

外務省  
記録

自  
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米支仲裁々判條約關係一件

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米支仲裁々判條約關係一件

第  
卷

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0481

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0482

米大使裁新条...  
(赤持紙)

馬

原書  
16.1.6、イヌエ  
支那内乱系傳件  
國民軍、共伐千傳  
張學良、村南方等  
協同、東三省易幟  
問題、三在

B5.0.0-C/11

昭和4 一〇七 平 華盛頓 一月五日前着

田中外務大臣 出淵大使

第一號

一各新聞ハ奉天側カ青天白日旗ヲ掲揚ニ決シタル経緯ヲ詳述スルト  
共ニ日本ハ之ヲ阻止スル行動ニ出テサルヘキ模様アリトノ趣旨ヲ  
報スル支那其ノ他各方面ノ電報ヲ掲載シ居レルカ紐育「ヘラルド  
トリビューン」「バルチモア、サン」費府「レコード」「インク  
アイラー」華府「ポスト」同「スター」等ハ社説ヲ掲ケ何レモ  
斯クシテ支那ノ統一カ漸次其ノ緒ニ就キツツアル事ヲ祝福スルト  
共ニ其ノ多數ハ右統一カ未タ皮相ノ域ヲ脱セスシテ同國內部ニ幾

外務省

(赤持紙)

多ノ難關存スル事ヲ指摘セリ將又前記我方ノ態度ニ關シ「バルチ  
モア、サン」ハ日本ノ如ク強大ナル隣邦カ妥協的態度ニ出テ來レ  
ルハ支那ノ前途ニ對スル希望ヲ深カラシムト爲シ紐育「ヘラルド、  
トリビューン」及費府「インクアイラー」ハ日本モ遠カラス支那  
ノ新シキ事態ヲ認メ他ノ列國ト同様對支新條約關係ニ入ルナラン  
ト述ヘ居レリ

十二月二十八日國務長官ヨリ支那公使ニ對シ對佛獨條約等ト同趣  
旨ノ新仲裁裁判條約締結方ヲ申入レタル趣同省ヨリ發表セラレタ  
リ  
英佛ニ郵送セリ

外務省

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東京第一課長

條約集 第十二輯 第三十二卷

(234) 外務省條約局

昭和九年七月五日編纂

「アメリカ」合衆國中華民國間仲裁裁判條約

*[Handwritten signature]*

(0500/1)

昭和九年七月五日編纂

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(假譯)

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(假譯)

「アメリカ」合衆國中華民国間仲裁裁判條約

昭和五年(千九百三十年)六月二十七日、ワシントンニ於テ署名  
昭和七年(千九百三十二年)十二月十五日、同市ニ於テ批准書交換

中華民國及「アメリカ」合衆國ハ

兩國間ニ幸ニ存在スル平和關係ノ如何ナル中絶ヲモ能フ限リ防止センコトヲ決意シ

兩國間ニ生ズルコトアルベキ如何ナル紛議ニテモ司法的決定ノ可能ナルモノハ之ヲ公平ナル決定

ニ付スルノ政策ヲ採レルコトヲ再ビ確認センコトヲ希望シ

其ノ實例ニ依リ相互ノ關係ニ於テハ兩國ハ國家ノ政策ノ手段トシテノ戰爭ヲ非トスルモノナルコ

トヲ明ニセンコトノミナラズ國家間ノ紛争ノ平和的解決ニ關スル國際協定ノ締結ニ依リ世界諸國

間ノ戰爭ノ可能性ガ永久ニ排除セラルルニ至ルノ時期ヲ促進セシメンコトヲ切望シ

仲裁裁判條約ヲ締結スルコトニ決シ之ガ爲左ノ如ク各其ノ全權委員ヲ任命セリ

中華民國國民政府主席

「アメリカ」合衆國駐劄中華民國特命全權公使 伍 朝 樞

「アメリカ」合衆國中華民国間仲裁裁判條約

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「アメリカ合衆國中華民間仲裁裁判條約」  
「アメリカ合衆國大統領」

右全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條項ヲ協定セリ

第一條

締約國ノ一方ガ條約又ハ他ノ事由ニ基キ他方ニ對シ爲シタル權利ノ主張ノ結果トシテ兩締約國間ニ起レル國際的問題ニ關スル紛争ニシテ外交手續ニ依リ解決セラルルヲ得ズ、千九百十四年九月十五日「ワシントン」ニ於テ署名セラレタル條約ニ從ヒテ設置セラレタル常設國際委員會ヘノ出訴ニ依リテモ解決セラルルヲ得ズ且法又ハ衡平ノ原則ヲ適用スル決定ヲ爲シ得ルノ性質ニ因リ裁判ニ付セラレ得ルモノハ千九百十七年十月十八日ノ條約ニ依リ「ヘーグ」ニ設ケラレタル常設仲裁裁判所又ハ各場合ニ於テ特別取極ニ依リ決定セラルベキ權限アル他ノ裁判所ニ付託セララルベシ右特別取極ハ右裁判所ノ構成ニ付規定シ、必要ナル場合ニハ其ノ權限ヲ定メ、係争問題ヲ明ニシ、解決セラルベキ問題ヲ明確ニスベシ

