

## 事項四 米國西部諸州ノ州法市条例等ニ於ケル外國人關係規定

一六九 一月二十九日 牧野外務大臣ヨリ  
在桑港沼野總領事代理宛(電報)

加州ノ法律及条例中市民タル意思表示ヲ以テ

外國人ヘノ職業等許可要件トセルモノニ付査

報方訓令ノ件

第七号

加州法律及州内重ナル都市ノ条例中外國人ニ對スル職業產業營業等ノ許可ニ市民タル意思ノ表示ヲ必要トスル規定無之ヤ調査回電アレ尚右同様ノ報告提出方「ワシントン」州ニ関シテハ高橋領事「オレゴン」州ニ関シテハ井田領事ヘ訓令トシテ転電アレ

一七〇 一月三十一日 在シアトル高橋領事ヨリ  
牧野外務大臣宛(電報)

外國人ノ市民タル意思表示ニ関スル華州法

回報ノ件

第二号

附記 二月一日井田領事發牧野外務大臣宛電報第三号  
前電ノ一部訂正ノ件

第二号

貴電ニ関シ左ノ通

第一 弁護士業、市民タル意思表示ヲ要件トス但相互の条件ニテ外國弁護士ノ当州ニ開業スルヲ認ム「オレゴン」州法千七百八十八及千八百八十一

第二 鮭其他塩水ヨリ淡水ニ移動スル魚類ノ漁業免許ハ市民タル意思表示ノ外当州、華盛頓州、又ハ「アイダホ」州ニ六ヶ月以上居住スルヲ条件トス(州法五千二百九十八)  
第三 魚類鳥獸ノ漁獲ハ市民タル意思表示ナキ者ニハ普通漁業税ノ外年額二十五弗ノ税金ヲ課ス(千九百十三年州法二十八) 自然蕃殖ノ牡蠣採取ハ市民ニハ無税(州法五千三百五十)

第四 水先案内業、市民ニ限ル(州法五千七百七十一)

第五 酒類販売、市民タル意思表示ヲ為サ、ル者ニ禁止

(「ポートランド」市例二二七二五)

第六 市工事請負ハ市民タル意思表示ヲ為シタル者ニ先取特權ヲ附与ス(「ポートランド」市例二六九〇六)

四 米國西部諸州ノ州法市条例等ニ於ケル外國人關係規定

一七一

在桑港總領事經由御電訓ノ趣ニ遵ヒ取調ベタル処市民タルノ意思表示ニヨリ差別ヲ設クル華州法律ハ左ノ通

第一、漁業ニ関シテハ別電并ニ昨年往電第七十八号ノ通

第二、外國人土地所有ニ関シテハ華州憲法第二条第三十三項又之ヲ改正案ニ付テハ昨年公信第八十三号拙信参照

第三、帰化ノ意思ヲ表示セサル外國人カ to carry or have in his possession any fire-arms ニハ州官憲ノ免許ヲ得ルコトヲ要ス而シテ右ノ免許ハ出願者ノ為人ニ関スル当該國領事ノ証明ニ十五弗ノ料金ヲ添ヘテ願出ツル場合ノ外ハ交付セサルモノトス然ルニ帰化ノ意思ヲ表示セル外國人ニハ右等ノ条件ナシ

都市ノ条例ニ関シテハ「シアトル」ニ於テハ別段差別ナシ「タム」及 Spokane ハ取調ノ上電報スヘシ

一七一 一月三十一日 在ポートランド井田領事ヨリ  
牧野外務大臣宛(電報)

外國人ノ市民タル意思表示ニ関スル「オレゴン」州「アイダホ」州法等報告ノ件

第七 職工及不熟練労働者ニシテ市民タル意思表示ヲ為サル者ハ市工事ニ使用セス(「ポートランド」市制一六三) 右ノ外市民タル意思表示ヲ必要トスル事項ハ州有土地取得(州法三八八八) 砒毒発見者ノ州有土地賃貸借(州法三九〇一) 投票權(州憲法二) ニシテ又蒙古人種ト白人間ニハ結婚ヲ禁止ス(同七〇七一) 尚当市以外二三地方ノ条例ハ取調中ナリ前記中漁業ニ付テハ目下ノ処邦人中之ニ從事シ居ルモノ皆無ナリ

(附記)

二月一日在ポートランド井田領事發牧野外務大臣宛電報  
前電ノ一部訂正ノ件

第三号

往電第二号ニ関シ第二ヲ全部削除シ左ノ如ク改ム

鮭其他海水ヨリ淡水ニ移動スル魚類ノ捕獲若クハ網、築網、魚(不明)等ヲ使用スル漁業ハ市民タル意思ヲ表示セルモノニ限ル(州法五二九八)

第三ノ末尾ニ左ノ一項ヲ加フ

市民ニ非サルモノ及市民タルヲ得サルモノハ牡蠣ヲ販売運搬等ノ為採集シ又ハ養殖場ヲ設置シ或ハ之ニ投資スル

一七九

ヲ得ス(州法五三三二)

第七ノ次ニ左ノ如ク追加ス

第八 計算士「サーチファイド、アッカウンタント」ハ市民タル意思表示者ニ限ル(一九一三年州法七十六章)

一七二 二月一日 在シアトル高橋領事ヨリ  
牧野外務大臣宛(電報)

外国人ノ市民タル意思表示ニ関シ「タコマ」

市条例報告ノ件

第三号

往電第二号ニ関シ帰化ノ意思表示ニ依ル差別ハ「タコマ」ニハナシ但シ「タコマ」ハ是迄支那人ヲ排斥シ來レル経歴アリ現ニ一九〇九年ニ採用セラレタル「チャーター」二五六節後段ニ左ノ規定アリ

City of Tacoma shall never employ Chinese or coolie labour in any capacity whatsoever

又「スポケーン」調査材料ハ差当リ不完全ナルモ右材料中ニハ御尋越ノ差別ナシ

一七三 二月十日 牧野外務大臣ヨリ  
在桑港沼野總領事代理、在シアトル高橋、在ポートランド井田各領事宛

機密第二号

(三月十六日接受)

大正三年二月十四日

在ポートランド

領事 井田守三(印)

外務大臣男爵 牧野伸顯殿

「オレゴン」州法其他重ナル地方ノ条例ニ於テ職業、營業、産業等ニ関シ市民タル意思表示ヲ条件トセル規定ノ存否ニ関スル御問合セ貴電ニ対シ去月三十日及三十一日附往電第二、三号ヲ以テ不取敢及御回答置候処尚右關係ヲ一層明瞭ニ致度タメ左ニ差別的待遇ニ關聯セリト認ムベキ各方面ノ規定抜抄卑見ヲ附シ御参考迄御送付候条御査収有之度此段申進候 敬具

