

within the Pacific Ocean, whether that dispute is with another of the four Powers or with an outside Power, is to be regarded as the common business of all of the four Powers, and settled by joint consultation and by such joint action as may be deemed expedient.

The expression used in the Treaty to define its territorial scope is the "insular possessions and insular dominions" of each of the four Powers "in the region of the Pacific Ocean." This includes, of course, Australia and New Zealand. It was originally intended to include also the mainland of Japan. After the signature of the Treaty, however, some public discussion arose as to this matter, and it became apparent that the Japanese Government desired the exclusion of its mainland, so that in the case of Japan, as in that of the other Powers, the Treaty should apply only to insular dependencies or possessions and not to the main territory of the State. In order to give effect to this desire a supplementary and amending Treaty was executed on the 6th February, 1922, whereby the Japanese mainland was excluded.

The Treaty includes all islands held under mandate, as well as territorial possessions in the strict sense. This, however, is subject to a reservation on the part of the American Government. The United States, not having ratified the Treaty of Versailles, has had no voice in the allocation of those mandates, and it is provided that the signature of the United States to the Pacific Treaty shall not be deemed to be an assent to the mandates or to prejudice any rights which America may possess as one of the Allied and Associated Powers in respect of the territories conquered from Germany. If America desires to raise any question as to the mandates, she remains at liberty to do so by way of diplomatic action in the ordinary course, notwithstanding the Pacific Treaty.

It is also provided that the obligation of the four Powers to submit disputes to a joint Conference shall not extend to "questions which according to the principles of international law lie exclusively within the domestic jurisdiction of the respective Powers." This means in effect that none of the Powers is under any obligation to submit to a Conference any controversy as to action taken by it within its own territory in the exercise of its own sovereignty, and not amounting to any infringement of the rights of any other Power.

The Pacific Treaty remains in force for ten years from the date of its ratification, and thereafter till it is terminated by a year's notice given by any of the contracting Powers.

#### TREATIES WITH RESPECT TO CHINA.

The remaining acts and deeds of the Washington Conference relate to China. They comprise three treaties—namely, the Shantung Treaty, between China and Japan; the Chinese Customs Treaty, between the nine Powers; and the Treaty of the nine Powers for the preservation of the territorial and administrative integrity and independence of China. As supplementary to those treaties, and for the purpose of giving full effect to them, a number of resolutions were passed relative to the action of the Powers in China. All of these treaties and resolutions had their origin and justification in the disturbed and disorganized condition of China, and the weakness of its central Government. By reason of these circumstances Chinese territory has for many years lain open as a field for the competitive activities of the other Powers in securing territorial and administrative rights and privileges, in violation of the independence and autonomy of the Chinese Government, and in infringement of the principle of equal opportunities for all nations in the trade and commerce of the Far East. The rivalries and jealousies so created constituted a menace to the harmony of the Powers, and it was one of the express purposes of the Washington Conference to put an end to them by placing China, so far as possible, in a secure position of autonomous independence, and freeing her from all claims and activities on the part of the other Powers which were inconsistent with the normal position of a sovereign State.

#### THE SHANTUNG TREATY.

The Shantung Treaty was negotiated directly between China and Japan outside the doors of the Conference, but in the presence of selected representatives of the American and British Delegations. The negotiations were protracted and difficult,