

DEPARTMENT OF STATE
WASHINGTON

July 31. 1907

Dear Mr. Root:

Viscount Aoki called to day
to say that he was very sorry
to bring up again any question
concerning the Japanese in San
Francisco and desired to give
what he had to say an altogether
informal character. He thereupon
handed me the "Promemoria", of
which I send you a copy, ex-
plaining that he wished me to re-
gard it as being the same thing
as

as an oral inquiry, his understanding being that a Promemoria is simply an Aide-Memoire, an aid to remember what is spoken.

I told the Ambassador that I had recently returned from my vacation and was not informed of the incident sufficiently to make any oral response, but that I would communicate his inquiry to you.

The noticeable thing about it, to me, is the broad assertion of the view that the United States holds "that the right to come and reside given by a treaty necessarily implies the right to live and to labor

for a living."

Taken with the context, the Promemoria appears to assume that, as to the right to labor for a living, both the national and the most favored nation treatment are reciprocally granted. While resting, apparently on Article I of the treaty of 1894, the Ambassador ignores the final clause of Article II, by which the right to restrict trade, the immigration of laborers, ^{to regulate} and matters of police and public security is reciprocally conceded.

Licenses are, generally, within the domain of the police power.

Very faithfully

Alvay A. Adee