各場合ニ於ケル特別取極ハ中華民國ニ付テハ其ノ憲法ニ從ヒ又「アメリカ合衆國」ニ付テハ同國大統領ニ依リ合衆國上院ノ勸告ニ基キ且其ノ協贊ヲ得テ締結セララルベシ

第二條

本條約ノ規定ハ左ノ如キ目的ヲ有スル紛争ニ付テハ援用セララルコトヲ得ズ

(イ) 目的ガ締約國ノ一方又ハ他方ノ國內管轄權内ニ在ルモノ

(ロ) 目的ガ第三國ノ利益ニ關係アルモノ

(ハ) 目的ガ「モンロー」主義ノ名ニ依リテ一般ニ知ラレタル「アメリカ」問題ニ關スル「アメリカ」合衆國ノ傳統的態度ノ維持如何ニ懸リ又ハ之ニ關係アルモノ

(ニ) 目的ガ國際聯盟規約ニ從ヒ中華民國ガ約束ヲ遵守スルヤ否ヤニ懸リ又ハ之ニ關係アルモノ

第三條

中國語、英吉利語及佛蘭西語ヲ以テセラルル本條約ハ中華民國國民政府ニ依リ同國憲法ニ從ヒ又「アメリカ」合衆國大統領ニ依リ同國上院ノ勸告ニ基キ且其ノ協贊ヲ得テ批准セララルベシ中國語及英吉利語ノ本文ハ共ニ正文タルベシ但シ相異アル場合ニ於テハ佛蘭西語ノ本文ニ據ルベシ批准書ハ成ルベク速ニ「ワシントン」ニ於テ交換セララルベク又條約ハ批准書交換ノ日ヨリ實施セララルベシ條約ハ爾後引續キ無期限ニ效力ヲ有スベシ但シ條約ハ締約國ノ一方又ハ他方ニ依リ文書ヲ以テ其ノ廢棄ノ通告ヲ爲サルルコトヲ得ベク此ノ場合ニ於テハ右廢棄通告ノ日ヨリ一年ノ期間ノ

「アメリカ合衆國中華民間仲裁裁判條約」

「アメリカ合衆國中華民國間仲裁裁判條約」

滿了ノ時ヨリ其ノ效力ヲ失フベシ

右證據トシテ各全權委員ハ中國語、英吉利語及佛蘭西語ヲ以テニ通作成セラレタル本條約ニ署名  
調印セリ

中華民國十九年六月二十七日即チ千九百三十年六月二十七日「ワシントン」ニ於テ之ヲ作成ス

伍 朝 樞 (印)

ヘンリ、エル、スティムスン (印)

中美公斷條約

中華民國十九年六月二十七日在華盛頓簽名  
同 二十一年十二月十五日在華盛頓交換批准文件

大中華民國為欲竭力預防兩國間幸存之和平關係發生中斷

大美利堅合衆國復願重行確定採取將兩國間所發生一切可以裁判之爭端均付公平判斷之政策

並切望自樹模範不惟表明反對以戰爭為兩國相互間國家政策之工具且促進和平解決國際爭執之國際

協定臻於完善使世界各國間戰爭之可能永遠消滅的時期起見決定締結一公斷條約為此簡派全權代表

如下

大中華民國國民政府主席特派

中華民國駐美利堅國特命全權公使伍朝樞

大美利堅合衆國總統特派

美利堅合衆國外交部長史添臣

兩全權代表所奉全權證書互相校閱均屬妥善議定條款如下

「アメリカ合衆國中華民國間仲裁裁判條約」



第一條 兩締約國間如有國際事項之爭執此締約國對彼締約國提出由條約內或條約外發生之權爭的要求此項爭執未能以外交方法解決或經交付於按照一九一四年九月十五日在華盛頓簽訂之條約而設立之永久國際委員會仍未解決而此項爭執因適用法律或公理之原則得付判決故具有可以裁判之性質者則於每案發生時以特別協定決定應交付於按照一九〇七年十月十八日公約所設立之海牙永久公斷法庭或其他相當裁判機關此項特別協定應於必要時規定裁判機關之組織並應確指其權限載明爭執之問題并決定交付公斷之條款