写送付先 在「ワシントン」珍田大使

(附屬書)

「オレゴン」州法及「ポートランド」市条例中外

国人殊ニ市民タリ得ザル者ニ関スル規定

目次

- 一、非白人移民ニ関スル規定
- 二、土地所有權竝ニ鉱業權 (i)土地所有權 (ii)鉱業權

四 米國西部諸州ノ州法市条例等ニ於ケル外国人關係規定

州法市条例等ニ於ケル外国人關係規定ニ付調査報告方訓令ノ件

在桑港 沼野總領事代理宛

通送第二八号

在シアトル 高橋領事宛

通送第一二二号

在ポートランド 井田領事宛

通送第五号

州法並ニ市条例中外國人ニ対スル職業産業營業等ノ許可ニ當該外國人ノ合衆國市民タラントスル意思ノ表示ヲ必要トスル規定ノ有無調査方加州(在シアトル領事宛ニハワシントン州)ノ關スル限り曩ニ電報ヲ以テ及訓令置候処尚貴館管轄区域内ノ他州ニツイテモ同様ノ調査報告至急御提出相成候様致度此段申進候也

一七四 二月十四日 在ポートランド井田領事ヨリ  
牧野外務大臣宛

「オレゴン」州法及「ポートランド」市条例

ニ於ケル外国人關係規定報告ノ件

附屬書 右規定

三、各種職業、産業、營業等

(i)各種職業 (ii)漁業及銃獵……(a)鮭漁……(b)鼠、網等ヲ使用スル漁業……(c)牡蠣……(d)遊獵法ニ依ル「ガン、ライセンズ」(ii)酒類販売 (iii)市工事ノ請負及労働

ニ關スル規定 (iv)外國法人

四、白人及蒙古人種間婚姻禁止

一、非白人移民ニ対スル規定

州憲法第一条ハ人權平等ヲ宣言シ居ルモ其第三十条ハ財産權ノ享有ニ關シ白人外國人ヲ合衆國出生市民ト同一ニ待遇スルコトヲ規定シ同時ニ州會ハ合衆國市民タルヲ得ザル移民ノ移住ヲ自由ニ制限シ得ルコトヲ認ム(州憲法一条及同三十一条別紙甲号参照)又憲法第二章第二条ニハ各種投票權ハ正當ニ市民タル意思ヲ表示セル男女ニ限ラル、コトヲ規定ス(同上参照)

二、土地所有權竝ニ鉱業權ニ関スル規定

(i)土地所有權 外國人ハ州内ニ於テ合衆國市民ト同様ニ不動産竝ニ其物權ヲ取得シ及之ヲ処分スルコトヲ得、外國法人ハ其業務ヲ憲法及法律ノ禁止スルモノニアラザル限り其目的実行ノ為メ必要、便益ナル不動産又ハ其物權ヲ取得、

一七四

一八一

処分スルコトヲ得(州法七一七二条別紙乙号参照)

憲法採用ノ際ニ当州ニ居住セザリシ支那人ハ不動産ヲ所有スルコトヲ得ズ(憲法第十五章第八條同上参照)

合衆国市民及市民タル意思ヲ表示シタルモノハ州有地ノ払下ヲ受クルコトヲ得(州法三八八八条)

国有地ニシテ「キャリー、アクト」ニ基キ開拓、灌漑ノ結果州ニ交付セラレタル土地ハ市民及市民タル意思表示者ニ限り入込払下ヲ願出シルコトヲ得(州法三八七二条、同上参照)

(d) 鉱業権 支那人ニシテ憲法採用ノ際州内ニ居住セザリシ者ハ鉱業権ナシ(憲法十五章第八條、同上参照)

支那人以外ノ外国人ニ関シテハ何等ノ規定ナク又州法第五千百三十一條ハ一切ノ鉱地ヲ不動産ト見做ス規定アルヲ以テ其私有地ナル限りハ邦人モ鉱業権ヲ有スルモノト思考ス(憲法第十五章第八條、州法五一三一条、同上参照)

州有地ニ鉱物ヲ発見シタル場合ニ於テハ合衆国市民ハ之ヲ借地スル権利ヲ有ス(州法三九〇一条、同上参照)

### 三、各種職業、産業、營業等

(i) 各種職業 弁護士ハ合衆国市民若クハ市民タル意思ヲ表

(c) 合衆国々法ニ依リ市民タルヲ得ザル者若クハ当州ニ在住シ州、郡税ヲ負担シ居ラザルモノハ自然産牡蠣ヲ販賣、運搬、移殖等ノ目的ヲ以テ採集シ又ハ養殖場ヲ所有シ若クハ之ニ利益関係ヲ有スルヲ得ズ(州法五三三二条、同上参照)

(d) 外国出生者ニシテ合衆国市民タル意思ヲ表示セザル者ハ魚、鳥獸ノ漁獵ニ従事スル為金二十五弗ヲ納付シテ「ガン、ライセンズ」ヲ取得シ更ニ銃獵ニ従事セントスル者ハ州在住者ハ一弗、州外在住者ハ十弗ヲ納付シ一般銃獵鑑札ヲ受ケ又漁獲ニ従事セントスルモノハ金一弗ヲ納付シテ一般ノ魚釣り鑑札ヲ受クルヲ要ス(千九百十三年遊獵法二十八條、同四十六條、同上参照)

右漁業ニ関スル法規中最モ重要ト認ムベキハ(a)項ノ鮭捕獲禁止及(b)項ノ網其他漁機ヲ使用スル漁業禁止ニシテ之ニ依リ当州産主要魚類ノ捕獲及捕獲方法ノ重ナルモノハ市民外ニ禁止サレ居ルコト、ナル又(d)項ノ遊獵法ノ規定ニ依リ市民タル意思表示ナキ者ニ二十五弗ノ「ガン、ライセンズ」ヲ受ケシムル規定ハ主トシテ同法ノ保護スル鳥、獸、魚ヲ目的トセルモノニシテ魚類ニ於テハ「トラウト」「バス」

示セル外国人ニシテ当州在住者ニ限ル、又外国弁護士ハ互惠条件ニテ其本国ニ於テ合衆国市民ニ同一ノ特權ヲ許シ居ル場合ニ限り之ヲ認ム(州法一〇七七條、同一〇七八條、別紙丙号参照)

水先案内ハ合衆国市民(州法五一七一条)又公許精算士(Certified Accountant)ハ合衆国市民及正当ニ市民タル意思ヲ表示セルモノニ限ル(千九百十三年一般州法第七十六章第一条、同上参照)

