

AMERICAN EMBASSY,
TOKYO.

Despatch No. 175

February 20th, 1907.



MR. WRIGHT to THE SECRETARY OF STATE.

SUBJECT: San Francisco school question settlement -
Confirmation of telegrams.

INDEX BUREAU
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Groups in California.
Agitation.

Japan,
Feb. 20, 1907.

at telegram from
reporting the re-
school question, news-
adopting it as the
be obtained under
and interference of
Foreign Affairs
restriction on the
action under the
12, 1907.)

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1907
DEPARTMENT

and By Tel. Mar. 15/07.

Diplomatic Bureau;

Please adv. con-

firming today's Tel.

and so, Mar. 21/07
D. T. C.

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ASSISTANT SECRETARY
MAR 15 1907

AMERICAN EMBASSY
TOKYO.

February 20th, 1902

The Honorable Elihu Root,
Secretary of State,
Washington.

Sir:-

I have the honor to annex hereto readings of telegrams (on the subject of the San Francisco school question, as follows:

(telegrams)

Reading of Telegram sent February 9th	
" " " " " 13th	
" " " " " received " 15th	
" " " " " " 20th.	

I have also the honor to enclose translations from the Japanese newspapers indicating the manner in which the news of the settlement of this vexed question has been received in this country. It will be noted that the general tone of these articles is one of satisfaction and that, while the settlement reached leaves, perhaps, much to be desired on the part of Japan, it was the best one possible under existing circumstances.

The account of the interview with Viscount Hayashi, Minister for Foreign Affairs, taken from the "Mainichi Dempo" (the Tokyo edition of the Osaka "Mainichi Shimbun"), of the 20th instant, is of especial interest. According to this report the Viscount takes occasion to correct the misapprehension that exists on the part of many leading newspapers and the Japanese public generally on the subject of the provisions of the Japanese-American treaty with respect to the restriction of immigration. He also points out that the settlement so unobjectionable to Japan has been largely due to the earnest efforts of the President, and that the result is such that he deems the negotiation of a supplementary convention will be unnecessary. I am of the opinion that the publication of this interview at this time will go far to correct

the opinions of the Japanese public on this important subject.

I will take the opportunity to carry out your instruction contained in the closing paragraph of your telegram of the 19th instant, which has just been received, at an interview which I will have with the Minister for Foreign Affairs tomorrow.

I have the honor to be, Sir,

Your obedient servant,

Samuel Wright

1797/168-179
(Reading of Telegram Sent February 9th, 1907.)

Secstate, Washington:

I just had an interview with Minister for Foreign Affairs in which I gave him fully your views as set forth in yours of the sixth and especially the impossibility of including in treaty right of naturalization of Japanese subjects. He stated that he had received a cable from Aoki outlining your views, that whilst it was probably true as pointed out by me that under existing treaty Japan had no right to object to San Francisco School Board ordinance, nevertheless his people are impressed with the belief that under proper construction of treaty they had such a right and therefore they would feel that to accede to your proposition was simply to exclude Japanese laborers without any corresponding concession. I suggested it could be readily explained that under existing treaty our Government had right to exclude laborers and that the doubtful right to enter school on basis of most favored nation would be made secure and certain. He replied it was largely a matter with the administration of preserving amour propre of Japanese to which I replied that whilst recognizing the importance of this I hoped that it might be accomplished by the treaty proposed by you with proper explanations to his people. He asked if we might not have a private agreement by which school ordinance would be repealed and Japanese laborers excluded from United States. To this I replied that it did not seem feasible for reasons which I gave him and which need not be repeated here. He said that he would at once consult with his Cabinet and inform me of result.

WRIGHT.

(Reading of Telegram Sent February 13th, 1907.)

Secstate, Washington:

Confidential I have just had call from Denison on the subject of treaty (period) He says he believes that Japan will agree to treaty with us under which school privileges of the most favored nation shall be given her subjects in the United States and Japanese laborers excluded as you propose provided our Government will agree that Japan may make customs union with Korea by which there may be free trade between Korea and Japan Such customs union could not be effective until the same treaty was made with other powers and it would be part of the treaty with us that the United States should have the same tariff rights as any other third power. Denison says Cabinet anxious to obtain some concession that will silence opposition and prevent resentment against Americans here (period) I believe treaty can be agreed upon in a few days on the terms suggested by Denison. If you concur would it not be well to have a general clearance by including trade mark treaty as outlined in your telegram received January thirty-first.

