

CLAIMS: THE CASE OF ROBERT H. MAY

Protocol signed at Washington May 10, 1900, supplementing agreement of February 23, 1900

Entered into force May 10, 1900

*Terminated upon fulfillment of its terms*¹

Treaty Series 151

SUPPLEMENTAL PROTOCOL

Whereas, a protocol was signed at Washington, February 23, 1900,² between the Secretary of State of the United States and the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Guatemala for submission to an arbitrator of certain issues involved in the claim and counterclaim of Robert H. May and Guatemala, as specified in said protocol; and

Whereas, it is stipulated in Article II of said protocol as follows, to wit:

“That within thirty days from the date of the signing of this protocol, each party shall furnish to the other and to the arbitrator a copy of the memorial on which its own claim is based; and within ninety days after such signing each Government shall furnish to the other and to the arbitrator copies of all the documents, papers, accounts, official correspondence and other evidence on file at their respective Foreign Offices relating to these claims, and of all affidavits of their respective witnesses relating thereto: Provided, that said arbitrator may request either Government to furnish such additional proof as he may deem necessary in the interests of justice, and each Government agrees to comply with said request as far as possible; but he shall not for such purpose delay his decision”; and

Whereas, it is stipulated by Article III, of said protocol as follows, to wit:

“That each Government by its counsel, and said May by his attorney, may severally submit to said arbitrator an argument in writing touching the questions involved within sixty days from the date limited for the submission of the evidence; but the arbitrator shall not for such purpose nor in any event delay his decision beyond four months from the date of the submission to him of the evidence aforesaid”;

Whereas, it is stipulated by Article IV of said protocol, as follows, to wit:

“It shall be the duty of said arbitrator to decide both cases upon such evidence as may have been filed before him and solely upon the issues of law and fact presented by claim and counterclaim and upon the consideration of

¹ See footnote 2, *ante*, p. 473.

² TS 150, *ante*, p. 473.