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## 事項一 米國ニ於テ移民制限法制定一件

一 六月二十八日 在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛（電報）

華盛頓州選出議員ジョンソン下院ニ提出ノ百  
分率ニ依ル永久的移民制限法案ニ付報告ノ件

第四二〇号 （七月一日接受）

六月二十六日「ジョンソン」ハ「パーセンテージ」移民制  
限法案ヲ下院ニ提出シ移民委員会ニ附託セラレタルカ本案  
ハ千九百二十三年六月末以後実施セラルヘキ永久的制限法  
案ニシテ要旨左ノ如シ

一、移民ハa級及b級ニ區別シ前者ハ

(i) 条約又ハ協定ニ依リ移民制限ヲ定メ居ル外国ヨリノ移  
民

(ii) 所謂 Asiatic barred zone ヨリ来ル移民ニシテ帰化  
権アルモノ

(i) 一時外国ニ赴キ帰来スル移民ニシテ帰化権アルモノ  
等十種ヲ列挙シ後者ハa級ニ属セサル外国移民ニシテ帰  
化権アルモノトス

一 米國ニ於テ移民制限法制定一件 一二

二、毎年各国ヨリノ移民割当数ハ千九百十年米國戶籍調査  
ノ際米國ニ在留セシ各国人人口ノ二「パーセント」ニ六  
百人ヲ加ヘタルモノニ限り右割当ハb級移民ニノミ適用  
シa級移民ハ範圍外トス

三、在外領事館ハ外国移民ニ対シ国籍及前記級別等ヲ明記  
セル「コンシュラー、サーティファイケート」ヲ發給スル  
コト但シ毎月發給ノ右「サーティファイケート」中半数ハ  
米國船証明書（渡米ノ為必ス米國船ニ搭乘スルコトヲ要  
スルモノ）トシ又他ノ半数ハ無制限証明書（米國船外國  
船何レヲ取ルモ自由トスルモノ）トスヘシ

（法案郵送ス）桑港へ転電シ「シアトル」羅府へ郵送ス

二 六月二十八日 在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛（電報）

ジョンソン移民制限法案ハ紳士協約ヲ廢棄ス  
ルモノナリトノ意見等ノ新聞報道ニ付報告ノ  
件

第四二一號

(七月一日接受)

往電第四二〇號ニ関シ

六月二十七日ノ「ウァールド」華府通信ハ移民委員会ノ有力ナル委員タル「シーゲル」ハ同案ハ紳士協約ヲ廃棄シ日本移民ノ排斥ヲ断行セントスルモノナル処日本移民問題ハ國務省ニ於テ只管考究中ニシテ此点ニ於テ行政部ノ企画ニ関与スルノ虞アル可シトテ反对シ居ル旨ヲ伝ヘ又同日ノ紐育「タイムス」モ本案ハ帰化権ナキ外国人ノ絶対排斥ヲ為サントスルモノナリトノ記事ヲ掲ゲ居ルモ移民数ノ制限ニ関シ日本人ハ現行「バーセンテージ」法ニ於ケルト同様ノ地位ニ置カレ居リ紳士協約改廢等ノ結果ヲ来スモノト認めラレズ為念

桑港ヘ転電シ「シアトル」羅府ヘ郵送ス

三 七月四日

在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛 (電報)

帰化権無キ外国人移民ノ入國ヲ禁止スル百分率ニ依ル移民制限法案第二案ヲジョンソン下院ニ提出ノ件

第四三五號

(七月八日接受)

六月三十日「ジョンソン」ハ更ニ「バーセンテージ」移民制限法案ヲ提出シ委員會附託トナリタルガ本案内容ハ往電第四二〇號報告ノ案ト大体同様ナルモ重要ナル相違点ハ条約又ハ協約ニ拠リ移民制限ヲ定ムル外國ヨリノ移民ヲ(a)級ノ項目ヨリ除キ(b)級移民トハ(a)級移民ニ属セザル一切ノ移民ヲ総称スト定メ以テ日本移民等ヲ(b)級移民ニ移シタル上別項ニ於テ帰化権ナキ(b)級移民ハ米國入國ヲ許サズトノ規定ヲ設ケ居ルニ在リ右ノ結果帰化権ナキ外人ハ左ノ例ヲ除キ米國入國ヲ禁止セラルコトナルベシ

一、移民ニ非ザル外人(i)官吏其家族及従者(d)商業又ハ遊覽ノ為ニ滞在スル一時的旅行者(h)米國ヲ通過スルモノ(n)既ニ適法ニ米國ニ入國シタル外人人ニシテ米國ニ近接スル外國ヲ通過シ米國內ノ一地方ヨリ他地方ニ赴クモノ