Wright.

(Reading of Telegram Received February 15th, 1907.)

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Wright, Tokyo:

Yours thirteenth President favorably impressed
by suggestion regarding Korea (period) If such arrangement
made trade mark provisions might be included (period)
Ascertain and cable definite form of agreement regarding
Korea desired by Japanese Government (period) Situation
here favorable to repeal of school resolution regarding
Japanese children and substituting of regulations for class-
ification of children on the basis of age and knowledge of
language applicable alike to children of all nations (period)
One inducement to this is inclusion in pending immigration
bill of clause permitting President to enforce limitation
in Japanese passports (period) This based on suggestion
made to us by Japan several weeks ago that we should refuse
passage from Hawaii to Pacific Coast to Japanese having
passports for Hawaii only.

ROOT.

(Reading of Telegram Received February 20th, 1907.)

Wright, Ambassador, Tokyo:

New immigration law passed both houses greatly restricting immigration from all countries contains following clause (Quote)

Provided further (comma) that whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein (comma) the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from insular possessions or from the Canal Zone (period) (end quote)

Under this authority the President will enforce limitations of passports issued by Japanese Government and whenever the occasion arises will apply same treatment to passports issued by other countries. School Board of San Francisco have announced determination to revoke resolution claimed to discriminate against Japanese children (period) For the purpose of meeting difficulties existing in school administration (they will adopt ?) appropriate regulations without discrimination. They propose adopting following regulations (Quote)

Section one. Children of all alien races who speak the English language (comma) in order to determine the proper grade in which they may be entitled to be enrolled (comma) must first be examined as to their educational qualifications by the principal of the schools where the application for enrollment shall have been made.

Section two. That no child of alien birth over the

ages of nine, ten, eleven, twelve, thirteen, fourteen, fifteen and sixteen years shall be enrolled in any of the first, second, third, fourth, fifth, sixth, seventh or eighth grades respectively.

Section three. If said alien child shall be found deficient in their ability to speak or deficient in the elements of the English language or unable to attend the grades mentioned in Section two (comma) by reason of the restrictions mentioned therein (comma) such children shall be enrolled in special schools (comma) or in special classes established exclusively for such children as and in the manner the Board of Education shall deem proper and most expedient (end quote)

We hope that this action will be regarded with satisfaction by the Government of Japan (period) Express to the Government of Japan informally our hope that she will withhold issue of passports for United States mainland to laborers skilled and unskilled and our wish to proceed with negotiations for treaty.

ROOT.

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ROOT.

Nichi Nichi Shimbun,

February 18, 1907.

RESTRICTIONS UPON IMMIGRANTS IN THE
UNITED STATES.

(Editorial Article).

Since the expulsion of the Japanese school children in San Francisco carried out in October last, four months have elapsed, and we note that the question is nearing a solution.

Our nation has from the beginning highly appreciated the good-will of the Federal Government of the United States; while President Roosevelt's Message to Congress, which was characterized by the spirit of justice and generosity, has called forth the admiration of the whole world. The Japanese Government has followed the dictates of justice and reason in its calm maintenance of the right stipulated in the treaty.

We are sure that impartial observers have recognized the fact that, in spite of the indiscretion and violence of the Californians, the Japanese have always been patient and free from excitement. Though the investigation of the case has been submitted to the court, yet the American Federal Government does not seem satisfied with the forth-coming judicial decision. In order to arrive at a radical settlement of the question, the Federal Government has summoned the Californian authorities to Washington. Notwithstanding various obstacles our recent cable messages from abroad inform us that the affair is about to be settled on condition that the migration of Japanese laborers from Hawaii to the mainland of the United States will be adequately restricted.

