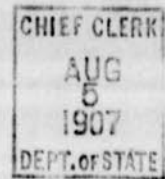


JBH

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER.

Department of Justice,
Washington.



108518

August 5, 1907.



The Secretary of State.

Sir:-

I send you herewith copy of a telegram from the United States Attorney at San Francisco giving information of the kind requested by you concerning intelligence office licenses.

Respectfully,

A large, stylized handwritten signature in cursive script.

Acting Attorney General.

Inclosure 1983.

-Copy-

TELEGRAM.

Aug. 3, 1907.

142CH GM

129 Paid Govt

Po. San Francisco Calif Cal 3

The Attorney General, Washington D.C.

Answering telegram. No Japanese now hold intelligence office licences formerly seven held, but as they expired they were not renewed. Twenty five licences are now in force records do not show nationality of holders. Since question has arisen about Japanese the official refer each application to police officer to report as to character and citizenship. On April second application denied because too near market street may seventh same action for same reason. On May seventh, also, two applications denied because applicants failed to appear. Have made as far as possible personal inquiry of applicants as to citizens, seven are native born, four are naturalized citizens, one has first papers, seven are women, and other six have been unable to see.

Devlin, U S Atty.

455 PM

142CH GM 2nd to Atty Gen, Washn D.C.

AUG 5
1797
DEPT OF STATE
O. G. 8

Information concerning Intelligence Office licenses in San Francisco.

Encl. 308-316. August 5, 1907.
Department of Justice.
Queries the following telegram, Aug. 3, 1907, from the U. S. Attorney at San Francisco, concerning intelligence office licenses: "No Japanese now hold intelligence office licenses formerly seven held, but as they expired they were not renewed. Twenty five licences are now in force records do not show nationality of holders. Since question has arisen about Japanese the official refer each application to police officer to report as to character and citizenship. On April second application denied because too near market street may seventh same action for same reason. On May seventh, also, two applications denied because applicants failed to appear. Have made as

far as possible personal inquiry of applicants as to citizens, seven are native born, four are naturalized citizens, one has first papers, seven are women, and other six have been unable to see." (Rec'd August 5, 1907) 10:39am.

DIPLOMATIC
BUREAU

AUG -8 1907

FILE-S. Y. 34

act. Aug. 9.

DEPT OF STATE
AUG 5
1797
310
1907

While the fact of a racial discrimination against Japanese applicants for licenses is painfully suggested by ^{condition of affairs} ~~the municipal council~~ report, the ~~municipal council~~ in San Francisco, due to the conviction of Schmidt and the contest for the mayoralty create a situation with which the Federal Govt cannot deal, and a present remedy seems to be beyond reach, so long as there is no responsible municipal authority.

[If a test case could be brought before the U. S. Courts in

any way something might be done, but the weak point about it is that in issuing licenses, the nationality of the applicant does not appear as a condition or test, so that on the face of the record there is nothing to show that rejection is determined by other than the individual merits of the case and within the discretion of the Commission.]