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December 20, 1906.

The Honorable

Henry M. Hoyt,

Acting Attorney General.

Sir:

I have the honor to acknowledge the receipt of your letter of the 14th instant, enclosing a copy of a telegram from the United States Attorney at San Francisco, California, in which he gives an agreed statement of facts in the matter of the exclusion of Japanese children from the public schools of that city.

I have examined the proposed statement of facts, which seems to be very clear and satisfactory, except that I suggest that the following amendments are desirable:

In paragraph 7 the words "that no educational facilities are denied to the children of said Oriental school" should be omitted. The facility of going to other schools nearer their residences is certainly denied to the children of such Oriental school.

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I do not suppose that this is what the words quoted were intended to include, but they might be held to include it, and for any other purpose they are quite unnecessary. The whole ground is covered in the other clauses of the same article.

I think also the words "in other schools" should be added to the words "American parentage" at the end of paragraph 7. This is for the same purpose of avoiding possible misconstruction.

There is one material addition which I think should be made to the statement, and that is, a statement of the locations of the various public schools, and showing the distance of the Oriental school from the residences of the scholars who formerly attended the ordinary schools. This is one ground of complaint. I understand it to be a fact that for many of the small children the distance is practically prohibitive, so that the exclusion from the public school in the part of the city in which they reside is a practical exclusion from educational privileges.

I hardly think any statement which did not include the facts necessary to raise this question would be satisfactory.

Very truly yours,

ELIHU ROOT

A true copy of
the signed
mail.
ER.