二、(a)級移民中帰化能力ノ条件ヲ必要トセザルモノ(i)外國ニ在住スル米國市民ノ子供タル外人(d)教師宗教家等ニシテ入國許可出願前引続キ二年以上該職業ニ従事シ居リ且入國後モ同職業ニ従事スルモノ(h)熟練労働者但同種ノ労働ヲ米國內ニ於テ発見シ得ザル場合ニ限ル(n)前記(d)及(h)ニ属スル移民ノ同伴スル妻又ハ子供(f)学生(法案郵送

ス)

桑港「シアトル」羅府ヘ郵送ス

四 七月四日

在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛

ジョンソンノ百分率ニ依ル移民制限法案第二案送附ノ件

附屬書

六月三十日提出ノジョンソン移民制限法案第二

案

公第二三九號

(八月二十二日接受)

大正十一年七月四日

在米

臨時代理大使 佐分利 貞男 (印)

外務大臣伯爵 内田 康哉殿

拙電第四三五號稟報本案二部別紙ノ通及御送附候 敬具  
(附屬書)

ジョンソン移民制限法案第二案

67th CONGRESS, 2D Session.

H. R. 12237.

IN THE HOUSE OF REPRESENTATIVES.

June 30, 1922.

一 米國ニ於テ移民制限法制定一件 四

Mr. Johnson of Washington introduced the following bill; which was referred to the Committee on Immigration and Naturalization and ordered to be printed.

A BILL

To limit the immigration of aliens into the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That this Act may be cited as the "Percentage Immigration Act, 1922".

DEFINITIONS.

SEC. 2. As used in this Act—

- (a) The term "United States", when used in a geographical sense, means the States, the Territories of Alaska and Hawaii, the District of Columbia, Porto Rico, and the Virgin Islands;
- (b) The term "alien" includes any person

not a nativeborn or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed, nor citizens of the islands under the jurisdiction of the United States;

(c) The term "immigrant" includes all aliens departing from any place outside the United States destined for the United States, except (1) a government official, his family, attendants, servants, and employees, (2) an alien visiting the United States as a tourist or temporarily for business or pleasure, (3) an alien in continuous transit through the United States, (4) an alien lawfully admitted to the United States who [later goes in transit from one part of the United States to another through foreign contiguous territory, and (5) an alien eligible to citizenship in the United States who has resided continuously for at least five years immediately preceding the time of his ap-

plication for admission to the United States, in the Dominion of Canada, Newfoundland, or the Republic of Mexico, and his wife and minor children if accompanying him;

(d) The term "class A immigrant" means—

(1) An immigrant who is the minor child of a citizen of the United States who resides therein;

(2) An immigrant returning from a temporary visit abroad if eligible to citizenship;

(3) An immigrant eligible to citizenship who has resided continuously for at least five years immediately preceding the time of his application for admission to the United States in the Republic of Cuba, countries of Central or South America, or adjacent islands, and his wife and minor children if accompanying him;

(4) An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United

States has been, and who seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination, professor of a college or seminary, or member of any recognized learned profession;

(5) An immigrant who is a skilled laborer, if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Labor upon the application of any person interested; such application to be made before the issuance of the consular certificate, and such determination by the Secretary of Labor to be reached after a full hearing and an investigation into the facts of the case;

(6) The wife or minor child of an immigrant admissible under paragraph (4) or (5), if accompanying or following to join him;

(7) An immigrant who is a bona fide student and who seeks to enter the United States solely for the purpose of study at an educational institution particularly designated by him, but upon graduation, completion, or discontinuance of studies he shall not be entitled to remain in the United States; or

(8) An immigrant actually employed within or without the United States as a domestic servant in the household of the person accompanying him, if coming for the purpose of continuing such employment, and if eligible to citizenship;

(e) The term "class B immigrant" means any immigrant not a class A immigrant;

(f) The term "eligible to citizenship", when used in reference to any individual, does not include an individual who is debarred from becoming a citizen of the United States under section 2169 of the Revised Statutes, or under section 14

of the Act entitled "An Act to execute certain treaty stipulations relating to Chinese", approved May 6, 1882, or under section 2 of the Act entitled "An Act to authorize the President to increase temporarily the Military Establishment of the United States", approved May 18, 1917, as amended, or under law amendatory of, supplementary to, or in substitution for, any of such sections;

(g) The term "quota" when used in reference to any nationality means 600, and in addition thereto 2 per centum of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910;

(h) The term "consular certificate" means a certificate issued by a consular officer under the provisions of this Act;

(i) The term "consular officer" means any consular officer of the United States, and includes

diplomatic officers of the United States if authorized to visé passports. In case of the Canal Zone and the insular possessions of the United States the term "consular officer" means an officer designated by the President for the purpose of issuing consular certificates under this Act;

(j) The term "United States vessel" means a vessel registered or enrolled and licensed under the laws of the United States;

(k) The term "Immigration Act" means the Act of February 5, 1917, entitled "An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States";

(l) The term "immigration laws" includes such Act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens;

(m) The term "person" includes individuals, partnerships, corporations, and associations.