### (d) 漁業、銃獵

(a) 鮭、「スタージョン」其他海水ヨリ河中ニ移動スル魚類ノ捕獲ハ合衆国市民又ハ市民タル意思ヲ表示セルモノニシテ且ツ「オレゴン」州、「ワシントン」州、「アイダホ」州ノ一ニ六ヶ月以上居住セル者ニ限ル(州法五二九六條、別紙丙号参照)

(b) 合衆国市民又ハ市民タル意思ヲ表示セルモノニシテ六ヶ月以上「オレゴン」「ワシントン」「アイダホ」州ノ一ニ居住セルモノハ法律ノ範圍内ニ於テ良、築、魚水車、網類ヲ使用スル漁業鑑札ノ下附ヲ出願スルコトヲ得(同上)

等ノ釣魚ヲ重ナル目的トス勿論是等保護魚類以外ニ於テモ(a)(b)(c)三項ノ禁止規定ニ触レザル限り漁獲シ得ルコト勿論ナレトモ其範圍内ニ来ル有用魚類ハ極メテ少シ又遊獵法ニ依リ市民外ニ課スル「ガン、ライセンズ」ハ魚、鳥獸ニ共通ノ鑑札ニシテ外ニ銃獵ニ従事セントスルモノハ普通銃獵税(州内在住者ハ一弗然ラザルモノハ十弗)又魚類捕獲ニ従事セントスルモノハ普通魚釣り税(金一弗)ヲ納付スベキモノナリ

州漁業課ノ語ル処ニ依レバ主要漁業地タル「コロンビヤ」河ハ「オレゴン」州「ワシントン」州「アイダホ」州ノ間ニ介在シ居ルヲ以テ其鮭類捕獲ニ関シ常ニ境界争ヲ生ジタル例アリ又州ノ事業トシテ年々巨額ノ費用ヲ投ジテ鮭、鱒等ノ繁殖方法ヲ講ジ居ルニ拘ラズ一朝当地方ノ好漁ヲ伝ルトキハ「カナダ」地方又ハ関係州以外ヨリ漁船ノ続々入込ミ来ル虞アルヲ以テ殊ニ之ニ関シテ嚴重ナル規定ヲ存スル次第ニシテ又(d)項ノ遊獵法ハ有益魚、鳥、獸ヲ保護スル一般方針ト近來伊太利移民ニシテ鳥類ノ濫獲ヲ為スモノアルヲ以テ是等ヲ取締ル目的ニテ施行スルニ至レルモノナリト云ヘリ

尚在留邦人中ニハ従来漁業ニ従事セルモノナク又目下之ニ従事セントスル希望者モ存在セザルヲ以テ漁業禁止ニ関スル法規ハ邦人ノ現状ニハ直接交渉ナキモ兎ニ角此種区別的規定ノ存在ハ遺憾ナリ

(イ)酒類販売「ポートランド」市ニ於テハ千九百十一年合衆国市民ニアラザルモノニ酒類販売ヲ禁止スル条例ヲ設ケ且ツ千九百十二年一月一日以降市民タル意思ヲ表示セザルモノニ対シ酒類販売鑑札ノ更新ヲ許サマルコトヲ規定ス(市条例二二七二五号第五条、別紙丙号参照)

次ニ「オレゴン」州法ニ依リ組織セル内国法人ハ其株主ノ外国人タル場合ト雖トモ酒類ノ卸売鑑札ヲ受クルコトヲ得(市「アットニー」ノ意見書、同上参照)

右酒類販売規則ハ千九百十一年中市内「ノース、エンド」ト概称スル下町ノ一廓ニ散在セル醜窟、「サルーン」等主トシテ移民其他下級労働者ヲ顧客トセル者ヲ取締ランガ為メ發布セラレタルモノナリ(明治四四年二月二十四日附公信第一九号、同四五年一月五日付機密第一号参照)

目下邦人商店中酒類卸売ニ従事スルモノハ三軒ニシテ是等商店ハ法人組織ナルヲ以テ右第二項ニ依リ鑑札ヲ下附セラ

#### 四、白人及蒙古人種間ノ結婚禁止

白人対蒙古人種間ノ婚姻ハ禁止ス(州法第七〇一七条第三項別紙丁号参照)

右ハ「オレゴン」州法及「ポートランド」市々制及条例ニ於テ市民ト市民外トヲ区別セル規定及之ニ関係アリト認ムベキ規定ヲ一括セルモノナルガ外ニ「セーラム」市(州庁所在地)市制ニ於テモ当市同様合衆国市民タル意思ヲ表示セザル職工及不熟練労働者ヲ市工事ニ使用セザル規定アリ(「セーラム」市制第六条第一四項別紙丙号参照)

尚前記都市以外一二地方ニ付テハ取調中ナルガ左迄重要ナルモノトハ認メズ

(別紙) (1) (11) (111) (1111) (11111)

甲号

#### CONSTITUTION OF OREGON

(Adopted Sept. 18, 1857)

#### ARTICLE 1. BILL OF RIGHTS.

##### Section 1. Principle of Social Compact.

We declare that all men, when they form a social compact, are equal in right; that all power is inher-

四 米国西部諸州ノ州法市条例等ニ於ケル外国人関係規定

ル尚外ニ邦人料理店四軒存在セルモ是等ハ支那人街附近ニ在リ酌婦ヲ使用シ居ル極メテ低級ノモノナリ

現市長ハ是等料理店ニ対シテモ若シ其家内ノ構造ヲ改メ酌婦ヲ使用スルコトヲ廃止セバ右規定ノ存否ニ関セズ酒類小売ノ鑑札ヲ下附スベシトノ意見ヲ漏ラセルモ市取締規則ニ従ヒ「グリル」組織ト為スハ料理業者ノ苦痛トスル処ナルヲ以テ依然トシテ酒類ヲ密売シ居レリ

(イ)市工事ノ請負及労働ニ関スル規定

職工竝ニ不熟練労働者ハ合衆国市民タル意思ヲ表示シ且ツ一ケ年間当市ニ在住セル者ニアラザレバ市土木工事ニ使用セズ(「ポートランド」市制第一六三条別紙丙号参照)

市土木工事ノ請負契約ニ付テハ合衆国市民竝ニ市民タル意思ヲ表示セル者ニ対シ先取權ヲ附与ス(同市条例第二六九〇六号第一条、同上参照)

(イ)外国法人 外国法人ハ其業務開始前ニ合衆国市民又ハ市民タル意思ヲ表示セル者ヲ会社ノ業務代理人ト定メ州庁ニ登録スルコト(州法六七二六条、別紙丙号参照)及一ケ年間ニ付金百弗ノ免許料ヲ支払フ義務ヲ負担ス(千九百十三年一般州法第三八一章第一条、同上参照)

ent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.