每案之特別協定中國方面依照中華民國之憲法訂立之美國方面由美國總統得美國參議院之協贊允許訂立之

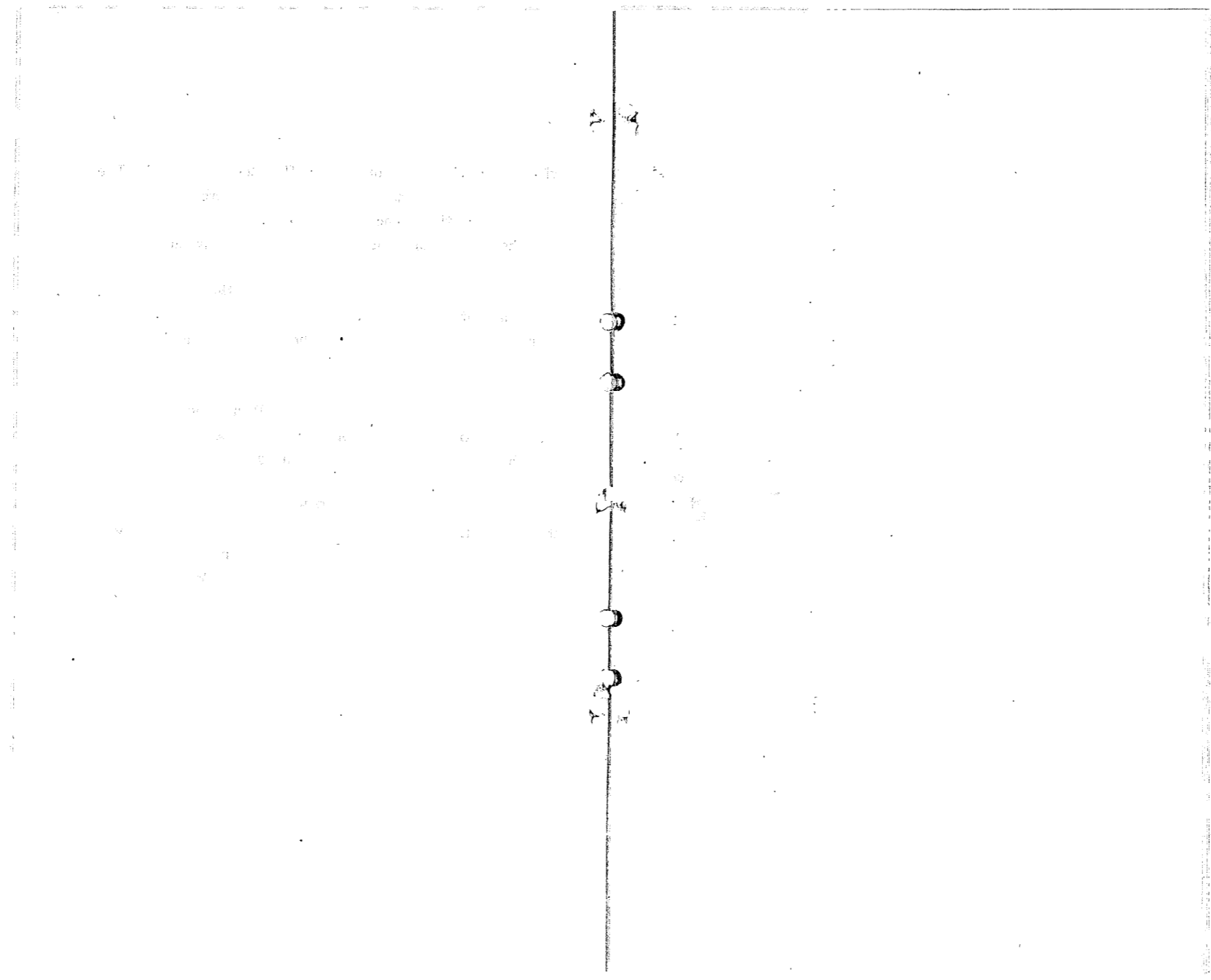
第二條 關於下列各爭執事件不得引用本約各條

- (甲) 在彼此締約國內政範圍者
  - (乙) 涉及第三國利益者
  - (丙) 屬於或涉及合衆國對美洲問題向有態度即所謂門羅主義之維持者
  - (丁) 屬於或涉及中國依照國際聯合會盟約應盡義務之履行者
- 第三條 本約用中文英文法文繕寫由中國國民政府依照中國憲法批准之並由美國總統得美國參議院

之協贊允許而批准之中文英文有同等之效力但遇有歧異時以法文為準  
批准文件應於最短期間在華盛頓交換自交換批准文件之日起本約發生效力此後本約繼續有效至此締約國以書面通知廢止於彼締約國後一年為止  
兩全權代表特此署名蓋印於中文英文法文之條約兩份以昭信守  
中華民國十九年六月二十七日  
一千九百三十年六月二十七日

在華盛頓訂立

伍 朝 樞 (印)  
史 添 臣 (印)



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l'avis et le consentement du Sénat des Etats-Unis d'Amérique. Les textes chinois et anglais feront également foi, mais en cas de divergence, le texte français prévaudra.