## ISSUANCE OF CONSULAR CERTIFICATES.

SEC. 3. (a) A consular officer shall upon the application of any immigrant eligible to citizenship issue to him a consular certificate which shall specify his nationality and whether he is a class A immigrant or a class B immigrant. The certificate shall also specify either (1) that it is valid only if his transportation by water to the United States or foreign contiguous territory, from his last point of embarkation outside the United States and such contiguous territory, has been in a United States vessel (hereinafter called "United States vessel certificate"), or (2) that it is valid if such transportation has been in either a United States vessel or a foreign vessel (hereinafter called "unrestricted certificate").

(b) The validity of a consular certificate shall expire at the end of such period, specified in the certificate, as shall be by regulation prescribed.

(c) So long as an immigrant is required by any law, or regulations or orders made pursuant to law, to secure the viséing of his passport by a consular officer before being permitted to enter the United States, no consular certificate shall be issued under this Act in the case of such immigrant unless his passport is so viséed, or unless he is included in the passport of another which is so viséed.

## PERCENTAGE LIMITATIONS.

SEC. 4. There shall be issued to class B immigrants of any nationality (1) no more consular certificates in any fiscal year than the quota for such nationality, and (2) in each of the first ten calendar months of any fiscal year, no more consular certificates than 10 per centum of the quota for such nationality, except that if such quota is less than 3,000 the number to be issued in each of the first ten calendar months shall be prescribed by the Commissioner General of Immigration with the approv-

al of the Secretary of Labor, but shall not be in excess of 500 nor less than one-twelfth of the quota for such nationality. During the eleventh month of the fiscal year there may be issued to class B immigrants of any nationality 50 per centum of the remainder, if any, of the quota for such nationality for such year, and in the last month of the fiscal year there may be issued the remainder, if any, of such quota.

#### NATIONALITY.

SEC. 5. (a) For the purposes of this Act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration was made in the United States census of 1910; except that the nationality of a minor child seeking admission shall be determined by the country of birth of either parent who, having custody of such minor, is entitled to admission.

(b) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the enactment of this Act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this Act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the creation of new countries, the Governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were born within the area included in such new countries or in such territory so transferred, and revise the population basis

as to each country involved in such change of political boundary. For the purpose of such revision and for the purposes of this Act generally, aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

#### TRANSPORTATION BY WATER.

Sec. 6. Except as provided in section 7, as nearly as practicable one-half of the consular certificates issued in each calendar month shall be United States vessel certificates and one-half shall be unrestricted certificates. To that end—

(a) In the case of class B immigrants the type of certificate shall be at the option of the immigrant, so long as there remain certificates of the type requested which may be lawfully issued; and

(b) In the case of class A immigrants the two types of certificates shall be issued alternately, avoiding so far as practicable hardship caused by separation of persons who have valid reasons for traveling in the same vessel.

Sec. 7. (a) Whenever the United States Shipping Board (hereinafter called "Shipping Board") finds that adequate facilities for the transportation of immigrants to the United States from any territorial area are not provided by United States vessels, it shall certify its finding to the Secretary of Labor and to the Secretary of State, and thereafter the relative number of unrestricted certificates which may be issued in each calendar month by consular officers in such area shall be increased to such percentage of the total number of certificates issued by such officers as may be specified in the certificate of the Shipping Board.

(b) Whenever the Shipping Board finds in the case of any foreign country that there are no vessels documented under the laws of such country which transport immigrants from such country to the United States, it may certify its finding to the Secretary of Labor and to the Secretary of State, and thereafter the relative number of United States vessel certificates which may be issued in each calendar month to immigrants born in such country shall be increased to such percentage of the total number of certificates which may be issued to immigrants of that nationality as may be specified in the certificate of the Shipping Board.

(c) The Shipping Board may from time to time modify its findings and certify such modification to the Secretary of Labor and to the Secretary of State, and thereafter the relative number of United States vessel certificates and

as specified therein.

(b) No class B immigrant shall be admitted to the United States unless he is eligible to citizen-ship.

(c) The Secretary of Labor may admit to the United States any otherwise admissible immigrant not admissible under subdivision (a), if satisfied that such inadmissibility was not known to, and could not have been ascertained by the exercise of reasonable diligence by, such immigrant prior to the departure of the vessel from the last seaport outside the United States and outside foreign contiguous territory, or, in the case of an immigrant coming from foreign contiguous territory, prior to the application of the immigrant for admission. In all such cases proper adjustment shall be subsequently made in the relative number of United States vessel certificates and unrestricted certificates to be issued

unrestricted certificates to be issued in each calendar month shall be adjusted accordingly; but in no case, except as provided in subdivision (b), shall the number of United States vessel certificates be increased to more than one-half of the total number.