Section 31. Right of White foreigners — What Immigration may be restrained.

White foreigners who are or may hereafter become residents of this state shall enjoy the same rights in respect to the possession, enjoyment, and descent of property as native-born citizens. And the legislative assembly shall have power to restrain and regulate the immigration to this state of persons not qualified to become citizens of the United States.

Constitutional Amendment (November 30, 1912)

(Section 2 of Article II of the Constitution of Oregon amended)

Section 2. In all elections not otherwise provided for by this Constitution, every citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and every



person of foreign birth of the age of twenty-one years and upwards, who shall have resided in this state during the six months immediately preceding such election, and shall have declared his or her intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law.

(11)

N<sup>th</sup>

LORD'S OREGON LAWS, Compiled and published 1910, including the Session of 1909, and the Laws and Constitutional Amendments adopted at the general election of 1910)

#### OF ESTATE IN REAL PROPERTY —

##### GENERAL PROVISIONS.

Section 7172. Aliens and foreign corporations may hold land.

Any alien may acquire and hold lands, or any right thereto, or interest therein, by purchase, devise, or descent, and he may convey, mortgage, and devise

therein.

The legislative assembly shall provide by law in the most effectual manner for carrying out the above provision.

#### OF THE PUBLIC LANDS OF THE STATE. — OF THE SALE AND MANAGEMENT OF STATE LANDS, AND THE FUNDS ARISING THEREFROM.

Section 3888. Who may purchase.

Any person over 18 years of age, who is a citizen of the United States, or has declared his intention to become such, is entitled to purchase any of the lands of the state, and any such person desiring to purchase state lands, other than farm lands, shall file with the clerk of the state land board an application to purchase, etc.

#### OF THE PUBLIC LANDS OF THE STATE. — OF DESERT LAND CEDED BY THE UNITED STATES.

Section 3872. Qualifications of entryman; Payment.

Any citizen of the United States, or any person having declared his intention to become such, over

the same, and if he shall die intestate, the same shall descend to his heirs; and in all cases such lands shall be held, conveyed, mortgaged, or devised, or shall descend in like manner and with like effect, as if such alien were a native citizen of this state or of the United States; and any corporation incorporated under the laws of any other states in the United States, or of any foreign country, not prohibited by the constitution or laws of the state from carrying on business in this state, may acquire, hold, use, and dispose of, in the corporate name, all real estate necessary or convenient to carry into effect the object of the incorporation and the transaction of its business, and also any interest in real estate by mortgage or otherwise, as security for moneys due to or loans made by such corporation.

##### CONSTITUTION OF OREGON.

Article XV, Section 8. Chinaman not to hold real estate or work mining claims.

No chinaman, not a resident of the state at the adoption of this constitution, shall ever hold any real estate or mining claim, or work any mining claim

the age of twenty-one years, may make application, under oath, to the board, upon forms prescribed by it, to enter any of the lands reclaimed under the provisions of this act, in an amount not to exceed one hundred and sixty acres for any one person.

Each application shall be accompanied by a contract, made and entered into by the applicant with the person, association, or corporation which has undertaken the reclamation of the tract in question, which contract shall show that the applicant has made proper arrangement for the purchase of necessary water rights, and the release of the construction lien. Each application to the board shall in addition be accompanied by a payment of not less than \$1.00 per acre for each acre included in the application, which payment shall be made by the contractor out of the first payment by the applicant, and shall be deposited by the board with the state treasurer, who shall credit the same to the "Reclamation fund" herein created. If the application is not approved, the \$1.00 payment shall be returned to the contractor.

##### OF MINES AND MINING.

Section 5132. Mining Claims are Real Estate.

All mining claims, whether quartz or placer, shall be real estate, and the owner of the possessory right thereto shall have a legal estate therein within the meaning of section 325.

OF ACTIONS TO RECOVER REAL PROPERTY.

Section 325. Parties in Action to Recover Real Property.

Any person who a legal estate in real property, and a present right to the possession thereof, may recover such possession, with damages for withholding the same, by an action at law. Such action shall be commenced against the person in the actual possession of the property at the time, or if the property be not in the actual possession of any one, then against the person acting as the owner thereof.

OF THE PUBLIC LANDS OF THE STATE. — OF THE SALE AND MANAGEMENT OF STATE LANDS, AND OF THE FUNDS ARISING THEREFROM.

Section 3901. Finder of Mineral May Make Application.

which may be proved by any evidence satisfactory to the court;

3. That he has the requisite learning and ability, which must be shown by the examination of the applicant by the judges, or under their direction, in open court, at the term at which the application is made. Section 1078. An alien who has declared his intention may be admitted as an attorney.

Any alien who has duly declared his intention of becoming a citizen of the United States, and has become a resident of the state of Oregon, may be by the supreme court of this state admitted as an attorney on the same terms and conditions, and with the same powers and privileges as such, as though he were a citizen of the United States, and it shall be sufficient if in his application for admission he show that he has so declared his intention of becoming a citizen of the United States; PROVIDED ALWAYS, that if within six months after he shall be entitled under the law to become a citizen of the United States he shall fail to become a citizen, then and in that case said admission shall be and become void

Any citizen of the United States finding precious minerals upon any unsold lands of the state of Oregon may apply to the state land board for a lease of any amount of land not to exceed the amount and dimensions allowed by the mining laws of the state and the United States.

(111)

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LORDS OREGON LAWS, Compiled and published 1910, including the Session of 1909, and the Laws and Constitutional Amendments adopted at the general election of 1910.)

OF ATTORNEYS IN GENERAL, AND THEIR ADMISSION

Section 1077. Application for admission and proof thereon.

An application for admission as attorney must apply to the supreme court, and must show, —

1. That he is a citizen of the United States and of this state, and of the age of twenty-one years, which proof may be made by his own affidavit;
2. That he is a person of good moral character.

and of no effect, and all rights and privileges thereunder shall cease and determine.

Section 1081. Attorneys of other countries may appear as counsel.

Whenever it appears that a person of any other state or country is an attorney of the highest court of record in such state or country, he may appear as counsel a party in a particular action, suit, or proceeding then pending in court, or before a judicial officer of this state, but not otherwise; PROVIDE, HOWEVER, that upon proof that he is a person of good moral character, which may be proved by any evidence satisfactory to the court, he may be admitted generally, by the supreme court, as an attorney, in all respects as if he were a citizen of this state, and shall be permitted to practice in all courts of this state; PROVIDED, that state or country of which such applicant is a resident or citizen admits to its bars, and to practice in its courts, attorneys who are citizens of this state.