Les ratifications seront échangées à Washington aussitôt que faire se pourra et le traité prendra effet à la date de l'échange des ratifications. Il restera ensuite en vigueur sans limite de durée. Toutefois, il pourra être dénoncé par écrit par l'une ou l'autre des Hautes Parties contractantes et, dans ce cas, il cessera ses effets à l'expiration du délai d'un an à dater de la dénonciation.

En foi de quoi les plénipotentiaires respectifs ont signé le présent traité dressé en deux exemplaires, l'un et l'autre en chinois, en anglais et en français, et y ont apposé leurs cachets.

Fait à Washington, le 27 du sixième mois de l'an dix-neuf de la République de Chine correspondant au 27 juin mil neuf cent trente.

(Signé) Chao-Chu Wu.

(Signé) Henry L. STIMSON.

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with the advice and consent of the Senate thereof. The Chinese and English texts shall have equal force, but in case of divergence the French text shall prevail.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof, the respective Plenipotentiaries have signed this treaty, in duplicate, in the Chinese, English and French languages, and hereunto affixed their seals.

Done at Washington this 27th day of the sixth month of the nineteenth year of the Republic of China, corresponding to the 27th day of June, one thousand nine hundred and thirty.

(Signed) Chao-Chu Wu.

(Signed) Henry L. STIMSON.

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s'il est nécessaire, définira ses pouvoirs, exposera la question ou les questions en litige et déterminera la question à résoudre.

L'accord spécial dans chaque cas sera conclu en ce qui concerne la Chine en conformité de sa loi constitutionnelle et en ce qui concerne les Etats-Unis d'Amérique par le président des Etats-Unis d'Amérique sur et avec l'avis et le consentement du Sénat des Etats-Unis.

ARTICLE II.

Les dispositions du présent traité ne pourront pas être invoquées en ce qui concerne les différends dont l'objet :

- a) Relève de la juridiction nationale de l'une ou de l'autre des Hautes Parties contractantes;
- b) Touche aux intérêts de tierces Puissances;
- c) Dépend du maintien ou touche au maintien de l'attitude traditionnelle des Etats-Unis d'Amérique dans les affaires américaines, communément connue sous le nom de doctrine de Monroe;
- d) Dépend de l'observation ou touche à l'observation des engagements de la Chine en conformité du Pacte de la Société des Nations.

ARTICLE III.

Le présent traité, en chinois, en anglais et en français sera ratifié par le Gouvernement national de la République de Chine en conformité de la loi constitutionnelle chinoise et par le président des Etats-Unis d'Amérique sur et avec

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provide, if necessary, for the organization of such tribunal, shall define its powers, shall state the question or questions at issue, and shall settle the terms of reference.

The special agreement in each case shall be made on the part of China in accordance with its constitutional law, and on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof.

ARTICLE II.

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which:

- (a) Is within the domestic jurisdiction of either of the High Contracting Parties;
- (b) Involves the interests of third Parties;
- (c) Depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine;
- (d) Depends upon or involves the observance of the obligations of China in accordance with the Covenant of the League of Nations.

ARTICLE III.

The present treaty, in Chinese, English and French, shall be ratified by the National Government of the Republic of China in accordance with Chinese constitutional law and by the President of the United States of America, by and

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LE PRESIDENT DU GOUVERNEMENT NATIONAL DE  
LA REPUBLIQUE DE CHINE:

M. Chao-Chu Wu, envoyé extraordinaire et ministre  
plénipotentiaire de la République de Chine aux  
Etats-Unis d'Amérique; et

LE PRESIDENT DES ETATS-UNIS D'AMERIQUE:

M. Henry L. STIMSON, secrétaire d'Etat des Etats-Unis  
d'Amérique;

Lesquels, après s'être communiqué leurs pleins pouvoirs  
reconnus en bonne et due forme, sont convenus des disposi-  
tions suivantes:

ARTICLE PREMIER.

Tous différends concernant des affaires internationales  
dans lesquelles les Hautes Parties contractantes se trouvent  
engagées par suite de la prétention d'un droit allégué par  
l'une à l'encontre de l'autre en vertu d'un traité ou autre-  
ment, qui n'auront pu être réglés par la voie diplomatique,  
non plus que par l'application du recours à la Commission  
permanente internationale constituée conformément au Traité  
signé à Washington le 15 septembre 1914, et qui en raison  
de leur nature susceptible d'une décision appliquant les prin-  
cipes du droit et de l'équité, peuvent être jugés, seront soumis  
à la Cour permanente d'arbitrage établie à La Haye par la  
Convention du 18 octobre 1907 ou à un autre tribunal com-  
pétent, ce qui sera décidé dans chaque cas par accord spécial;  
cet accord spécial pourvoira à l'organisation dudit tribunal,

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THE PRESIDENT OF THE NATIONAL GOVERNMENT  
OF THE REPUBLIC OF CHINA:

Mr. Chao-Chu Wu, Envoy Extraordinary and Minister  
Plenipotentiary of the Republic of China to the  
United States of America; and

THE PRESIDENT OF THE UNITED STATES OF  
AMERICA:

Mr. Henry L. STIMSON, Secretary of State of the United  
States of America;

Who, having communicated to one another their full  
powers found to be in good and due form, have agreed upon  
and concluded the following articles:

ARTICLE I.