The Secretary of State of the United States has recently introduced in Congress a Bill for amending the Immigration Act, the gist of which is, according to our own and Reuter's telegrams, to put some restrictions upon immigrants coming to the mainland of the United States via her island possessions. The Bill aims to restrict the validity of

passports, issued by foreign governments to the island possessions of the United States, to those localities where the holders of the passports first arrive. The idea is to check the influx of foreign immigrants to the mainland from the island possessions. Though the new restrictions are applicable to all foreign immigrants alike, it is only the Japanese immigrants that go to the mainland of the United States from her island possessions. It will thus be seen that the restrictions are really directed against the Japanese only. Since it is only Hawaii that the Japanese use as a stepping-stone, the real object of the Bill is to prevent the migration of the Japanese laborers from the Hawaiian Islands to the Pacific Coast. It is reported that the Japanese Government is to have the right to reject American laborers, but it will be a reciprocal exclusion only in name, for no American laborers come to Japan. For this reason, some people in this country regard the concession of the Japanese Government as too great, while the Japanese in California are said to be protesting against it on the ground that the restrictions are an infringement of the treaty right and will undermine their enterprises. Though we are far from regarding the new restrictions as an arrangement favorable to Japan, yet we do not hesitate to accept the settlement thus reached as the best possible one. It should be remembered that nearly all Japanese laborers in the United States have gone there via the Hawaiian Islands. Thus, for instance, 10,000 Japanese for Hawaii have successively found their way to the mainland of the United States. Though the European immigrants can vote, the Japanese are not entitled to that right. Take into consideration this drawback together with the tremendous influx of Japanese laborers that has been going on for some time, and one will be able to imagine just why the Californians came to attempt to exclude the Japanese. Of course we should not hesitate to protest against any unwarranted exclusion

under the present treaty. Persecutions and insults that the Japanese have received at the hands of the Californians must not be overlooked from the standpoint of humanity and civilization, not to mention them as questions bearing upon the treaty right. It should however be remembered that the censuring of the Californians is one thing and that the steps to be taken for settling the San Francisco question are quite another thing. Since the cause of the agitation against the Japanese laborers in California has been clearly ascertained, the only sensible way is to endeavor to remove the cause permanently. This is what we mean by saying that the new restrictions are really unavoidable. According to other reports, the new Japanese-American agreement includes a clause relating to the right of the Japanese to become naturalized in the United States. The Japanese in the United States are constantly subjected to persecutions in one form or another, because they can not vote, though with reference to such personal qualities as diligence, temperance and honesty the Japanese favorably compare with the European immigrants. When the Japanese become naturalized in the United States and exercise their right to vote, the position of our countrymen will undergo a complete change. When the politicians court the popularity of their constituents, they will not fail to consider the votes of the Japanese. We hope therefore that a clause providing for the naturalization of the Japanese will be included in the new agreement. We also hope that our diplomatic authorities will not be remiss in this particular point.

Editorial from the "Yokohama Shimbun" of February 19, 1907

(Translation.)

UNSATISFACTORY SATISFACTION

THE AMENDMENT TO THE U. S. IMMIGRATION ACT AND THE SAN
FRANCISCO SCHOOL QUESTION.

We would not be so indiscreet as to state that the noble and determined stand taken by President Roosevelt, in his Message to Congress, in dealing with the anti-Japanese movement is finally to be but poorly realized. In comparing the various reports recently received, however, we find that the school question has been settled by means of an amendment to the Immigration Act. The American Government has authorized the President to refuse to recognize the passports held by immigrants coming to the mainland of the United States from her island possessions. The Japanese children will be admitted to the public schools of San Francisco if they are under 14 years of age and pass the examinations. Though we have not yet received any further information, a sort of compromise seems to have been brought about between the Californian authorities and the Washington Government. It is a compromise brought about by the concession of the Federal Government with reference to some of the Californians' arguments. May we not say that this is not what we were led to expect?