(d) Whenever the Shipping Board has certified its finding under subdivision (a), (b), or (c), the method of issuing consular certificates to class A immigrants shall be modified accordingly.

(e) Nothing in this section shall authorize any increase in the total number of consular certificates which it is lawful to issue to class B immigrants under section 4.

#### EXCLUSION FROM UNITED STATES.

Sec 8. (a) No immigrant shall be admitted to the United States unless he has an unexpired consular certificate, and is of the nationality and class specified therein, and has been transported

to immigrants of the same nationality. No class B immigrant shall be admitted under this subdivision if the entire number of consular certificates which may be issued to class B immigrants of the same nationality for the fiscal year has already been issued; nor shall he be admitted if such entire number has not been issued, unless the Secretary of Labor finds it practicable to reduce before the end of the fiscal year the number of consular certificates to be issued to class B immigrants of the same nationality during such year. Nothing in this subdivision shall authorize the remission or refunding of a fine, liability to which has accrued under section 10.

#### DEPORTATION.

Sec. 9. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this Act to enter the United States, or to have remained

therein for a longer time than permitted under this Act or regulations made thereunder, shall be taken into custody and deported in the same manner as provided in sections 19 and 20 of the Immigration Act.

#### PENALTY ON ILLEGAL TRANSPORTATION.

Sec. 10. (a) It shall be unlawful for any person, including any transportation company, or the owner, master, agent, or consignee of any vessel, to bring to the United States by water from any place outside thereof (other than foreign contiguous territory) any immigrant who does not have an unexpired consular certificate, which is valid for transportation in the vessel in which he was brought.

(b) If it appears to the satisfaction of the Secretary of Labor that any immigrant has been so brought, such person, or transportation company, or the master, agent, owner, or consignee

of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$200 for each immigrant so brought, and in addition a sum equal to that paid by such immigrant for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival, such latter sum to be delivered by the collector of customs to the immigrant on whose account assessed. No vessel shall be granted clearance papers pending the determination of the liability to the payment of such fine, or while the fine remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine.

(c) Such fine shall not be remitted or refunded, unless it appears to the satisfaction of the Secretary of Labor (1) that such person, or

the owner, master, agent, or consignee of the vessel, prior to the departure of the vessel from the last seaport outside the United States, did not know, and could not have ascertained by the exercise of reasonable diligence that the person transported was an immigrant, and (2) that the fine resulted from the fact that the immigrant had no consular certificate.

#### ENTRY FROM FOREIGN CONTIGUOUS

##### TERRITORY.

Sec. 11. The Commissioner General of Immigration, with the approval of the Secretary of Labor, shall have power to enter into contracts with transportation lines for the entry and inspection of aliens coming to the United States from or through foreign contiguous territory. In prescribing rules and regulations and making contracts for the entry and inspection of aliens applying for admission from or through foreign contiguous

territory due care shall be exercised to avoid any discriminatory action in favor of transportation companies transporting to such territory aliens destined to the United States, and all such transportation companies shall be required, as a condition precedent to the inspection or examination under such rules and contracts at the ports of such contiguous territory of aliens brought thereto by them, to submit to and comply with all the requirements of this Act which would apply were they bringing such aliens directly to seaports of the United States. After this Act takes effect no alien applying for admission from foreign contiguous territory shall be permitted to enter the United States unless upon proving that he was brought to such territory by a transportation company which had submitted to and complied with all the requirements of this Act, or that he entered, or has resided in, such territory more than two

years prior to the date of his application for admission to the United States.

#### UNUSED CONSULAR CERTIFICATES.

Sec. 12. (a) A consular certificate in addition to the number provided in section 4 may be issued to a class B immigrant of any nationality in the following cases:

- (1) Whenever any class B immigrant of such nationality having a consular certificate is excluded from admission to the United States under the immigration laws and deported, or does not apply for admission to the United States before the expiration of the validity of the certificate; or
- (2) Whenever an alien of such nationality having a consular certificate issued to him as a class B immigrant is found not to be a class B immigrant.
- (b) No such additional certificate shall be issued after the end of the fiscal year in which

the original certificate was issued, nor except upon the surrender and cancellation of the original certificate.

#### OFFENSES IN CONNECTION WITH CONSULAR CERTIFICATES.

Sec. 13. (a) Any person who, except under direction of the Secretary of Labor or other proper officer, knowingly (1) forges, counterfeits, alters, or falsely makes any consular certificate, or (2) uses, attempts to use, possesses, obtains, accepts, or receives any consular certificate knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained, (3) possesses any blank consular certificate, (4) engraves, sells, brings into the United States, or has in his control or possession any plate in the likeness of a plate designed for the printing

#### RULES AND REGULATIONS.

of consular certificates, (5) makes any print, photograph, or impression in the likeness of any consular certificate, or (6) has in his possession a distinctive paper which has been adopted by the Secretary of Labor for the printing of consular certificates, shall, upon conviction thereof, be fined not more than \$10,000, or imprisoned for not more than 5 years, or both.

