

N° 770.

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ÉTATS-UNIS D'AMÉRIQUE  
ET JAPON

Arrangement prolongeant la durée  
de la Convention d'arbitrage du  
5 mai 1908, signé à Washington,  
le 23 août 1923, et Echange de  
notes y relatif, portant la même  
date.

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UNITED STATES OF AMERICA  
AND JAPAN

Agreement extending the duration  
of the Arbitration Convention of  
May 5, 1908, signed at Washing-  
ton, August 23, 1923, and Exchange  
of Notes of the same date relating  
thereto.

No. 770. — AGREEMENT<sup>1</sup> EXTENDING THE DURATION OF THE ARBITRATION CONVENTION<sup>2</sup> OF MAY 5, 1908, BETWEEN THE UNITED STATES OF AMERICA AND JAPAN, SIGNED AT WASHINGTON, AUGUST 23, 1923, AND EXCHANGE OF NOTES OF THE SAME DATE RELATING THERETO.

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*Texte officiel anglais communiqué par le Chef du Bureau du Japon à la Société des Nations. L'enregistrement de cet accord a eu lieu le 10 novembre 1924.*

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The GOVERNMENT OF HIS MAJESTY THE EMPEROR OF JAPAN and the GOVERNMENT OF THE UNITED STATES OF AMERICA, desiring to extend for another five years the period during which the Arbitration Convention concluded between them on May 5, 1908, and extended by the Agreement concluded between the two Governments on June 28, 1913<sup>3</sup>, and further extended by the Agreement concluded between the two Governments on August 23, 1918<sup>4</sup>, shall remain in force, have respectively authorised the undersigned, to wit :

His Excellency Masanao HANIHARA, His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington, and

Charles EVANS HUGHES, Secretary of State of the United States,

to conclude the following Agreement :

*Article 1.*

The Convention of Arbitration of May 5, 1908, between the Government of His Majesty the Emperor of Japan and the Government of the United States of America, the duration of which by Article 3 thereof was fixed at a period of five years from the date of the exchange of ratifications, which period, by the Agreement of June 28, 1913, between the two Governments was extended for five years from August 24, 1913, and was extended by the Agreement between them of August 23, 1918, for the further period of five years from August 24, 1918, is hereby extended and continued in force for the further period of five years from August 24, 1923.

*Article 2.*

The present Agreement shall be ratified by His Majesty the Emperor of Japan and by the President of the United States of America, by and with the advice and consent of the Senate thereof,

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<sup>1</sup> L'échange des ratifications a eu lieu à Washington, le 26 avril 1924.

<sup>2</sup> British and Foreign State Papers, vol. 101, page 1,072.

<sup>3</sup> British and Foreign State Papers, vol. 107, page 993.

<sup>4</sup> British and Foreign State Papers, vol. 111, page 767.

and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

Done in duplicate in the English language at Washington this twenty-third day of the eighth month of the twelfth year of Taisho corresponding to the twenty-third day of August one thousand nine hundred and twenty-three.

(L. S.) M. HANIHARA.

(L. S.) CHARLES EVANS HUGHES.

FROM THE SECRETARY OF STATE TO MR. HANIHARA.

DEPARTMENT OF STATE.

WASHINGTON, *August 23, 1923.*

EXCELLENCY,

In connection with the signing to-day of an agreement for the renewal of the Convention of Arbitration concluded between the United States and the Government of His Majesty the Emperor of Japan, May 5, 1908, and renewed from time to time, I have the honour, in pursuance of our informal conversations, to state the following understanding, which I shall be glad to have you confirmed on behalf of your Government.

On February 24 last the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at the Hague. As the Senate does not convene in its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the Government of His Majesty the Emperor of Japan will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice.

Accept, Excellency, the renewed assurance of my highest consideration.

(Signed) CHARLES E. HUGHES.

His Excellency,  
Mr. Masanao HANIHARA,  
Japanese Ambassador.

FROM MR. HANIHARA TO THE SECRETARY OF STATE.

JAPANESE EMBASSY.

WASHINGTON, *August 23, 1923.*

SIR,

I have the honour to acknowledge the receipt of your note of to-day's date, communicating to me your understanding reached in our informal conversations in connection with the renewal of the Convention of Arbitration concluded between Japan and the United States, May 5, 1908, and extended in its operation until August 24 of this year.

I am happy to be able to confirm to you, under instructions from my Government, your understanding as set forth in the following terms :

“ On February 24 last, the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at the Hague. As the Senate does not convene in its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the Government of His Majesty the Emperor of Japan will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice. ”

Accept, Sir, the renewed assurance of my highest consideration.

Honorable Charles E. HUGHES,  
Secretary of State.

(Signed) M. HANIHARA.