The amendment to the Immigration Act imposing restrictions upon the migration of the Japanese from the Hawaiian

Hawaiian Islands does not surprise us. The wonderful demand for laborers in the United States, due to the recent development of the western states and especially to the San Francisco earthquake, has induced the Japanese in Hawaii to migrate to the Pacific coast where higher wages are offered. The Hawaiian sugar planters have therefore been greatly embarrassed, and it is a fact that they have applied to the Washington Government for assistance, proposing some measures calculated to bring about a situation favorable to them. At the same time the Californians' agitation against the Japanese has been intensified on account of the enormous influx of the Japanese from Hawaii. From the standpoint of the Federal Government, it is natural to take into consideration the conditions prevailing in California and Hawaii in imposing some restrictions upon foreign immigrants. It should however be remembered that at present scarcely any Japanese laborer goes direct to the mainland of the United States. The public knows how careful the Japanese Government has always been not to give offence to the American Government on account of labor questions. This being the case, the new restrictions directed against the migration of the Japanese from Hawaii will eventually undermine Japanese immigration to the United States in general. This makes us feel rather uneasy, but the fact that the operation of the new restrictions is subject to the President's will may be called an instance of "unsatisfactory satisfaction." Owing to the recent development of the western part of the United States, the demand for laborers has become more urgent than ever, and Japanese labor constitutes an important

factor in the development of the United States. The Japanese immigrants are thus offered higher wages than ever, and the more of them the better for the United States. Nothing is more unreasonable than for the American laborers to exclude foreigners from their country merely for their private consideration. The enlightened President of the United States is no doubt aware of the circumstances, and yet he has chosen to accept to some extent the demand of the local authorities. Herein lies the President's anxiety, and we are not slow to appreciate the delicate circumstances under which he is placed. We have no particular objection to the age and scholastic requirements which the Japanese children have to satisfy. But it should be remembered that the Japanese school children must be reinstated without any condition. It must not be in exchange for the new restrictions upon Japanese immigration, nor must it be accepted from the San Francisco authorities as in any sense a favor. The one must not be confused with the other. In conclusion we may state that, though we are dissatisfied with the amendment to the Immigration Act, yet the careful consideration of the past and future of our relations with the United States teaches us to endure what is extremely hard to endure. Let us therefore wait for definite news with patient resignation.

Translation.

Mainichi Dempo of

February 19, 1907.

THE SETTLEMENT OF THE QUESTION OF JAPANESE
IMMIGRATION IN THE UNITED STATES.

Our recent special telegrams from Washington have reported the rejection by the Senate of the Japanese Exclusion Bill, together with the passage of the Government Bill authorizing the President to refuse to recognize passports held by foreign immigrants coming to the mainland of the United States via her insular possessions. Thus it will be seen that the immigration problem of long standing, which had an intimate bearing upon the San Francisco school question, has been settled for a time. The terms of settlement are, however, extremely unfavorable to this country and the result is a matter for profound regret.

It should be remembered that the school question in San Francisco is, after all, one phase of the movement for excluding the Japanese. It is one of the many ways in which the Americans on the Pacific Coast persecute the Japanese under various pretexts. Can our diplomatic authorities deny the charge that they have been unwittingly induced to exchange the school question for the more fundamental problem, the exclusion of the Japanese people? The exclusion of Asiatics has been a very annoying problem in the United States which, if left unsettled any longer, will gradually impair the cordial relationship existing between Japan and that country. Though it may be that there will be no ill feeling between the two governments or the thoughtful sections of the two nations, yet the question might possibly pave the way for a greater misunderstanding between the majority of the one people and that of the other. For that reason we, for one, have been

hoping that the present question will be settled speedily and permanently. But in settling the question the President has acted as arbitrator between the Federal Government and the San Franciscan authorities, assigning the position of third party to Japan, whose interests in the matter are more important than those of any other party. Moreover, the fact that the settlement has been reached at the costs of the interest of the third party is not worthy of the confidence and esteem in which the American Government is universally held. It is almost a death-blow to our emigration with reference to the United States. The only criticism we can make is that this is another piece of Japan's indifference and laissez faire foreign policy.

Our Foreign Office has hitherto been afraid of America's ill will, and has been cautious in issuing passports to our emigrants going direct to that country. Notwithstanding the non-existence of any restrictions upon Japanese immigration in the Treaty, our Government has been humble enough to consent to what virtually amounts to Japanese exclusion. The only way for our emigrants to enter the United States has been to land first in the Hawaiian Islands, and to proceed to the mainland later. The number of Japanese emigrants allowed by our Government to go to Hawaii was 4,000 a year, but it has been cut down to half that number on account of the school question. Our Government has thus become more and more backward in its attitude toward the American Government, and even the freedom of migrating ^{to} the mainland of the United States from Hawaii is now subject to the will of the President. Though the several conferences between President Roosevelt and Ambassador Aoki may indicate the existence of some secret understanding as to the President's authority to reject passports, yet from the standpoint of the President, whose position rests upon the people's will, no such understanding should exist. Did such a thing exist it could not be depended upon. At this stage, however, we find that the migration of

Japanese from Hawaii to the Pacific Coast is to be stopped almost entirely by the President's executive order. The resolution just adopted in the Senate practically means closed doors to Japanese immigration to the United States. Setting aside for a time the bearing of the question upon our economical interests, it must be admitted that the Japanese-American Treaty is now subject to important unwritten restrictions.