All differences relating to international matters in which  
the High Contracting Parties are concerned by virtue of a  
claim of right made by one against the other under treaty  
or otherwise, which it has not been possible to adjust by  
diplomacy, which have not been adjusted as a result of re-  
ference to the Permanent International Commission con-  
stituted pursuant to the Treaty signed at Washington  
September 15, 1914, and which are justiciable in their  
nature by reason of being susceptible of decision by the  
application of the principles of law or equity, shall be sub-  
mitted to the Permanent Court of Arbitration established at  
The Hague by the Convention of October 18, 1907, or to  
some other competent tribunal, as shall be decided in each  
case by special agreement, which special agreement shall

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TRAITE D'ARBITRAGE ENTRE LES ETATS-UNIS  
D'AMERIQUE ET LA CHINE.

*Signé à Washington, le 27 juin 1930 (5<sup>e</sup> année de Showa).*  
*Ratifications échangées à Washington, le 15 décembre 1932 (7<sup>e</sup> année de Showa.)*

LA REPUBLIQUE DE CHINE et LES ETATS-UNIS  
D'AMERIQUE,

Résolus à prévenir autant qu'il est en leur pouvoir toute interruption dans les relations pacifiques heureusement existant entre les deux nations;

Désireux d'affirmer de nouveau leur adhésion à la politique consistant à soumettre à une décision impartiale toutes contestations susceptibles de décisions judiciaires qui viendraient à s'élever entre eux; et

Soucieux, par leur exemple, non seulement de manifester que, dans leurs relations réciproques, ils condamnent la guerre comme instrument de politique nationale, mais encore de hâter le moment où la conclusion d'accords internationaux pour le règlement pacifique des conflits entre les Etats aura écarté pour toujours les possibilités de guerre entre les nations du monde,

Ont décidé de conclure un traité d'arbitrage et à ces fins ont désigné pour leurs plénipotentiaires respectifs, savoir:

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ARBITRATION TREATY BETWEEN THE UNITED  
STATES OF AMERICA AND CHINA.

*Signed at Washington, June 27, 1930 (5th year of Showa).*  
*Ratifications exchanged at Washington, December 15, 1932 (7th year of Showa).*

THE REPUBLIC OF CHINA and THE UNITED  
STATES OF AMERICA,

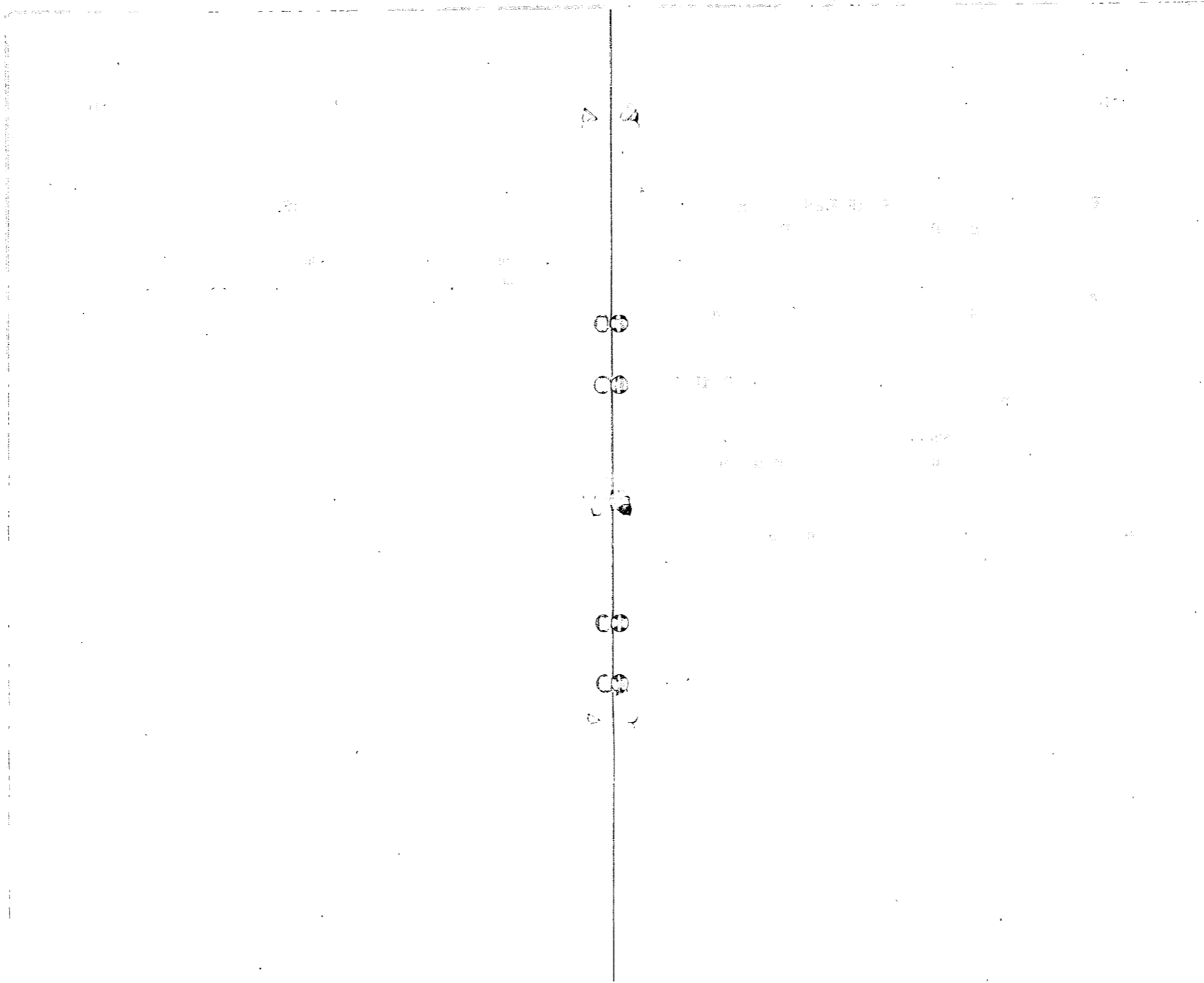
Determined to prevent so far as in their power lies any interruption in the peaceful relations now happily existing between the two nations;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the powers of the world;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries:

