

Treaty between the United States and Chile for the advancement of general peace. Signed at Washington, July 24, 1914; ratification advised by the Senate, August 20, 1914; ratified by the President, November 11, 1915; ratified by Chile, November 9, 1915; ratifications exchanged at Washington, January 19, 1916; proclaimed, January 22, 1916.

July 24, 1914.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty between the United States of America and the Republic of Chile looking to the advancement of the cause of general peace was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-fourth day of July, one thousand nine hundred and fourteen, the original of which Treaty, being in the English and Spanish languages, is word for word as follows:

General peace, Chile.
Preamble.

Treaty for the Settlement of disputes that may occur between the United States of America and Chile.

Tratado para la Solucion de las Dificultades que surgieren entre los Estados Unidos de América y Chile.

The President of the United States of America and the President of the Republic of Chile being desirous to secure in the most effective way the amicable settlement of any future difficulties between both countries and the subsequent maintenance of peace and good amity between them, have resolved to enter into a special treaty for that purpose, and to that end have appointed their Plenipotentiaries as follows:

The President of the United States of America, His Excellency William Jennings Bryan, Secretary of State of the United States; and

The President of the Republic of Chile, His Excellency Eduardo Suárez Mujica, Envoy Extraordinary and Minister Plenipotentiary of Chile to the United States of America;

Who, after having communicated to each other their respective full powers, found to be in proper and due form, have agreed upon and concluded the following articles:

El Presidente de los Estados Unidos de América y el Presidente de la República de Chile, deseosos de proveer de la manera mas eficaz al arreglo amistoso de cualquiera futura dificultad entre ambos países y de asegurar mejor el mantenimiento de la paz y buena amistad entre ellos, han resuelto concluir un tratado especial con tales fines, y han nombrado al efecto sus Plenipotenciarios, a saber:

El Presidente de los Estados Unidos de América, a Su Excelencia William Jennings Bryan, Secretario de Estado de los Estados Unidos; y

El Presidente de la República de Chile, a Su Excelencia Eduardo Suárez Mujica, Enviado Extraordinario y Ministro Plenipotenciario de Chile en los Unidos de América;

Los cuales, después de haberse comunicado sus respectivos plenos poderes y encontrádoslos en buena y debida forma, han convenido en los artículos siguientes:

Contracting Powers.

Plenipotentiaries.

ARTICLE I.

Disputes to be submitted to International Commission for investigation and report.

The High Contracting Parties agree that all disputes that may arise in the future between them, shall, when diplomatic methods of adjustment have failed, be submitted 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, nor before all resources stipulated in this treaty have proved unsuccessful.

ARTICLE II.

International Commission. Composition.

The International Commission shall be composed of five members, to be appointed as follows:— Each Government shall designate two members, only one of whom shall be of its own nationality. The fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission. The fifth member shall perform the duties of President.

New commissioners.

Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and, conjointly, the nomination of the successor, or successors, must be enacted. Likewise, either Government shall also have the right to withdraw its approval of the fifth member; in which case the new fifth member will be appointed within thirty days following the notification of the withdrawal, by common agreement between the two Governments, and such agreement lacking, the appointment will be made by the President of the Swiss Confederation.

Vacancies.

The vacancies that may occur through other causes than those already named, will be filled as mentioned in this article.

ARTÍCULO I.

Las Altas Partes Contratantes convienen en que todas las cuestiones que en lo futuro se susciten entre ellas, y que no hubieren podido arreglarse por la vía diplomática, sean sometidas para su investigación é informe a una Comisión Internacional constituida de la manera que se indica en el artículo siguiente; y se comprometen a no declararse la guerra ó iniciar hostilidades durante el período de investigación y antes de agotados todos los resortes que se estipulan en el presente tratado.

ARTÍCULO II.

La Comisión Internacional se compondrá de cinco miembros, nombrados en esta forma:—Cada Gobierno elegirá dos miembros, de los cuales solo uno podrá ser de su propia nacionalidad. El quinto miembro será elegido de común acuerdo por ambos Gobiernos, no pudiendo recaer la designación en ciudadano de ninguna de las nacionalidades ya representadas en la Comisión. El quinto miembro desempeñará las funciones de Presidente.

Cada una de las Altas Partes Contratantes tendrá el derecho de revocar, antes de que se haya iniciado la investigación, el nombramiento de cualquiera de los miembros que le hubiere correspondido designar, y en el mismo acto de la revocación deberá proveer al reemplazo del ó de los miembros separados. Podrá igualmente cualquiera de los dos Gobiernos retirar su aceptación del quinto miembro, y en tal caso se designará al reemplazante dentro de los treinta días siguientes a la notificación de la revocatoria, de común acuerdo entre ambos Gobiernos, y en defecto de este acuerdo la designación se hará por el Presidente de la Confederación Suiza.

Las vacantes por causas diversas de las enumeradas se llenarán, respectivamente, en la forma establecida en este artículo.

The International Commission shall be constituted within the four months following the exchange of the ratifications of this treaty, and shall notify both Governments of the date of its organization. The Commission will establish its own regulations. The resolutions of the Commission, as well as its final report, will be adopted by the majority of its members.

The expenses of the Commission shall be paid by the two Contracting Governments in equal proportion.

The Commission shall determine the country wherein it will sit, taking into consideration the greater facilities for the investigation.

ARTICLE III.

In case that, as established in Article I, the High Contracting Parties shall have failed to adjust the difficulty by diplomatic methods, said difficulty will be immediately submitted to the International Commission for its investigation and report. The convocation of said Commission may be made by either contracting Government.

