expenses shall be met in equal parts by the two Governments, shall be appointed a short time after the exchange of the ratifications of the Treaty; and to provide for possible vacancies on it, the same rules shall be applied as in the original designations.

ARTICLE III

The questions which divide the High Contracting Parties should they be incapable of solution by diplomatic means, shall be submitted immediately to the International Commission for its investigation and report.

The International Commission may, however, by unanimous agreement, spontaneously offer its services to that effect, and in such case it shall notify both Governments, and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the International Commission all means and all facilities for the investigation and report.

The report shall be presented in the maximum period of one year, but the High Contracting Parties, by mutual accord, may shorten or extend this period. The report shall appear in three copies.

The Commission shall reserve one of the copies for its archives and deliver the other two to the Governments interested.

The High Contracting Parties reserve the right to act independently in the question dealt with in the investigations after the issue of the report.

ARTICLE IV

The ratifications of this Treaty shall be made by the President of the United States of America by and with the advice and consent of the Senate; and by the President of Peru if the Legislative Power shall give its approval in conformity with the Constitution and the laws. The exchange of ratifications shall take place as soon as possible, and immediately afterward this Treaty shall take effect for a period of five years, at the end of which it will remain in effect until twelve months after the day on which one of the Parties advises the other of its intention of terminating it.

In witness whereof, we the respective plenipotentiaries have signed the present treaty, in duplicate, in the English and Spanish languages and have hereunto affixed our respective seals.

Done at Lima the fourteenth day of July, in the year of our Lord one thousand nine hundred and fourteen.

BENTON McMILLIN [SEAL]

J. FERNANDO GAZZANI [SEAL]