Though the immigration problem has thus been settled, disgracefully, it must not be regarded as a permanent settlement of the pending problem between Japan and the United States. From the standpoint of this country, it is highly unreasonable that the Naturalization Act should not be applicable to the Japanese in the United States. If the Japanese can become naturalized in the United States and enjoy the right of citizenship as do all Americans, a question such as the exclusion of the Japanese will be settled naturally. President Roosevelt has long recognized the significance of this point and has recommended to Congress an amendment in favor of the Japanese people. We therefore take the liberty of urging our diplomatic authorities to cease being too humble and conciliatory and to endeavor to bring about a further development of the relations between Japan and the United States.

JAPANESE-AMERICAN COMPROMISE.

So far as principle is concerned, the San Francisco affair has been settled. As the result of the conferences between the President and the San Francisco authorities, as well as of the diplomatic communications between the Governments of Japan and the United States, the American Government is said to be about to enact a law prohibiting the migration of Japanese from the Hawaiian Islands. It is also reported that upon the enactment of the said law the San Francisco authorities are to repeal the segregation order. According to the explanation of the Japanese authorities, our Government regards the school question as entirely different from the amendment of the Immigration Act, and it has communicated to the American Government its willingness to confer on the immigration problem after the settlement of the school question. It has also been explained that the Japanese Government has never given consent to the proposal of settling the school question in exchange for the new restrictions upon Japanese immigration. This is perfectly reasonable. The situation, however, has become such that the San Francisco authorities remain obdurate, and the President hesitates to start a constitutional controversy; while the outcome of the lawsuit pending at San Francisco is uncertain. It is natural at this juncture for the American Government to think of the provisions in Article III of the Japanese-American Treaty. The affair has reached the stage where Japan has to submit herself to the will of the American Government. Such a turn of the affair should have been anticipated by the Japanese authorities at the start. However, it may be that they really anticipated it. If so, the result of withdrawing the protest in regard to the school question cannot be regarded as a success on the part of our diplomatic authorities. As we have already pointed out, the migration of the Japanese from Hawaii to the mainland of the

United States would have been sooner or later adequately restricted by agreement between the Governments of Japan and the United States. Though we join our compatriots across the ocean in regretting the turn of the affair, yet it should be remembered that we did not give away that which we should have retained. The fact is that we could not help it.

The question that has now presented itself is whether or not the new amendment is sufficient to remove permanently the causes of the anti-Japanese agitation in California. According to our special telegram from San Francisco, the Mayor of the city has declared that the present amendment is a step towards Japanese exclusion. From the standpoint of the California agitators, the new restrictions upon Japanese immigration may be, indeed, not quite satisfactory; but in reality the amendment is a complete legislation for excluding the Japanese from the United States. If the American Government prohibits the migration of Japanese now in Hawaii to the Pacific Coast, and if the Japanese Government refuses, as heretofore, to issue passports to laborers, then scarcely any Japanese can enter the United States. The Californians, however, may not be satisfied with the settlement just reached, and may be obdurate enough to keep insulting our countrymen. In that case, we must, of course, appeal to the reason and conscience of the American people in order that the Californians may not do us any violence. We confess that it is a matter of profound regret that in spite of the President's recognition of our contention in the earlier stages of the affair, the proposal to change the one question for the other was virtually imposed upon us. Though we appreciate his anxiety and the unfavorable turn of the affair, which is beyond control, yet we are a little disappointed at the result when we recall the President's first determination to carry through his argument even though it start a constitutional controversy. But the past is the past;

we cannot do anything with it. We congratulate ourselves on the settlement of such a troublesome affair, which otherwise might have been far more unsatisfactorily settled. It is to be regretted that the circumstances have allowed the California agitators to get the better of both the U. S. Federal Government and the Japanese Government. The Japanese nation, however, must not hold a grudge against the American Government on that account.

