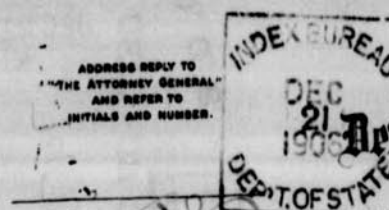


JRG.



Department of Justice,
Washington.

92161

December 20, 1906.

The Secretary of State,
Washington, D.C.

Sir:

For your information, I beg to enclose herewith a copy of a letter, dated December 11, 1906, received from the United States Attorney at San Francisco, California, concerning the Japanese School question.

Very respectfully,

W. D. Bailey
Acting Attorney General.

Encl. 6013

DEC 20 1906

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E. G. D.

R. G. S.
Rights under Treaty of 1894, between
U.S. and Japan.

Encl. 64.

Doc. No. 1906.

Harase N. Fisher.

Transmits, in duplicate, a memo-
randum entitled "Rights under our
Treaty with Japan of 1894." Calls
attention to the 4th paragraph of
Art. II which provides that the
articles shall not in any way af-
fect the laws, ordinances or regula-
tions with regard to trade, the land
problem of laborers, etc. from which
to infer that it seems possible to
regulate Japanese labor immigration
under the treaty.

Discusses at length the rights
accorded by this treaty, especially as
regards "National Treatment" in the
matter of the Japanese school ques-
tion of San Francisco, offering argu-
ments pro and con. Concludes by
considering the subject of treaties
from a viewpoint of international
and constitutional law, citing vari-
ous authorities relevant.

In conclusion he says that the
U.S. Govt. has a right to expect
and require that the stipulations
shall be kept with scrupulous good
faith, though it has no right to in-
terfere by that agency our Govt. may
act in so doing.

Rights under our Treaty
with Japan of 1894.
Harase N. Fisher

(Received 12/20/06.)