OF SHIPPING AND NAVIGATION

Section 5171. What qualifications required of pilot.

No person shall be licensed as a pilot unless he is an American citizen of the age of twenty-one years at least of, temperate habits, and good moral character; nor unless he possesses the requisite skill and experience as a navigator and pilot, together with practical knowledge of the currents, tides, soundings, bearings, and distances of several shoals, rocks, bars, points of landing, lights and fog signals of or pertaining to the navigation of the pilot ground for which he applies for a license of act as pilot.

#### GENERAL LAWS OF OREGON, 1913.

##### CHAPTER 76.

To create a State Board of Accountancy and to prescribe its powers and duties, to provide for the examination of and issuance and revocation of certificates to qualified applicants, and to provide a penalty for the violation of this act.

Section 1. That any person residing or having an office for the State of Oregon, being over the age of twenty-one years and of good moral character, being also citizen of the United States, or having in good faith duly declared his intention of becoming such,

tion to become such, and has been a bona fide resident of the state of Oregon, or the state of Washington or Idaho, for the period of six months; PROVIDED, that a license issued by the state of Washington, state having concurrent jurisdiction on the Columbia river with this state, shall be deemed valid as to gill nets, and as to gill net fishermen, for use on the Columbia river, as though issued by the fish warden of this state. Any person desiring to fish for salmon, sturgeon, or other anadromous fish in any such rivers or waters, may go before any county clerk of any county in this state and furnish satisfactory evidence of his citizenship, or of the fact that he has declared his intention to become such one year prior thereto, and file his own affidavit of two other persons to the effect that he is and has been for six months prior thereto an actual bona fide resident of this state, and thereupon such recorder or clerk shall issue to him a certificate briefly reciting those facts, and thereafter in any prosecution against such person for a violation of the provisions of this act, such certificate or duly authenticated copies of the record in the office of the clerk

and who shall have received from the State Board of Accountancy a certifications to practice as a public expert accountant, as hereinafter provided, shall be styled and known as a "Certified Public Accountant," and no other person and no partnership, all of the members of which have not received such certificate and no corporation shall assume such title of "Certified Accountant" or use the abbreviation of "C. P. A." or any other words, letters or abbreviations tending to indicate that the person, firm or corporation so using the same is a certified accountant.

LORD'S OREGON LAWS, compiled and published 1910, including the Session of 1909, and the Laws and Constitutional Amendments adopted at the general election of 1910)

#### OF FISHERIES.

Section 5298. Citizenship, Etc.; Qualification for License; Proof.

It shall be unlawful for any person to take or fish for salmon, sturgeon, or other anadromous fish in any waters of this state unless such person be a citizen of the United States, or has declared his inten-

or recorder relative thereto, shall be prima facie evidence of his citizenship and residence as in this act required. But in all prosecutions under this act the burden of proof shall be on the defendant to establish the facts of his citizenship and residence.

Section 5298. A. License fee for operating fishing appliances.

Any person who is a citizen of the United States, or who has declared his intention to become such, and is a resident of the state of Oregon, or the state of Washington or Idaho, desiring to engage in the business of operating a fish trap, weir, pound net, set net, gill net, fish wheel, or seine, or other fishing appliance not prohibited by law, for the purpose of catching fish in any of the waters of this state, or over which the state of Oregon has concurrent jurisdiction, shall make application in writing to the fish warden of said state, specifying with convenient certainty the character of the appliance that the applicant desires to obtain license for, and the location, if for a stationary appliance, and upon payment of a license fee as hereinafter provided, said fish warden

shall issue to such applicant a license to operate the character of appliance desired in said application; PROVIDED, that such license shall be good only in the district for which the same is issued. The following license fees for fishing appliances shall be paid by those owning or operating the same. For each drag seine, not exceeding 500 feet in length, \$ 15; for each additional foot in length the further sum of three cents; for each gill net, \$ 5.00; for each set net, \$ 2.50; for each pound net, trap, or weir, \$ 25.00; for each scow fish wheel, \$ 25.00; for each stationary fish wheel, \$ 35.00. All licenses issued under the provisions of this section shall expire on the thirty-first day of March following the issuance of such license.

(General Law of Oregon, 1913, to provide for the protection, preservation and propagation of game animals, game birds, game fish, game wild fowl, non-game birds, and fur-bearing animals, and provide for the enforcement thereof)

#### UNLAWFUL FOR ALIENS TO HUNT

##### AND ANGLE.

Section 28. (a) It shall be unlawful for any un-

(d) For the purpose of hunting for any of the wild game animals or game birds protected by the laws of the State of Oregon, every person as herein provided, upon the payment of one dollar (\$ 1.00), if he is a resident of the State, of \$ 10 if he is a non-resident, shall receive a license to hunt for any of said game animals or game birds within the State of Oregon during the open season, when it is lawful to kill the same.

(e) For the purpose of angling or taking any trout, salmon, bass, or any other fish by hook and line, commonly called angling, any person, as herein provided, shall upon the payment of \$ 1.00, receive a license to angle for or take any of the game fish or salmon, or other fish, as herein provided, during the open season, when it is lawful to angle for same.

(LORD'S OREGON LAWS, Compiled and published 1910, including the session of 1909, and the laws and Constitutional Amendments adopted at the general election of 1910)

##### OF FISHERIES.

#### (L) PROTECTION AND PROPAGATION

naturalized, foreign born person within the state of Oregon, who has not legally declared his intention to become a citizen of the United States, to hunt, trap or angle for, or kill or take any of the wild animals, wild birds or fish of this state, or to have in possession any shotgun, rifle or any firearms, while in the field or forest, or in any tent, car or camp in the State without first having secured a gun license from the State Board of Fish and Game Commissioners, paying therefor the sum of \$ 25.00; PROVIDED, that nothing in this section shall be construed to allow such unnaturalized person to hunt or angle without first having obtained a regular hunter's or angler's license.

(b) And it shall be unlawful for any unnaturalized person to apply for, secure or in any way attempt to secure a hunter's or angler's license without in possession at the time of applying for or securing such hunter's or angler's license, a gun license, as provided by this section.

##### LICENSE LAW.

Section 46.

##### OF OYSTERS.

Section 5341. Board of Fish Commissioners to have control of natural oyster beds-taking of oysters from same regulated.

