

CLAIMS: THE CASE OF ROBERT H. MAY

Protocol of an agreement signed at Washington February 23, 1900

Entered into force February 23, 1900

*Supplemented by protocol of May 10, 1900*¹

*Terminated upon fulfillment of its terms*²

1900 For. Rel. 656; Treaty Series 150

PROTOCOL OF AN AGREEMENT BETWEEN THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE REPUBLIC OF GUATEMALA FOR SUBMISSION TO AN ARBITRATOR OF THE CLAIM OF ROBERT H. MAY AGAINST THE REPUBLIC OF GUATEMALA AND OF THE CLAIM OF THE REPUBLIC OF GUATEMALA AGAINST SAID MAY.

The United States of America and the Republic of Guatemala, through their representatives, John Hay, Secretary of State of the United States of America, and Antonio Lazo Arriaga, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Guatemala, have agreed upon and signed the following protocol.

Whereas, the United States of America, on behalf of Robert H. May, has claimed indemnity from the Government of Guatemala for a debt alleged to be due him from that Government under certain contracts between him and that Government in connection with the Guatemala Northern Railroad and for damages alleged to have been caused him by that Government, its civil or military authorities in connection therewith; and the Government of Guatemala denies any liability therefor; and

Whereas, the Government of Guatemala has claimed that said May is indebted to it both on account of said contracts and of damages caused by his alleged unlawful acts or those of his agents or employees acting by his authority; and said May, to secure his faithful performance of said contract, has delivered to said Government a promissory note, signed by certain third parties for \$40,120.79; and the Government of the United States denies any liability on May's part to said Government of Guatemala on account of said claims;

¹ TS 151, *post*, p. 476.

² The arbitrator returned an award in favor of the claimant on Nov. 16, 1900 (TS 152); for text, see 1900 For. Rel. 659.