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MINISTERE DES AFFAIRES ETRANGERES

(N° 234.)

COLLECTION DES TRAITES

Collection XII, N° 32.

(Le 6 juillet 1934.)

TRAITE D'ARBITRAGE ENTRE LES ETATS-UNIS  
D'AMERIQUE ET LA CHINE.

ARBITRATION TREATY BETWEEN THE UNITED  
STATES OF AMERICA AND CHINA.

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支那、對外交策異体  
雜基ニ在リ

寫

普通送第四四九號

昭和五年七月一日

在南京領事 上村伸一

外務大臣男爵幣原喜重郎殿

外交部紀念週報告要領ニ關シ報告ノ件

外交部參事樊光ハ六月三十日ノ紀念週ニ於テ最近ノ外交問題ニ付大  
体左記ノ如キ報告ヲナシタリ

(一) 天津海關問題

最近ノ消息ニ依レハ在天津各國領事ハ稅關ニ代リテ各該國船舶ノ  
納税金ヲ徵シ將來政府ニ納付スル計劃ナル趣ノ趣右ハ單ニ我國内  
政干涉ナルノミナラス關稅權ノ破壞ニシテ各國ハ此點十分承知シ

外 務 省

居リ多分右ノ如キ行爲ニハ出テサルヘント信シ居ル一方國民政府  
トシアハ右ニハ既ニ對策ヲ有シ居レハ何等憂慮ノ要無シ

(二) 條約問題

イ、波蘭國トノ條約決定書ハ波蘭政府ニ於テ既ニ批准ヲ了シ七月  
一日調印ノ管ナリ

ロ、土耳其國トノ條約草案ハ六月二十四日決定ヲ終ヘ七月ニ至ラ  
ハ調印ノ運トナルヘシ

ハ、米支間仲裁裁判條約ハ六月二十七日駐米伍公使ト米國「務長  
官トノ間ニ於テ正式調印シタリ

ニ、「キエバ」及秘魯國間トノ條約商議モ目下調印ニ進行中ナレ  
ハ近ク調印ノ運トナルヘシ

外 務 省

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(三) 租界問題

イ、上海公共租界電話回收ノ件ニ關シテハ應テ外交部ノ發表シタル宣言ニ基キ交通部代表ニ於テ折衝シ居レリ

ロ、廈門英國租界回收ニ關シテハ既ニ思明縣當局ニ調査處理方訓令シ置キタリ

(四) 華僑保護問題

近來各地華僑ノ苦難主義者ノ壓迫ヲ救ムル例跡失業ノ生計困難(例ヘハ日本ノ華僑力金銀相場ノ變動ニ依リ受クル生計ノ困難等)ヲ訴フモノ不尠處右ハ各救濟方攻究中ナリ

(五) 在上海外交辦事處問題

種々ナル關係ニ依リ同地辦事處撤廢延期方國民政府ノ許可ヲ待置

外務省

キタリ

(六) 新任佛國公使「ブユルデン」ハ七月一日南京ニ來リ外交當局

ニ面會スヘクソノ國書捧呈ハ蔣主席歸京ノ上トナル豫定ナリ

右御參考迄ニ報告ス

本信寫送付先 公使 上海 北平 奉天 天津

外務省

B-0237

分類 B5.0.041

條約局

普通公第六九五號

昭和五年十二月十一日

在米

特命全權大使 出淵

勝



外務大臣男爵 幣原喜重郎 殿

米國中華民國間ノ仲裁裁判條約批准ノ件

本年六月三十日附普通公第三七三號ヲ以テ報告ノ米國中華民國間ノ  
仲裁裁判條約ハ十二月十日當國上院ノ協贊ヲ經タリ本條約「テキス  
ト」別添右報告申進ス

昭和六年正月廿日

幣原喜重郎

條約登記簿



本信寫送付先 在中華民國公使

BII

B-0237

71st Congress }  
2d Session }

CONFIDENTIAL

SENATE

{ EXECUTIVE  
Q }

ARBITRATION WITH CHINA

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A TREATY OF ARBITRATION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA, SIGNED AT WASHINGTON ON JUNE 27, 1930

JUNE 28, 1930.—Treaty read the first time and referred to the Committee on Foreign Relations, and, together with the message, ordered to be printed in confidence for the use of the Senate.

*To the Senate:*

To the end that I may receive the advice and consent of the Senate to its ratification, I transmit herewith a treaty of arbitration between the United States of America and the Republic of China, signed at Washington on June 27, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, June 28, 1930.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty of arbitration between the United States of America and the Republic of China, signed at Washington on June 27, 1930.

Respectfully submitted.

H. L. STIMSON.

DEPARTMENT OF STATE,  
Washington, June 27, 1930.

B-0237