(b) Any person who, (1) when applying for a consular certificate or for admission to the United States, personates any individual other than himself, or falsely appears in the name of a deceased person, or under an assumed or fictitious name, or (2) sells or otherwise disposes of a consular certificate to any other person not authorized by law to receive such certificate shall, upon conviction thereof, be fined not more than \$10,000, or imprisoned for not more than 5 years, or both.

Sec. 14. The Commissioner General of Immigration, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this Act; but all such rules and regulations, in so far as they relate to the administration of this Act by consular officers, shall be subject to the approval of the Secretary of State, and, in so far as they relate to the relative number of United States vessel certificates and unrestricted certificates, shall be subject to the approval of the Shipping Board.

#### ACT TO BE IN ADDITION TO IMMIGRATION LAWS.

Sec. 15. The provisions of this Act are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as a part of such laws, and all the



penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this Act.

#### ALIEN SEAMEN.

Sec. 16. Nothing in this Act shall be construed to prevent bona fide alien seamen from landing in the United States in the pursuit of their calling; but any seaman not eligible to citizenship shall not be permitted to land unless he gives bond in an amount fixed, and with sureties approved, by the Commissioner General of Immigration, conditioned on his departure from the United States in accordance with regulations prescribed under this Act.

#### TIME OF TAKING EFFECT.

Sec. 17. (a) Sections 1, 2, 5, 11, 13, 14, 15, 16, 17, and 18, shall take effect immediately upon the enactment of this Act.

(b) Except as provided in subdivision (c), sec-

take effect as to immigrants transported in a vessel documented under the laws of any foreign country until a time fixed by proclamation of the President. The President is authorized and directed, whenever in his opinion such provisions are or may be in conflict with treaties or conventions with a foreign country, to take such steps as may, in his opinion, be necessary to remove such conflict. Whenever, in his opinion, no such conflict exists in the case of any country, he shall so proclaim, and the above-mentioned provisions of sections 8 and 10 shall take effect in the case of immigrants transported in vessels documented under the laws of such country, at the time specified in his proclamation therefor.

#### REPEAL.

Sec. 18. The Act entitled "An Act to limit the immigration of aliens into the United States,"

tions 3, 4, 6, 7, 8, 9, 10, and 12 shall take effect on July 1, 1923, except that consular certificates may be issued prior to that date, which shall not be valid for admission to the United States before July 1, 1923. In the case of class B immigrants of any nationality the number of certificates to be issued prior to July 1, 1923, shall not be in excess of 10 per centum of the quota for such nationality, and the number of certificates so issued shall be deducted from the number which may be issued during the month of July, 1923.

(c) So much of section 8 as relates to the inadmissibility of an immigrant unless transported as specified in his consular certificate, and so much of section 10 as relates to the penalty for bringing to the United States an immigrant whose consular certificate is not valid for transportation in the vessel in which brought, shall not

approved May 19, 1921, as amended and extended, shall not have effect as to any alien applying for admission to the United States after June 30, 1923.

五 八月三日 内田外務大臣ヨリ  
在米國佐分利臨時代理大使宛(電報)

シモンソン移民制限法案ノ歸化權ニ關スル差

別待遇ハ日米通商条約違反ナルニ付右字句削

除配慮方訓令ノ件

第四三三二号

貴電第四三三五号第四三七号ニ関シ

歸化權ナキ外人ノ入國ヲ禁止スル移民法案下院ニ提出セラレタル趣ノ処現行日米通商条約締結ノ際旧条約第二(註)条末項ヲ削除スルニ苦心シタルハ本邦人ニ対シスノ如キ差別待遇ヲ与フル移民法ノ制定セラレムコトヲ恐レ之ヲ予防セムトシタルカ為ニ外ナラス當時我政府ハ右末項削除ノ対償トシテ移民制限ニ関スル宣言ヲモ為シタル次第ニシテ新移民法案ノ前記規定カ現行条約違反ナルコトハ明瞭ナルノミナラス歸化資格ノ有無ヲ標準トスル差別的規定ニ対シテハ我

政府ハ終始一貫抗議シ来レル關係モアルヲ以テ貴官ハ該法案ノ成行ヲ注視シ適當ノ機會ニ於テ本邦人ニ對スル差別待遇ノ字句ヲ削除セシムル様十分御配慮アリタシ

註 旧条約第二条末項左ノ通

但本条及前条ノ規定ハ兩締盟國ノ各方ニ於テ商業、労働者ノ移住、警察及公安ニ関シ現ニ行ハレ又ハ将来制定セラルヘキ法律、勅令及規則ニ何等ノ影響ヲ及ホスコトナシ

六 八月十八日 在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛(電報)