The state board of fish commissioners shall have control of all of the natural oyster beds in the waters of this state and shall prescribe such rules and regulations for the protection of oysters therein and for the taking of oysters and oyster spat shells therefrom as shall in the judgement of the board be for the best interests of the industry; but no part of such natural beds shall be leased to any person or persons, firm or corporation; AND PROVIDED, that no person or persons shall be allowed to take oysters, spat, or shells from said natural beds except they have been a citizen of this state for one year and a citizen of the country wherein such beds are located for a period of six months next preceding the taking of such oysters, spat, or shells; AND PROVIDED FURTHER, that nothing in this act shall be construed so as to operate or interfere with any rights in, or ownership of, any private plantations of oysters or oyster beds

acquired or held under existing laws.

Section 5350. Natural oyster beds free-artificial beds private property.

The natural beds of oysters in the waters of this state shall be free to all citizens thereof who shall have resided in this state one year, and shall have been residents of the county where such beds are located for a period of six months immediately preceding the time of taking such oysters; but artificial plantations of oysters belonging to citizens of this state, if distinctly marked out by means which shall not obstruct navigation, and not exceeding the extent allowed by local regulations, shall be deemed and protected as private property; and the following portions of Yaquina bay, in Benton County, are hereby designated and set apart for artificial plantations of oysters to wit: Brown's flat etc. and the size and dimensions of said oyster beds shall remain as they have been fixed by the local regulations of the oystermen's association, not exceeding two acres in any one plantation; and every person holding a claim for the cultivation of oysters shall in all respects comply

with the local regulations applicable thereto.

Section 5352. Who privileged to take oysters.

No person not a citizen of the United States or competent to become such under the laws of Congress, and actually domiciled within the state, and subject to state and county taxes, shall gather oysters in natural beds, for sale or transportation or for replanting, nor shall own any artificial oyster bed or any interest therein; nor shall any person purchase oysters for transportation or replanting except from persons so qualified.

ORDINANCE NO. 22725, City of Portland, Oregon.

Person not entitled to liquor licenses.

Section 5. No liquor license shall be granted, either by original issue or transfer, to the following persons: Any keeper, proprietor or employe of a bawdy house, or any owner, agent or lessor of any building, premises or place where prostitution is conducted or permitted; any keeper, proprietor or employe of any gaming or gambling house, disorderly house, or place resorted to for the smoking opium, or any place resorted to for gambling or prostitution or visit-

ed by lewd woman, or any place directly or indirectly connected therewith, or to any person not a citizen of the United States; and no renewal of any existing liquor license shall be granted after January 1, 1912, to any person who has not legally declared his intention to become a citizen of the United States, etc.

December 20, 1911

Hon. A. L. Barbur,

Auditor of the City of Portland,

The liquor license committee of the council requests an opinion as to whether or no section 5 of the ordinance No. 22725 prohibits the granting of any liquor license, either retail or wholesale, to an alien.

Said section provided "No liquor license shall be granted... either by original issue or otherwise, to the following, named persons,...or any person not a citizen of the United States and no renewal of any existing liquor license shall be granted after January 21, 1912, to any person who has not legally declared his intention to become a citizen of the United States."

This section prohibits the granting of any liquor license to an individual alien; that is to say, no in-

dividual alien can be granted a retail or wholesale liquor license, whether or not a wholesale liquor license can be granted to a domestic corporation, the stockholders of which are alien persons, is another question. I am of the opinion that the council would have authority to grant a liquor license, other than a retail license, to a domestic corporation, the stockholder of which were wholly aliens. I find nothing in the state law which prohibits alien from forming domestic corporation under the laws of Oregon.

The committee is therefore advised that in my opinion no alien residing in the city of Portland can legally be granted a retail or wholesale liquor license, but under the ordinance as now formed a domestic corporation the stockholders of which are wholly aliens, may be granted a wholesale, manufactories or grocer's liquor license.

The committee is further advised that this opinion should not construed to permit the granting of a restaurant license to an alien or domestic corporation, the stockholders of which are aliens, because under the provisions of the ordinance a restaurant keeper

is a retail liquor dealer, and no corporation can be granted a retail liquor license and no individual alien can be granted a liquor license.

City Attorney.

Wholesale liquor store classified in 3

- (a) Wholesale liquor dealer
  - (b) Wholesale liquor dealer who are rectifiers and
  - (c) Manufactories.
- Retail
- (a) Retail liquor dealers
  - (b) Retail liquor dealers maintaining family liquor store.

CHARTER OF THE CITY OF PORTLAND.

QUALIFICATIONS OF MECHANICS AND  
LABORERS EMPLOYED BY THE CITY;

EIGHT HOURS A DAY'S WORK;

MINIMUM WAGES.

Section 163. No mechanic or unskilled laborer not a citizen of the United States, who has not declared his intention to become such, and who has not resided within the city for one year next before entering thereon, shall be employed by the city.

ORDINANCE NO. 26906, City of Portland.

AN ORDINANCE PROVIDING THAT IN ALL  
WORK FOR PUBLIC IMPROVEMENTS  
PREFERENCE SHALL BE GIVEN IN THE  
LETTING OF CONTRACTS, TO THE  
CITIZENS OF THE UNITED STATES.

Section 1. That hereafter in the letting of all contracts for public improvements of every kind or character, preference shall be given in the awarding of said contracts to all persons who are citizens of the United States or have declared their intention to become such. (Passed April 9, 1913.)

CHARTER OF THE CITY OF SALEM, OREGON.  
Section 6-14. Citizen of the United States to be employed.

All contracts for furnishing materials and supplies for the use of the city, exceeding \$25.00, shall be let by the council to the lowest bidder, except by the unanimous consent of the council at a regular meeting. And provided further, that no mechanics or unskilled laborer, not a citizen of the United States, who has not declared his intention to become such,

shall be employed by the city. Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by the city, and the wages of unskilled manual laborers employed by the city shall be fixed by the Common Council.  
(LORD'S OREGON LAWS, Compiled and published 1910, including the Session of 1909, and the Laws and Constitutional Amendments adopted at the general election of 1910)

OF FOREIGN CORPORATIONS.

Section 6726. Foreign corporation to file declaration—  
Pay license fee and maintain attorney—  
how served—failing attorney.

Every foreign corporation, and every foreign joint stock company or association, before transacting business within this state, shall file the declaration and pay the entrance fees hereinafter provided, and shall duly execute and acknowledge a power of attorney, and cause the same to be recorded in the office of the secretary of state, which power of attorney shall be irrevocable, except by the substitution of another qualified person for the one mentioned therein as

attorney in fact, and such power of attorney shall appoint some person, who is a citizen of the United States and a citizen and resident of this state, as attorney in fact for such foreign corporation, joint stock company, or association, and such appointment shall be deemed to authorize and empower such attorney to accept service of all writs, process, and summons, requisite or necessary to give complete jurisdiction of any such corporation, joint stock company, or association to any of the courts of this state or United States courts therein, and shall be deemed to constitute such attorney the authorized agent of such corporation, joint stock company, or association upon whom lawful and valid service may be made of all writs, process, and summons in any action, suit, or proceeding, commenced by, or against any such corporation, joint stock company, or association, in any court mentioned in this section, and necessary to give such court complete jurisdiction thereof.