Translation.

Mainichi Dempo, February 20th, 1907.

VISCOUNT HAYASHI ON THE PROGRESS OF
THE AMERICAN AFFAIR.

The Minister for Foreign Affairs Interviewed by a
Representative of the Mainichi Dempo.

According to our special telegram from Washington, the amendment to the Immigration Act bearing upon the troublesome question between Japan and the United States, has passed both Houses of Congress. Viscount Hayashi, Minister for Foreign Affairs, willingly complied with our request for an interview on the progress of the Japanese-American affair, and received a member of our editorial staff yesterday afternoon at his official residence. Our representative asked the Minister whether or not the settlement of the Japanese-American affair as reported by our correspondent at Washington was authentic. The genial face of Viscount Hayashi broke into smiles as he answered.

Our Washington Telegrams.

Yesterday I read your special telegram from Washington, which is almost identical with our official telegram received yesterday. Though, on account of different ways of translating English, the one may be somewhat differently interpreted from the other, yet, on the whole, the settlement just reached agrees with your special telegram from Washington.

The Japanese-American Treaty and
Japanese Immigration.

It is to be regretted that the fundamental significance

of the Japanese-American Treaty should be overlooked, even by the influential newspapers. I call your attention to one clause in Article II of the Treaty of Commerce and Navigation between Japan and the United States of America. It reads as follows:- "It is, however, understood that the stipulations contained in this and the preceeding Article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security, which are in force or may hereafter be enacted in either of the two countries."

The term "trade" in this clause does not mean commerce in a broad sense, but it no doubt means cafes, restaurants, etc./ As to references to the immigration of laborers, police and public security, it is needless to ~~now~~ dwell upon those things at length. Since the conclusion of the present Japanese-American Treaty in March, 1895, the American Government has been ~~free~~ to exercise the right stipulated in this proviso. But ^{not} why ^{not} has the American Government ^{not} exercised this right before? There are two reasons. In the first place, moderate immigration has not been regarded as injurious to the interests of the United States. In the second, the American Government has been refraining from exercising that right in order to maintain undisturbed the cordial friendship existing between the two countries. Too many Japanese laborers have recently found their way to a section of the United States, California, where, as a result, conflicts of interests have arisen with respect to economic problems, public security, etc. This state of things has culminated in the agitation for the exclusion of Japanese laborers.

President Roosevelt's Disinterested Efforts.

I must tell you that President Roosevelt has been paying especial attention to this problem for a long time. He has endeavored to refrain ^{from} ~~to~~ resort to the treaty right for settling

the question, his idea being to bring about a compromise or an unwritten understanding. It has, however, been found that the interests of both parties do not coincide very satisfactorily. The result is the amendment to the Immigration Act, which has just passed both Houses of Congress. You may remember that this Bill was first introduced in Congress last year, but was left untouched on account of the closing of the session. It should be remembered that the American Government has this time exercised only a part of the right stipulated in the Treaty. Japan should therefore appreciate the profound good-will and forbearance of the American Government shown her up to the present day. Though it has been reported that a supplementary treaty of commerce and navigation may be concluded between the two countries, you will see that there is no reason^s for concluding such a compact if you compare the clause I have cited with the attitude of the American Government.

The Diplomatic Communication between the
Two Governments in Future.

Though, prior to the actual operation of the Amendment to the Immigration Act, the American Government may once more confer with our Government on the subject of co-operation, yet it is altogether different from the conclusion of a supplementary treaty.

The Future of Japanese Emigration to
Hawaii.

So far as Hawaii is concerned, no restriction whatever will be imposed in the future upon our emigration. There are at present some 76,000 Japanese in the Hawaiian Islands, where they are prosperously engaged in various lines of business and labor.

It is needless to say that there is yet room in Hawaii for our emigrants.