下院移民制限委員会ニ於テシーゲル委員ノ説  
キタル紳士協約改訂ニ依ル日本移民制限必要  
論ニ付報告ノ件

第五三〇号 (八月二十一日接受)

紐育「タイムズ」八月十三日所報ニ拠レバ下院移民制限委員会ニ於テ下院議員 Isaac Siegel ハ欧州移民「クワータ」増減ノ可否ヲ評論セル折日本移民ニ言及シ日本移民ハ毎年約八千人(政府ノ統計ニ依ル、「マクラーチ」ノ計算ニ拠レバ約一万人)ニ達シ三%ノ「クワータ」ヲ超過シ居リ学生ノ如キハ欧州移民ニ對シテハ「クワータ」ノ適用ア

ルニ反シ日本人ニ對シテハ何等制限ナク不当ノ恩典ヲ与ヘツツアリ西部諸州ノ運動ハ日本移民問題ニ関シ未ダ一半モ説服スルニ至ラズト雖漸次議員間ニ確信ヲ与ヘツツアリ事情右ノ如クナレバ若シ國務省ニシテ日本政府ト交渉シ現行紳士協約ヲ改メ実効アル紳士協約トナサザルニ於テハ本年末迄ニ議會ニ於テ日本移民排斥法ノ制定通過ヲ見ルニ至ルベシ而シテ帰化權ナキ外国人排斥ハ結局日本人ヲ目的トスルモノナルガ故ニ吾人ノ希望トシテハ法律ノ制定ニ拠リ徒ニ日本ノ感情ヲ傷ケ華府會議ノ效果ヲ無ニスルヨリ外交手段ニ依リ所期ノ目的ヲ達シタキモノナリ右条約改正ニ関シ特ニ注意スベキハ実業ノ為渡米スル者殊ニ学生ニ對シ更ニ嚴重ナル制限ヲ加フルノ要アルコト而シテ学生トシテ渡米セル者ノ中真ノ学生ナラザル者尠ナカラズ移民委員會ハ現行移民諸法規ヲ整理スル為本年秋頃ヨリ「ヒアリング」ヲ開始スル筈ナリト語レル趣ナリ

桑港「ポートランド」「シアトル」羅府ヘ郵報セリ

七 八月二十二日 在桑港矢田總領事ヨリ  
内田外務大臣宛

桑港ワレーン、ライタ氏ノ質問ニ對スル日本

人帰化権問題ニ関スルジョンソンノ回答要旨  
報告ノ件

機密公第三〇号 (九月十三日接受)

大正十一年八月二十二日

在桑港

總領事 矢田 七太郎(印)

外務大臣伯爵 内田 康哉殿

「パーセンテージ」移民制限法案ニ関スル件

過般在米日本人会ト密接ナル關係ヲ有スル Warren Ryder ヨリ合衆国下院議員 Johnson ニ對シ「先年合衆国下院移民審査委員来加ノ際同委員中ノ有力者間ニ将来日本移民ノ入国禁止ヲ実行スルト同時ニ現在在留ノ日本人ニ對シ帰化權ヲ許可スヘシ云々トノ議アリシカ今回貴下ニ於テ「パーセンテージ」移民制限法案ヲ提出サレタルニ就テハ右日本人帰化權問題ニ對シ如何ナル意見ヲ懷カルヤ云々」トノ意味ノ質問ヲ發シタル処「ジョンソン」ハ之ニ對シ P.F. Snyder ヲ通シテ大要左ノ如ク回答シ来レル趣ニ有之候

在留日本人ニ對シ市民權許可ノ法案ヲ制定スルカ如キハ不可能ノコトナリ市民權ヲ得ル能ハサル外国人ニ對シ入

一 米國ニ於テ移民制限法制定一件 八

国禁止ノ法規ヲ制定スルハ当然ノコトナレハ目下之カ実現ニ努メツツアリ紳士協約ノ廢棄ハ下院議員ノ多数ニ依リ熱心ニ希望セラレツツアリ何トナレハ歐洲諸国民ハ目下 Three Percent Law ニ依リ大ニ其移民ヲ制限セラレツツアルニ反シ日本人ハ該協約ヲ利用シテ約一割位入国シツツアレハ也將来日本人ノ入国カ今回提出ノ法案ニ依リ充分ニ制限スルコト能ハストスルモ少クトモ吾人ハ之ヲ「パーセンテージ」法ノ下ニ置キ以テ其流入ヲ減少セシメサルヘカラス云々

尚詳細ハ別紙同書翰<sup>(註)</sup>ニ就キ御知悉相成様致度此段報告申進候 敬具

本信写送附先 在米大使羅府沙市各領事

註 別紙同書翰寫省略

八 八月二十六日 在桑港矢田總領事ヨリ  
内田外務大臣宛(電報)