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The United States of America and the Republic of China, Determined to prevent so far as in their power lies any interruption in the peaceful relations now happily existing between the two nations; Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries:

The President of the United States of America:  
Mr. Henry L. Stimson, Secretary of State of the United States of America; and  
The President of the National Government of the Republic of China:

Mr. Chao-Chu Wu, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to the United States of America; Who, having communicated to one another their full powers found to be in good and due form, have agreed upon and concluded the following articles:

## ARTICLE I

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the Permanent International Commission constituted pursuant to the treaty signed at Washington September 15, 1914, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide, if necessary, for the organization of such tribunal, shall define its powers, shall state the question or questions at issue, and shall settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of China in accordance with its constitutional law.

## ARTICLE II

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

a) is within the domestic jurisdiction of either of the High Contracting Parties;

b) involves the interests of third Parties;  
c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine,  
d) depends upon or involves the observance of the obligations of China in accordance with the Covenant of the League of Nations.

## ARTICLE III

The present treaty, in English, Chinese and French, 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 the National Government of the Republic of China in accordance with Chinese constitutional law. The English and Chinese texts shall have equal force, but in case of divergence the French text shall prevail.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof, the respective Plenipotentiaries have signed this treaty, in duplicate, in the English, Chinese and French languages, and hereunto affixed their seals.

Done at Washington this 27th day of June, one thousand nine hundred and thirty, corresponding to the 27th day of the sixth month of the nineteenth year of the Republic of China.

[SEAL]  
[SEAL]

HENRY L. STIMSON  
CHAO-CHU WU

71st CONGRESS }  
2d Session }  
CONFIDENTIAL  
SENATE  
EXECUTIVE  
Q

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DEPARTMENT OF STATE,  
Washington, June 27, 1930.

B-0237



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[SEAL]

