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Jiji Shimpō, February 22, 1907.

THE AMENDMENT TO THE UNITED STATES
IMMIGRATION ACT.

Thanks to the President of the United States, the San Francisco school question which has been pending since October last has practically been settled by means of an amendment to the Immigration Act, which has just passed both Houses of Congress. The question at issue was a complicated one, as it involved an interpretation of the Japanese-American Treaty as well as of the Constitution of the United States. Even though the claim of the Japanese Government were admitted to be absolutely legal and just, it was not an easy task to get at a satisfactory settlement. Fortunately, President Roosevelt's views on this question coincided with those of our Government. The President went so far as to censure the acts of the San Francisco authorities in his two Messages to Congress, while, on the other hand, he caused the controversy to be submitted to the court for judicial decision. It was, however, feared ~~feared~~ that the decision of the court might prove unfavorable to the President's attitude. It was also feared that the decision of the court, if favorable, might lead to a serious national controversy. It is gratifying to feel that the compromise between the Federal Government and the State of California has settled the question without carrying it to extremes. We are profoundly grateful to President Roosevelt for his constant efforts on our behalf since the beginning of the affair a few months ago. Let us quote the text of the Amendment to the Immigration Act which was introduced by the President and which has just passed both branches of Congress.

"Provided further 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 labour conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter into the continental territory of the United States from such other country or from such insular possession or from the canal zone." **

Although, when this provision takes effect, the Japanese laborers will not be allowed to enter the United States via Hawaii, yet it should be noted that the lenient treatment accorded our laborers bound for Hawaii is due to the greater need of laborers for the industries of those Islands. It is needless to point out that the leniency referred to was not meant to enable the Japanese people to enter the United States through a loophole, so to speak. Our laborers, however, have taken advantage of the existence of the loophole and have recently gone over to the Pacific Coast in great numbers. The Hawaiian sugar planters have, by the consequent scarcity of plantation hands, been embarrassed, while the migration of our laborers to California has intensified the anti-Japanese agitation. No doubt the segregation of the Japanese school children was largely due to the influx of a large number of disreputable Japanese in San Francisco. Our Government has been paying due attention to the state of things in the Hawaiian Islands and the Japanese Consul at San Francisco has been carrying out the instructions of the home Government to restrict, so far as is compatible with his authority, the migration of Japanese laborers to the Pacific Coast. Our authorities have also anticipated the

** This is Foreign Office text.

necessity of adopting some measures for restricting that migration. We have, therefore, no grounds for a protest against the authority conferred upon the President to use his discretion in regard to the Japanese coming from Hawaii.

Let us also refer to Article II of the Treaty of Commerce and Navigation between Japan and the United States, which provides for reciprocal freedom of commerce and navigation to be enjoyed by the citizens or subjects of the two contracting parties. We particularly call attention to the provision in the last paragraph of the same Article, which reads as follows:-

"It is, however, understood that the stipulations contained in this and the preceding 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." Thus Japan recognizes the right of the United States to enact any laws, ordinances and regulations with regard to the immigration of laborers in that country. It has long been our national policy to maintain undisturbed the cordial friendship between the two countries, and our nation ought always to observe this principle. Should the friendship between the two countries be disturbed by the school controversy and the anti-Japanese feeling intensified, other countries of the world might take advantage of the situation and attempt to bring about discord between our country and America. In dealing with American affairs, this turn of affairs should never be forgotten. The present amendment seems to have removed all causes for the anti-Japanese agitation in the United States, while it does not follow that no Japanese laborer can hereafter enter that country, since the operation of the provision is to be left to the discretion of the President. The settlement of the Japanese-American controversy well illustrates the sentiment of our proverb that "after the rain the ground becomes firmer". We are convinced that after this little controversy the Japanese-American relations will become more intimate.