米國労働長官米國ノ移民政策ニ関シ意見公表

ノ件

第五五六号 (八月二十七日接受)

八月二十六日労働長官ハ Formal Statement ニ於テ米國

移民政策ニ関スル同長官ノ意見ヲ公ニセラル其要旨左ノ如シ

過去一ケ年間施行セラレタル三%移民制限法ハ移民ノ來集ヲ防遏スルノ効果アリタルモ已ニ其任務ヲ果シ終リタルモノト謂フベク此過渡的政策ニ代ルベキ永久的法案ハ全然同法ト異リタル基礎ノ上ニ建設セラレザルベカラズ惟フニ同法ハ単ニ移民ノ數ヲ制限スルノミニシテ優秀ナル外國移民ヲ迎フルノ策ニ非ズ而シテ此点ニ顧ミ米國旅券制度ハ決シテ完全ナルモノニ非ズ蓋シ米國ニ來ルベキ移民ヲ選取スルノ權利ヲ全然移民ノ本國政府ノ手ニ委シ居レバナリ故ニ先ヅ旅券制度ヲ改メ在外米國領事ヲシテ移民ノ精神上肉體上其他ノ特長ニ付テノ試験ヲ行ハシメ優良ナル移民ヲ吸收スルノ策ヲ建テザルベカラズ又之ト同時ニ米國內ニ在ル外國出生移民ニ對シ毎年人口調査ヲ行ヒ且一定額ヲ年々納メシメ其納附金ヲ以テ移民教育ニ充當スベシ而シテ人口調査ノ方法ニ依リ東洋人等ノ不正入國ヲ探知スルコトヲ得ベク米國ノ精神ニ背反スル過激的分子ヲ防遏スルノ効果アルベシ

九 九月二十五日

在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛(電報)

五、一ノ移民許可ノ比例ハ米國內ニ永住セントスル脱船外國海員ニモ之ヲ適用スルコト

六、學生俳優等ノ例外的階級ハ一時的滞在者ニ限り之ヲ許可スルコト

七、太平洋沿岸ニ於テ將來同化スベカラザル外國人種ノ多數流入ニ依リ問題ヲ惹起スルコトヲ防止スル為移民ハ總テ米國市民タリ得ルモノニ限ルコト

「ジョンソン」ハ右第七項ニ関シ左ノ如ク説明セリ

米國政府ノ黃色赤色兩人種移民防止政策ハ東洋人ノ身體上ノ不同化ノ為彼等ヲ白人ト同一ノ政治團體中ニ混入スルコトノ不可能ナルコトヲ知悉セル學者及思想家ニ依リ大ニ賞讃セラレツアリ吾人ハ地域制度ニ依リ印度人ヲ排斥シ禁止法ニ依リ支那人ヲ排斥シタルモ日本人ノ入國防止ニ失敗シタル結果太平洋沿岸ニ於テ外國政府ノ保護ノ下ニアリテ米國政府ノ制御スル能ハザル外國人ノ甚シキ發展ヲ見ルニ到レリ吾人が玆ニ日、支、印、各人種ニ一様ニ適用スベキ移民制限法ヲ制定シ以テ正當入國ノ權アル例外者及商業並觀光ノ為入國スベキ一時的滞在者ノ外尽ク之ヲ防止セントスルハ最モ時宜ニ適セル措置ナリト信ズ右法案ハ所謂紳士協約ノ要點ニ触ルルコトナルベシ然レドモ之國際問題ニ

米國下院ニ附議セラルベキジョンソンノ百分率ニ依ル移民制限法案ヲ報道セル新聞記事報告ノ件

第一八三號

(九月二十七日接受)

本官發在米大使宛電報第一四六號

九月二十四日「クロニクル」紙ニ掲載セラレタル下院移民委員會議長「ジョンソン」ノ「パーセンテージ」移民法案ニ關スル同二十三日貴地發電報要領左ノ通

次回會議ニ提出セラルベキ移民制限新法案ハ現行法ニ比シ多大ノ變更ヲ加ヘタルモノニシテ其要點左ノ如シ

一、移民許可ノ比例ヲ二割乃至一割五分ニ引下グルコト  
二、母國政府ニ對シ獨立ニ行動シ得ル政府若クハ議會ヲ有スル國ヨリノ移民ニ對シテハ年々各國六百人宛ヲ限度トシ出來得ル限り之ガ例外ヲ少クスルコト

三、米國市民並米國ニ居住ヲ有スル外國人ノ家族(夫妻及子)ヲ一單位トシテ計算スルコト

四、精神上劣等ナル移民ノ入國ヲ防グ為係官ヲシテ教育試験ヲ嚴重ニ勵行セシムルト共ニ病毒傳播ノ虞アル外國人入國防止ヲ完全ニスル為簡單ニシテ有効ナル血液試驗ヲ施行セシムルコト