It shall be the duty of every such foreign corporation joint stock company, or association, to maintain, at all times within this state, some qualified person

as its attorney in fact, as herein provided, and in default thereof, it shall not be entitled to transact any business within this state or maintain any suit, action, or proceeding in its courts. If any attorney of any corporation, joint stock company, or association, appointed under the provisions of this act, shall remove from this state or become disqualified in any manner from accepting service of any writ, process, or summons, or if such corporation, joint stock company, or association shall, at any time, fail to maintain within this state such attorney in fact, valid service may be made on such corporation, joint stock company, or association by service on the secretary of state; PROVIDED, that in such case the secretary of state shall immediately notify such corporation, joint stock company, or association, including copy of the writ, process, summons, or other papers served on him, by mail, postage paid to such corporation, joint stock company, or association, at its principal office or place of business, as disclosed in the last report, statement declaration, or authorization, an appointment of attorney in fact filed by it with the said secretary of state;

names and addresses of its principal officers, and of its directors or trustees, and the name and residence of its general agent within the state of Oregon; and said declaration shall be accompanied by a certified copy of the charter or articles of incorporation of such foreign corporation, joint stock company, or association, certified to by the legal keeper of the original, together with a certificate of the secretary of a state or territory of the United States, or of a United State Ambassador, minister, consul general, vice consul, or chargé d'affaires in a foreign country under whose jurisdiction such corporation, joint stock company, or association was formed, that such certifying officer has the requisite official knowledge as to whether such charter or articles of incorporation are of a genuine, valid, and subsisting character, and that such copy is duly certified by the officer having the legal custody of the original.

Upon presentation of the declaration certificates aforesaid to the secretary of state, the person or persons presenting the same shall therewith pay to said secretary the sum of \$50.00 for filing and re-

AND PROVIDED FURTHER; that in such case no proceedings shall be had, unless such corporation appears or consents thereto, until forty days after such service on the secretary of State.

Section 6727. Filing and contents of statement-copy of charter-filing fee.

Every foreign corporation, and every foreign joint stock company, or association, formed for the purpose of gain, and not heretofore lawfully transacting business in the state, shall, before transacting business in this state, file with the secretary of state a written declaration of its desire and purpose to engage in business within this state, and must set forth a full name under which it purposes to transact business, the name of the state or country under whose laws it was organized, the location of its home office, the date of its formation or incorporation, the amount of its capital stock, the nature of the pursuit, business, or occupation in which it is authorized to engage, the location of its principal office within this state, the name of its attorney in fact, who shall be constituted and appointed in accordance with section 6726, the

cording the same, together with the annual license fee due for the succeeding fraction of the fiscal year; and the secretary of state shall thereupon, if he find the same satisfactory in substance and form, cause such declaration to be filed and recorded in the same manner as articles of incorporation of domestic corporations are recorded in his office, and the documentary evidence accompanying such declaration shall be filed and suitably entered in the office of the secretary of State.

(GENERAL LAWS OF OREGON, 1913, to require the payment of annual license fees by foreign corporations, joint stock companies and associations)

#### CHAPTER 381.

Section 1, Every foreign corporation, joint stock company, or association, now doing business in this state, or that may hereafter do business in the State, except fire, marine, fire and marine, life, accident, life and accident, plate glass and steam boiler insurance companies, and casualty and surety companies, shall, between July 1st and August 15th of each year, pay in advance to the corporation department of this

state, an annual license fee of \$100.

(LORD'S OREGON LAWS, Compiled and published 1910, including the Session of 1909, and the laws and Constitutional Amendments adopted at the general election of 1910)

### OF MARRIAGE.

# 7017 What marriages are prohibited.

The following marriages are prohibited:-

1. When either party thereto had a wife or husband living at the time of such marriage;
2. When the parties thereto are first cousins or any nearer of kin to each other, whether of the whole or half blood, computing by the rules of the civil law;
3. When either of the parties is a white person and the other a negro or Mongolian, or a person of one-fourth or more of negro or Mongolian blood.

(Lord's Oregon Law, Section 7017)

一 廿五 二月二十一日

在ポートランド 井田領事ヨリ  
牧野外務大臣宛

「オレゴン」州「アストリア」市ノ「チャーター」ニ付報告ノ件

附屬書 右「チャーター」抜抄

機密第三号

(三月十六日接受)

大正三年二月二十一日

在ポートランド

領事 井田守三(印)

外務大臣男爵 牧野伸顯殿

本件ニ関シ本月十四日付機密第二号ヲ以テ詳細及御報告置候処右以外「オレゴン」州「アストリヤ」市(「コロンビヤ」河ロニ位スル港ニシテ人口一万四千余アリ)ニ於テ同市制中別紙ノ通り合衆国市民及市民タル意思表示ヲナシタル者ニアラザレバ市ノ請負業又ハ其他総テノ市工事ニ使用セザル旨ノ規定有之候ニ付茲ニ追加及御報告候条御查收相成度候 敬具

写送付先 在「ワシントン」珍田大使

(附屬書)

「オレゴン」州「アストリア」市ノ「チャーター」抜抄

Charter of the City of Astoria, Oregon,

(Filed in 1891, and amended in 1906)

### Section 157 HOURS OF LABOR.

First. Eight hours work shall constitute a day's work for all employes of the city of Astoria in the street, water, street car and light department employed under the proper official.

Third. Only citizens of the United States and those who have declared their intention to become such, shall be eligible to perform contract or any other work for the city.