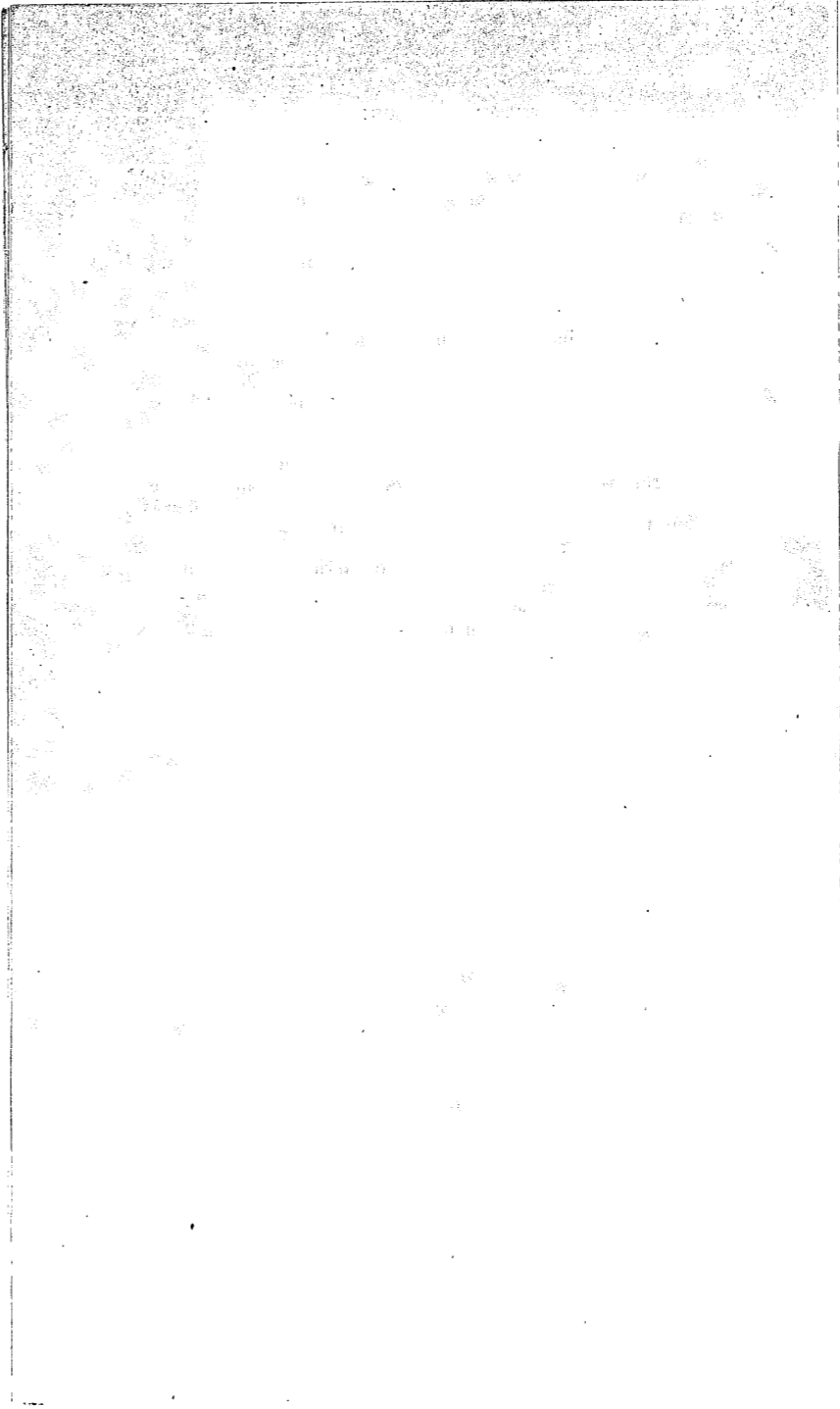
HENRY L. STIMSON

[SEAL]

CHAO-CHU WU

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記録件名  
米支仲裁裁判条約手続

電信課長

大臣

次官



亞細亞 歐米 通商 條約 情報 文化 人事 文書 會計

寫送先

分類 B.5.0.0.941

昭和7 一九〇六八 略 南京 本省 八月廿九日前着 廿八日前發 條

内田外務大臣 上村總領事代理

第五九六號

立法院ハ廿七日ノ會議ニ於テ民國一九年六月廿七日華府ニ於テ調印セラレタル米支仲裁裁判條約ヲ通過セルカ右條約ハ前文ノ外三ヶ條ヨリ成リ第一條ニ於テハ大體一九〇八年調印ノ米支間仲裁裁判條約ノ第一條及第二條ノ趣旨ヲ規定シ第二條ニ於テハ(一)締約國ノ内政ニ關スル事項(二)第三國ノ利害ニ關係アルモノ(三)「モンロー」主義ノ維持ニ關係アルモノ(四)聯盟規約ニ依ル支那ノ義務ニ關係アルモノニハ本條約ハ適用セサルコトヲ規定シ第三條ニ於テハ本條約ノ正文ハ支

外務省

那文及英文トシ批准書ハ最短期間内ニ華府ニ於テ交換シ即日效力ヲ發生セシメ且締約國ノ一方ヨリ廢止ノ通知ヲ爲シタル後一年ニシテ廢止スヘキ旨ヲ規定セリ(有效年ヲ明記セス)

委細郵報

支、北平、奉天へ轉電セリ

外務省

B-0237

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電信課長

大臣  
次官

亞細亞 歐米 通商 條約 情報 文化 人事 文書 會計

寫送先

分額 B, 5, 0, 0. (u. 1.)

昭和7 二七七二五 略

南京 本省

十二月十八日後着

亞、歐

内田外務大臣

第八三七號

上村總領事代理

支、北平へ轉電セリ  
交換即日效力發生セル趣ナリ爲念  
新聞ニ依レハ米支仲裁裁判條約ハ本月十五日華盛頓ニ於テ批准書ヲ

外務省

米支仲裁裁判條約批准書

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