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

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall extend the time by mutual agreement. The report shall be prepared in triplicate: one copy shall be presented to each Government and the third retained by the Commission for its files.

ARTICLE IV.

Once the report in possession of both Governments, six months' time will be available for renewed negotiation in order to bring about a settlement of the difficulty in view of the findings of

La Comisión Internacional deberá constituirse dentro de los cuatro meses siguientes al cange de las ratificaciones de este tratado, y dará cuenta a ambos Gobiernos de la fecha de su instalación. La Comisión establecerá por sí misma las reglas de su procedimiento. Las decisiones de la Comisión, lo mismo que su informe final, serán acordados por la mayoría de sus miembros.

Los gastos de la Comisión serán sufragados por mitad entre los dos Gobiernos Contratantes.

La Comisión determinará el país en que deba funcionar, tomando en cuenta las mayores facilidades de investigación.

ARTÍCULO III.

Producido el caso contemplado en el artículo I, de que las Altas Partes Contratantes no hubieran podido solucionar su dificultad por la vía diplomática, ésta será sometida inmediatamente a la Comisión Internacional para su investigación é informe. La convocatoria de la Comisión podrá hacerse por cualquiera de los dos Gobiernos contratantes.

Las Altas Partes Contratantes se obligan a suministrar a la Comisión Internacional todas las facilidades que sean necesarias para la investigación é informe.

El informe de la Comisión Internacional será evacuado dentro del término de un año, a contar desde el día que ella hubiere designado para empezar la investigación. Este plazo podrá ser prorrogado por acuerdo de ambos Gobiernos Contratantes. El informe se extenderá por triplicado: un ejemplar será entregado a cada uno de los dos Gobiernos contratantes, y el tercero mantenido en el archivo de la Comisión.

ARTÍCULO IV.

Transmitido el informe de la Comisión a los dos Gobiernos Contratantes, éstos dispondrán de un término de seis meses para procurar nuevamente el arreglo de la dificultad en vista de las conclu-

Appointment.

Expenses.

Place of meeting.

Duties of Commission.

Facilities for investigation.

Report.

Additional time for renewed negotiations.

said report; and if even during this new term both Governments should be unable to reach a friendly arrangement, the dispute will then be submitted to the Permanent Court of Arbitration established at The Hague.

Questions not to be submitted.

Notwithstanding, any question that may affect the independence, the honor or the vital interests of either or both of the countries, or the provisions of their respective Constitutions, or the interests of a third nation, will not be submitted to such or any other arbitration.

Special convention to determine details.

A special and previously agreed convention will detail, if arbitration is resorted to, the matter of the controversy, the extent of the Arbiters' powers, and the length of time to which the Court of Arbitration must subject its organization and procedure, including the presentation of memorials, proofs, and pleas.

ARTICLE V.

Exchange of ratifications, etc.

The present treaty will be ratified by both Governments after obtaining its approval by the Constitutional Powers of both countries, and the ratifications shall be exchanged in Washington as soon as possible.

The special convention prescribed by the final paragraph of Article IV remains also subject to the constitutional requisites of both countries.

Duration.

The present treaty shall take effect immediately after the exchange of the ratifications; and shall continue in force for a period of five years, and it shall thereafter remain in force, during successive periods of five years, until one of the High Contracting Parties have given notice to the other of an intention to terminate it.

Signatures.

In witness thereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington, on the 24th day of July, in the year nineteen hundred and fourteen.

siones del mencionado informe; y si durante este nuevo plazo los dos Gobiernos no pudieren todavía llegar a una solución amistosa, se someterá la cuestión a la Corte Permanente de Arbitraje de La Haya.

No será, sin embargo, sometida a arbitraje ninguna cuestión que pueda afectar a la soberanía, honor ó intereses vitales de cualquiera de los dos países, a las disposiciones de sus respectivas cartas fundamentales ó a los intereses de una tercera potencia.

Un convenio especial y previo precisará, llegado el caso, la materia de la controversia, la extensión de los poderes de los árbitros y los plazos a que deban sujetarse la organización y procedimientos del Tribunal de Arbitraje, incluso la presentación de memoriales, pruebas y alegatos

ARTÍCULO V.

El presente tratado será ratificado por ambos Gobiernos, previos los trámites constitucionales de uno y otro país, y las ratificaciones serán cangeadas en Washington tan pronto como sea posible.

El convenio especial prescrito por el párrafo final del artículo IV, quedará también sujeto a los requisitos constitucionales de ambos países.

La duración del presente tratado será de cinco años, contados desde la fecha del cange de las ratificaciones; y se entenderá que continúa subsistente por períodos sucesivos de igual duración, mientras alguna de las Altas Partes Contratantes no haya comunicado a la otra su resolución de ponerle término.

En fé de lo cual, los respectivos Plenipotenciarios han firmado el presente tratado y selládolo con sus sellos.

Hecho en Washington, el día 24 de julio del año de mil novecientos catorce.

WILLIAM JENNINGS BRYAN [SEAL.]
[SEAL.] ED. SUÁREZ MUJICA

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the nineteenth day of January, one thousand nine hundred and sixteen;

Ratifications exchanged.

Now, therefore, be it known that I, Woodrow Wilson, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-second day of January in the year of our Lord one thousand nine hundred and [SEAL.] sixteen, and of the Independence of the United States of America the one hundred and fortieth.

WOODROW WILSON

By the President:
ROBERT LANSING
Secretary of State.