

The Japan Daily Mail.

YOKOHAMA. WEDNESDAY, OCTOBER 31, 1906.

TELEGRAMS.

(REUTER'S SPECIAL SERVICE.)

THE SAN FRANCISCO SCHOOL QUESTION.

Later.

It is stated in San Francisco that Japanese children have not been and will not be excluded from schools but that it has been deemed wise for the benefit of the white people to segregate Orientals. The statutes permit the trustees to build separate schools for Orientals.

THE SAN FRANCISCO AFFAIR.

The news which we publish this morning puts upon the San Francisco affair an aspect which will, we fear, render it more offensive than ever to the Japanese nation. So long as it was possible to believe that the exclusion of Japanese children from the schools was a secondary consequence of the labour party's agitation, the differentiation was at least explicable. But when, as Reuter's message states, the San Francisco authorities allege the expediency of separate schools for Oriental children, the element of racial prejudice acquires intolerable prominence. Having full confidence that the complication will be settled in some manner satisfactory to the Japanese, we desire to refrain from comments which might tend to accentuate the situation, but this idea of segregating Japanese children must be denounced. The Japanese child is in every respect a model pupil and to ostracise him from fellow-studentship with American children merely because he is Japanese would be a frank assertion of the most extreme racial prejudice; an assertion as distasteful to the great bulk of the American nation as to the Japanese.

Japanese newspapers publish a telegram setting forth certain views attributed by the *Tribune* (New York) to the American Government. The first is that owing to an undue extension of the doctrine of State independence as relates to freedom of conscience, the prerogative of the Central Government in the matter of enforcing treaties made by it has been violated. Since 1891 there have been three instances of that nature; the Italian trouble in New Orleans; the Chinese trouble in the Lockspring Mine, and the German trouble at Charleston. In each of these cases the question became international, and the Central Government had to pay indemnities for which the offending localities declined to be held responsible. The Central Government contends, however, that by the 6th article of the Constitution it has competence to compel the observance of the Republic's treaties by the several States of the Union. But the action of the Educational Authorities at San Francisco is manifestly at variance with the first article of the

Treaty of 1894 between America and Japan, and the Central Government is consequently bound to employ all the machinery at its command in order to correct such a breach of the Republic's solemn engagements. The matter will therefore be carried, if necessary, to the Supreme Court, which has power to interpret the Constitution and to delegate the duty of enforcing its decisions to the Central Government. It is only necessary to consider what a humiliating position the Central Government would be placed in were the doctrine established that while vested with authority to make treaties in the name of the Republic, it does not possess authority to enforce their observance by the States of the Republic.

It appears to us that this is a course worthy of the situation and of the United States Government. The second clause of the 6th article of the Constitution declares that the obligations assumed by the Government of the United States by treaties already concluded or to be hereafter concluded with foreign countries shall be regarded as the supreme law of the land, and shall be observed by the various States of the Union. The Japanese are guaranteed most-favoured-nation treatment by the covenant of 1894 and the Central Government is determined to make good the guarantee so far as lies within its power. Nothing now remains except to quietly await the decisions of the legal tribunals which will be invoked. The Supreme Court of the United States has earned an unsurpassed reputation for exercising justice without favour or affection, and the Japanese may confidently entrust their case to its hands.

The tone of the Japanese journals continues to be studiously moderate. It is pointed out, however, (*Nichi Nichi Shimbun* and *Chuo Shimbun*) that the United States held the Japanese Central Government responsible for the Shimonoseki incident in Tokugawa days and that the Central Government accepted the responsibility. With every disposition to place implicit confidence in the sincerity of the United States' authorities, the incident itself must not be allowed to pass out of sight unredressed.

Professor Ladd advises, according to the *Nichi Nichi Shimbun*, that even though redress can not be obtained in this instance, Japan's best plan is to let the matter rest. He thinks that San Francisco will discover its mistake sooner or later and will repent of it. Plenty of other American cities are only too anxious to welcome Japanese labour and to admit Japanese children to their schools, and as the fight between capital and labour grows fiercer in San Francisco, which place contains some of the worst elements of the working population, the capitalists will exert all their influence in favour of the Japanese. Such is the advice attributed to this eminent man. It is far-sighted advice, but have human beings time to await such solutions of problems which effect their every-day life? Professor Ladd instances Seattle as one of the towns anxious to welcome Japanese settlers. But from this very Seattle comes news that an application for naturalization, made by Mr. Hattori, manager of the Furuya Company—an important local trading concern—has been refused on the ground that the law permits the naturalization of only white men and descendants of negroes.