アラズシテ各國ガ其國內ニ於テ有スル特權ノ發動ニ外ナラズト言ハザルベカラズ云々  
大臣ヘ転電セリ

一〇 十月二日

内田外務大臣ヨリ  
在米國佐分利臨時代理大使宛(電報)

ジョンソン提出ノ百分率ニ依ル移民制限法案

二案ノ成行至急回電方訓電ノ件

第五三八號

桑港總領事發貴官宛電信第一四六號ニ関シ「ジョンソン」

提出移民制限法第二案ノ成行至急回電アリタシ

一一 十月五日

在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛(電報)

ジョンソン提出ノ百分率ニ依ル移民制限法案

第二案ノ成行ニ付回電ノ件

第六三九號

(十月七日接受)

貴電第五三八號ニ関シ

在桑港總領事發本官宛第一四六號「ジョンソン」ノ演說ハ

九月二十二日ノ議會議事録ニ「エキステンション」トシテ挿入セラレタルモノナルガ右同人提案ニ就テハ未ダ何等ノ措置モ執ラレ居ラズ尙當館謀報者ガ「ジョンソン」秘書ニ就キ得タル情報ニ拠レバ「ジョ」ハ目下選挙運動ノ為婦省中ニテ十二月初旬ニアラザレバ婦府セザルニ付多分夫レ迄ハ委員会ノ「ヒアリング」ヲ開クコトナカルベキ見込ナリト語リタル趣ナリ前記議事録ハ郵送済

桑港「シアトル」ヘ転電セリ

一二 十二月十六日 在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛（電報）

帰化権無キ外国人ノ入国禁止ノ移民法案二閣  
シ近ク國務省ノ注意ヲ喚起スル積ナル旨報告  
ノ件

第七九五号 （十二月十九日接受）

貴電第四三二号ニ関シ目下当國朝野ニ移民法改正ノ必要ヲ論ジ居ルハ主トシテ「パーセンテージ」ノ増減乃至移民ノ選択等ノ問題ニ関聯シ「ジョンソン」第二案ノ帰化能力無キ外国人ノ入国禁止問題ニ就テハ沿岸地方ハ別トシテ当方面ニ於テハ殆ド之ヲ論議スル者無キ為事態ガ今少シク發展

セザル限リ議會ニ於ケル之ガ形勢ヲ判断スルコト能ハザル次第ナリ尤モ「パーセンテージ」ニ関スル勞資兩方面ヨリノ圧迫強シトノ理由ヨリ移民法改正案ガ今議會中ニ委員會ヨリ報告セララルガ如キコト無カル可シト觀測スル者アルモ右ハ帰化能力無キ外国人ニ関スル問題ヲ特ニ考慮ニ置キタル上ノ觀察ニ非ザルヲ以テ之ヲ以テ直ニ帰化能力無キ外国人ニ関スル修正迄ガ議會ニ上程セラレザル可シト觀測スルコト能ハズ要スルニ議會ニ於ケル形勢ハ未ダ孰レトモ判明セザルモ「ヒヤリング」ハ先週ヨリ開始セラレタルコトニモアリ本件ニ対スル政府筋ノ所見探究方最近ノ機會ニ於テ念ノ為國務省ノ注意ヲ喚起シ置ク積ナリ

沿岸各領事及「ホノルル」ヘ郵送ス

一三 十二月二十日 在桑港矢田總領事ヨリ  
内田外務大臣宛（電報）

日米懇談会席上ニ於テジョンソン移民制限法  
案ハ原案ノ儘ニテハ通過ノ見込無キ旨シャ  
レンベルグ聲明ノ件

第二三七号 （十二月二十一日接受）

本官發在米大使宛電報第二一〇号

往電第一四六号ニ関シ十二月十九日ノ日米懇談会席上ニ於テ「シャレンベルグ」ハ「ジョンソン」移民法案ハ原案ノ儘ニテハ通過ノ見込ナキモノト信ジ居ル旨聲明セル由ナリ

外務大臣ヘ電報セリ

註 矢田總領事發在米大使宛電報第一四六号ハ前掲九月二十五日矢田總領事發内田外務大臣宛電報第一八三号ナリ

一四 十二月二十二日 在米國佐分利臨時代理大使ヨリ  
内田外務大臣宛（電報）

米國議會ニ於テ開始セラレタル聴問会ハ近東  
諸國避難民ノ入米ニ関スル趣ナル旨報告ノ件

第八一三号 （十二月二十四日接受）

往電第七九五号ニ関シ其後探聞スル所ニ依レハ「ヒヤリング」ハ本日迄ノ所「アルメニア」其他近東諸國避難民ノ入米ヲ容易ニスル為メ現行「パーセンテージ」法ニ例外ヲ設ケムトスル諸法案ニ関スルモノナル趣ナリ

沿岸及「ホノルル」各領事ニ郵送セリ