Now that we are facing the present question between Japan and the United States, some people may go back to March, 1895, when the present Treaty was concluded, and criticize the flaws and insufficient provisions in it. But you must remember that in those days we were dealing with ^{the} a great problem of abolishing ~~the~~ consular jurisdiction, and our Government as well as the people at large did not hesitate to sacrifice anything in order to accomplish that object. Some people may shift the argument and ask why the Japanese Government ever consented to consular ~~jurisdiction~~ jurisdiction, but it was unavoidable under the circumstances existing in those days. The whole nation is responsible for such a state of things. At any rate, President Roosevelt has from the beginning highly appreciated the cordial friendship existing between the two countries, and has exhausted all possible means for settling this question. Our nation ought to be grateful to the President for his profound goodwill shown us in this affair.

The Japan Daily Mail.

YOKOHAMA. WEDNESDAY, FEBRUARY 20, 1907.

THE SAN FRANCISCO QUESTION.

It is stated in Tokyo that the American Government had intended originally to await the decision of the law courts as to the legality of excluding Japanese children from the San Francisco Schools, but in the interval while the case was awaiting trial, there grew up in the States a strong and an increasing tendency to insist that each State of the Union must be left absolutely free to manage its own educational affairs after its own fashion and without any interference whatever from the Federal Government. This sentiment developed such force that its influence upon the decision of the law courts promised to be effective, and consequently the President resorted to the method of amending the immigration law by way of placating San Francisco. The Japanese Government was consulted as to the latter device, but it replied that the two things must be kept entirely separate, and, therefore, that pending the settlement of the education question, there could be no discussion of the labour problem. As a matter of fact Japan, in view of the pour-parlers that took place on the occasion of negotiating the present Commercial Treaty with America, is not in a position to demur to the restricting of labour immigration from Hawaii, and it is thought very probable that the United States Government, when it drafted the amendment of the Immigration Law, had assured itself that Japan would not raise any objection, especially as the amendment was not directed against Japanese in particular, or against any specified nationality. Of course it does not follow that by abstaining from protest against the amendment Japan pledges herself to endorse the manner of enforcing the altered law. Her hands remain quite free in that respect. Here we may mention that a discrepancy is observable between our version of the text of the amendment and the version published by the Tokyo press. Our version runs that the President may veto the admission of a certain class of passport-holders should he consider that their coming is "to the detriment of labour conditions" in the States. The version of the Tokyo press has it is "to the detriment of public security." There is a marked difference, nor can we think that the "public security" version would be likely to have satisfied the California folks. That is a minor matter, however. Whichever version be correct, ample discretionary power is reserved to the President; too ample, indeed, we are

inclined to think, for, after all, it is scarcely wise or safe that these matters should be abandoned to the control of individual caprice. President Roosevelt is a strong man and can be trusted to hold the scales of justice evenly whatever weight may be in the pans. Indeed, for the matter of that, history warrants the forecast that every American President will be a strong and justice-loving magistrate. Nevertheless it would be easy to indicate politicians who, while their chances of reaching the White House are not inconsiderable, could not be expected to deal very fairly with this labour question. Meanwhile, although the greatly vexed question which threatened to assume such troublesome proportions, has thus been shelved, it will obviously be necessary for the United States Government to approach Japan with reference to the carrying out of the amended law. The *Mainichi Dempo* observes that the Foreign Office in Tokyo has always exercised the greatest caution in granting passports to Japanese subjects proceeding to the United States, and that since the occurrence of this San-Francisco question such caution has been doubled. But the stream of Japanese labour from Hawaii was comparatively unrestricted. The *Mainichi Dempo* and the *Kokumin Shimbun* do not hide their dissatisfaction with an arrangement which they regard as a great concession on Japan's part without any

adequate *quid pro quo*, but they do not explain what legitimate means Japan could have employed to oppose legislation of the kind in question. The former journal insists that until the naturalization law of the United States is amended so as to permit Japanese subjects to become American citizens, the question can not be considered settled. The *Chuo Shimbun*, under the title of "satisfaction amid dissatisfaction," expresses itself pleased that this power of discriminatory veto has not been entrusted to the hands of local officials but will be exercised by the President himself. That, at all events, is some consolation. The Japanese Emigration companies will be the principal sufferers. Labourers for the States *via* Hawaii have been of late a main source of profit to these companies—there are five large companies and some smaller ones—for Hawaii itself is already pretty amply supplied. There is consequently much agitation among the companies, and as their directorates include very influential men, they will doubtless succeed in getting the matter introduced in the Diet. It does not appear from San-Francisco telegrams that the anti-Japanese section are by means satisfied. They are represented as claiming that they have won a great victory, that the President has had to lower his colours, and that they need only renew their agitation if they desire to secure the complete exclusion of Asiatic races from their midst. On the other hand, the industrials whose enterprises are virtually dependant upon a full supply of cheap labour are said to be up in arms against the new bill.

