

*Arbitration convention between the United States and Portugal. Signed at Washington April 6, 1908; ratification advised by the Senate April 17, 1908; ratified by the President November 6, 1908; ratified by Portugal September 21, 1908; ratifications exchanged at Washington November 14, 1908; proclaimed December 14, 1908.*

April 6, 1908.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Portugal, providing for the submission to arbitration of all questions of a legal nature or relating to the interpretation of treaties, which may arise between the two countries and which it may not have been possible to settle by diplomacy, was concluded and signed by their respective Plenipotentiaries at Washington on the sixth day of April, one thousand nine hundred and eight, the original of which Convention, being in the English and Portuguese languages, is word for word as follows:

Arbitration with Portugal.  
Preamble.

The Government of the United States of America and the Government of Portugal, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

O Governo de Sua Majestade Fidelissima e o Governo dos Estados Unidos da America, signatarios da Convenção para a solução pacifica dos conflictos internacionais, celebrada na Haya aos 29 de julho de 1899;

Contracting powers.

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,

Considerando que pelo artigo XIX d'essa Convenção as Altas Partes contratantes se reservam a faculdade de entre si celebrar acordos no intuito de resolver por arbitragem todos os casos que por arbitragem possam ser resolvidos,

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Have authorized the Under-signed to conclude the following arrangement:

Autorizam os abaixo assignados a firmar as seguintes disposições:

ARTICLE I.

ARTIGO 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

As questões de caracter juridico ou as relativas á interpretação dos tratados em vigor, que existam ou venham a existir entre Portugal e os Estados Unidos da America, e que não tenham podido resolver-se por via diplomatica, serão submettidas ao Tribunal Permanente de Arbitragem insti-

Submitting certain disputes to the permanent court of arbitration at The Hague.

Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of either of the two Contracting States, and do not concern the interests of third Parties.

## ARTICLE II.

Special agreements defining matters in dispute, etc.

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 thereof.

## ARTICLE III.

Duration.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

## ARTICLE IV.

Exchange of ratifications.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of Portugal in accordance with the constitutional laws of the Kingdom.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Signatures.

Done in duplicate in the English and Portuguese languages at Washington, this 6th day of April, one thousand nine hundred and eight.

tuido ná Haya em virtude da Convenção de 29 de julho de 1899, comtanto que as referidas questões nada envolvam que entenda com os interesses vitais, a independencia ou a honra de um ou outro dos Estados contratantes, ou com os interesses de outro Estado.

## ARTIGO II.

Em cada caso particular, antes de recorrerem ao Tribunal Permanente de Arbitragem, assignarão as Altas Partes Contratantes um compromisso especial que claramente determine o ponto em discussão, a extensão das faculdades attribuidas aos arbitros e as condições que hajam de observar-se no tocante ao prazo em que deva reunir-se o Tribunal e ás varias phases do processo arbitral. Fica entendido que esse compromisso especial será, por parte dos Estados Unidos da America, feito pelo Presidente da Republica por conselho e com o consentimento do Senado Americano.

## ARTIGO III.

A presente Convenção subsistirá pelo espaço de cinco annos, contados do dia da troca das ratificações.

## ARTIGO IV.

A presente Convenção será ratificada por Sua Majestade El Rei de Portugal em harmonia com as leis constitucionaes do Reino; e pelo Presidente dos Estados Unidos da America por conselho e com o consentimento do Senado da Republica.

Effectuar-se-ha em Washington, no mais breve prazo possível, a troca das ratificações d'esta Convenção, que logo que essa troca se realize começará a vigorar.

Feito em duplicado nas linguas portuguesa e inglesa, em Washington, aos seis dias de abril de mil novecentos e oito.

ELIHU ROOT [SEAL]  
ALTE [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the fourteenth day of November, one thousand nine hundred and eight;

Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention 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 of America to be hereunto affixed.

Done at the City of Washington, this fourteenth day of December, in the year of our Lord one thousand nine hundred and [SEAL.] eight, and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

*Secretary of State.*