

and to that end have appointed their respective Plenipotentiaries, as follows:—

His Britannic Majesty, the Right Honourable Sir Michael H. Herbert, K.C.M.G., C.B., His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary; and

The President of the United States of America, John Hay, Secretary of State of the United States;

Who, after an exchange of their full powers, which were found to be in good and due form, have agreed upon the following Articles:

Article I. A Tribunal shall be immediately appointed to consider and decide the questions set forth in Article IV of this Convention. The Tribunal shall consist of six impartial jurists of repute, who shall consider judicially the questions submitted to them, each of whom shall first subscribe an oath that he will impartially consider the arguments and evidence presented to the Tribunal, and will decide thereupon according to his true judgment. Three members of the Tribunal shall be appointed by His Britannic Majesty and three by the President of the United States. All questions considered by the Tribunal, including the final award, shall be decided by a majority of all the members thereof.

In case of the refusal to act, or of the death, incapacity, or abstention from service of any of the persons so appointed, another impartial jurist of repute shall be forthwith appointed in his place by the same authority which appointed his predecessor.

The Tribunal may appoint a Secretary and a Bailiff to perform such duties as they may prescribe, and may employ scientific experts if found to be necessary, and may fix a reasonable compensation for such officers. The Tribunal shall keep an accurate record of all its proceedings.

Each of the High Contracting Parties shall make compensation for the services of the members of the Tribunal of its own appointment and of any agent, counsel, or other person employed in its behalf, and shall pay all costs incurred in the preparation of its Case. All expenses reasonably incurred by the Tribunal in the performance of its duties shall be paid by the respective Governments in equal moieties.

The Tribunal may, subject to the provisions of this Convention, establish all proper rules for the regulation of its proceedings.