The Japan Times.

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EMIGRATION TO AMERICA.

THE Foreign Office having closed its lips on the progress of the San Francisco affair, nothing can be stated authoritatively in that connection; but there are circumstances—the telegraphic reports among others—which would make it apparent that the school question has finally resulted in a settlement of a sort. We call it a settlement of a sort; because it seems to be of the kind that severely puts to test the conciliatory spirit, or rather the power of disinterested judgment, of the average Japanese. How deeply Japan has appreciated the noble and fearless stand President Roosevelt has taken in the cause of international justice and treaty rights, even since the outbreak of the San Francisco embroglio, and how unchanged is our attitude to Americans as a whole who are themselves unchanged in their cordiality towards us, need not be retold, as all this has been dwelt upon over and over again. And there can be no doubt that the amicable settlement *per se* of the affair is hailed with satisfaction in this country, for the slight condition the Californians are said to insist upon is immaterial to the main issue; but associated with it, —not by our choice certainly—is the problem of our emigrants to America, whose movements are to be henceforth restricted as according to telegrams so far received. The restriction cannot but touch keenly our sense of sacrifice, if not of pride. It is to be hoped that the Americans will duly note that we would not be in a mood to be easily induced to countenance this new development but for the historical friendship that binds our country with them.

It is a known fact that for many years back our Foreign Office has followed the policy of restricting the free exodus of emigrants destined for San Francisco. The policy originated in the desire on our part, to remove what might cause the rise of an anti-Japanese spirit in California and its spread all over America. We conceived and adopted it not so much to please the Californians as to protect our interests in America, as well as to maintain the good relations between the two countries. Whether it was a fortunate policy or an unfortunate one to start with, does not matter now; by we took it upon ourselves to carry it out for the purpose intended. As it has since happened, the annexation of Hawaii by the United States has made it practically a dead policy, by reason of the fact that our emigrants going unrestrictedly to that island, have become enabled to re-embark and freely land at San Francisco or any other port of the Pacific States as coasting travellers. The latter turn of affairs has proved extremely advantageous to our emigrants; but it should be understood that the advantage has rested on a nice technicality, and our policy of restriction has been destroyed in its efficiency by the fact. It follows, should there arise circumstances that called the policy into existence, some arrangement must needs be adopted to replace it. Unfortunately such circumstances have arisen, and they must be faced. It is at such a juncture that the American Government enacts a law giving its President the power to refuse at his discretion all foreign emigrants coming from its insular possessions the right to land in America. The law is too apparently aimed at our emigrants but technically it stops short of being discriminating and therefore being at variance with our treaty rights. The situation, then, is that the advantage hitherto enjoyed technically

by our emigrants is henceforth to be denied them by a counteracting technicality, and we do not see how we can successfully dispute the validity of this ingenious arrangement, especially as it amounts to giving effect to our own policy of restriction. But rather than have the humiliation of seeing our emigrants refused landing, it is perhaps wise to enforce the restriction of our own accord. Thus reasoned, we will have to acquiesce in the settlement arrived at; for it is no time for us to lend ears to instigating outsiders who would tell us that our pride, our national dignity has been injured.

One thing should be remembered, however, and it is that, technicality or no technicality, the loss of an advantage once enjoyed legitimately cannot but be felt sharply. And this is especially the case in international dealings, and the Americans will not think it unnatural if they should find some people amongst us, more susceptible than others, who would believe that our diplomacy has been overreached, though we ourselves would by all means discourage such ideas. Be this as it may, there is the naturalization question next to be attended to, a question that has already been emphatically referred to by President Roosevelt. It is a question that affects very materially the interests of our nationals in America, and we are anxious to see it satisfactorily solved as speedily as possible.