一 七六 三月四日

在シアトル高橋領事ヨリ  
牧野外務大臣宛

「アラスカ」領及「モンタナ」州ニ於ケル外

国人ノ市民タル意思表示ニ関スル規定ニ付報

告ノ件

附屬書一

一九〇六年六月十四日附「アラスカ」水域ニ於ケル外国人ノ漁業禁止法

二 一九一三年ノ「モンタナ」州ニ於ケル漁獲符

猟免許法

通公第四三号

(三月二十三日接受)

大正三年三月四日

在シアトル

領事 高橋清一(印)

外務大臣男爵 牧野伸顯殿

州法並ビニ市条例中外国人ニ対スル職業産業營業等ノ許可ニ當該外国人ノ合衆国市民タラントスルノ意思ノ表示ヲ必要トスル規定ノ有無當館管轄区域内ノ諸州ニツキ調査報告至急提出スベキ旨二月十日付通送第一二号ヲ以テ御訓示相成敬承致候依テ取調候処

第壹 「アラスカ」領ニ於テハ漁業ニ関シ別紙甲号写ノ通

リノ規定アリ右ノ外弁護士(Attorney)ノ資格ニモ合衆国市民タラントスル意思表示ヲ必要トスル規定アリ

又「アラスカ」領ニハ合衆国ノ Homestead Laws 及

ビ砵業法規適用アリテ是等ノ法規ノ恩恵ニ浴スルモノ

ハ合衆国市民カ若シクハ合衆国市民タラントスル意思

ノ表示ヲナシタルモノニ限ラル、ガ此点ハ御訓示ノ調

査事項範圍外ト被察候

第貳 「モンタナ」州ニ就テハ狩猟並ビニ捕魚ノ免許ヲ受

クルニ別紙乙号ノ如ク市民タラントスル意思表示ヲナ

サザル外人ニ特ニ高価ノ免許料ヲ徴シ居リ候ガ是亦御

訓示ノ調査事項範圍外ト被察候又公立学校教員トナル



ニ合衆國市民タルカ若クハ市民タラントスルノ意思ヲ表示シタルコトヲ必要トシ居レリ

第參 「ワシントン」州ヲ除キ當館管轄諸州ニハ日星シキ都會ナク從テ是等州内都市ノ条例ハ差當リ閱覽ノ材料無之候

以上不完全乍ラ一応取調ノ結果ニ有之候処尙再応取調ノ上追報可申進候 敬具

(附屬書一)

甲号等

一九〇六年六月十四日附「ワシントン」水域ニ於ケル  
外國人ノ漁業禁止法

### An Act to Prohibit Aliens from Fishing in the Waters of Alaska.

(June 14, 1906.)

Section 1. That it shall be unlawful for any person not a citizen of the United States, or who has declared his intention to become a citizen of the United States, and is not a bona fide resident therein, or for any company, corporation, or association not organized or authorized to transact business under the laws of the United States or under the laws of any State,

Territory, or district thereof, or for any person not a native of Alaska, to catch or kill, or attempt to catch or kill, except with rod, spear, or gaff, any fish of any kind or species whatsoever in any of the waters of Alaska under the jurisdiction of the United States: Provided, however, That nothing contained in this Act shall prevent those lawfully taking fish in the said waters from selling the same, fresh or cured, in Alaska or in Alaskan waters, to any alien person, company, or vessel then being lawfully in said waters: And provided further, That nothing contained in this Act shall prevent any person, firm, corporation, or association lawfully entitled to fish in the Waters of Alaska from employing as laborers any aliens who can now be lawfully employed under the existing laws of the United States, either at stated wages or by piecework, or both, in connection with Alaskan fisheries, or with the canning, salting of otherwise preserving of fish.

(附屬書二)

乙号等

一九一三年ノ「モンタナ」州ニ於ケル漁獲狩猟免許  
法

Laws of Montana, 13th Session 1913. (page 333)

Unlawful to fish or hunt without a license

Section 9. From and after the passing of this Act, it shall be unlawful for any person to fish or hunt within Montana, who, by the terms hereof, is required to have a license without first procuring a license of the class required for either hunting or fishing, as the case may be. Licenses for hunting and fishing shall be issued by the authority of the State Game Warden, and under his hand, from time to time, in the manner herein provided, and in such form as he may adopt.

Licenses shall be divided into the following classes:

Class A. A General hunting and fishing license, as hereinafter described.

Class B. Fishing licenses to those who are not citizens of the United States.

Class C. Hunting and fishing licenses to non-resident citizens, general and limited.

Class D. Hunting and fishing licenses to aliens, general and limited.

No license shall be issued to, nor be required of

any female, or of any male under fourteen years of age.

All other persons must procure a license before hunting or fishing within the limits of Montana as follows:

1. A Class "A" license may be issued to a person who is a bona fide resident citizen of this State, and who desires to hunt, take, kill, catch and have in his possession any of the fish, game birds and wild animals of this State, except coyotes, wolves and mountain lions, upon the payment of One Dollar (\$1.00):

2. A Class "B" license may be issued to a person entitled thereto upon the payment of Five Dollars (\$5.00):

3. Any citizen who is a non-resident of the State of Montana, who desires to hunt, take, kill, catch or have in his possession any of the wild animals, game birds and fish of this State, shall procure a license therefor, for which he shall pay the State Game and Fish Warden, or Deputy State Game and Fish Warden, the sum of Twenty-five Dollars (\$25.00) and such

license shall be a general license which shall entitle the holder thereof to hunt large or big game, small and feathered game, and to catch fish from the waters of this State; or the sum of Ten Dollars (\$10.00) for a limited license, which shall entitle the holder thereof to hunt small and feathered game and to catch fish:

Non residents fishing license: A license to fish in the waters of his State shall be issued to any citizen of the United States not a resident of the State of Montana, upon the payment of a license fee of two (\$2.00) Dollars.

4. Any person who is not a citizen of the United States, and has not declared his intention to become such citizen, who desires to hunt, take, kill, catch or have in his possession any of the wild animals, game birds and fish of this State, shall procure a license therefor for which he shall pay the State Game and Fish Warden, or Deputy State Game and Fish Warden the sum of Thirty (\$30.00) Dollars, and such license shall be a general license which shall entitle the holder thereof to hunt large or big game small and feathered

game and to catch fish from the waters of this State.

一七七 三月十四日

在桑港沼野総領事代理ヨリ  
牧野外務大臣宛(電報)

加州州法及市条例ニ於ケル外国人ノ市民タル意思  
表示ニ関スル規定報告ノ件

第七七号

貴電第七号ニ関シ加州法律ニ依レハ弁護士「パブリック、アッカウント」トナルコト沼地ノ私下ヲ受クルニハ市民トナル意思表示ヲ要ス又魚鳥野獣販売免許料ハ市民トナル意思表示ヲナシタルモノハ五弗其他外国人ハ二十弗又加州内都市ノ条例中 Marysville 酒類販売規則ニ依レハ酒ノ御小売ニハ市民トナル意思表示ヲ要ス「レストーラン」ニ於ケル酒類販売免許モ亦之ニ同シ尚詳細及ヒ他州ノ分ハ公信

一七八 三月十八日

在シアトル高橋領事ヨリ  
牧野外務大臣宛

「アラスカ」領及「モンタナ」州ニ於ケル外  
国人ノ市民タル意思表示ニ関スル規定ニ付追  
報ノ件

附屬書一 「アラスカ」領ノ酒類販売法抜抄

- ニ 「アラスカ」領ノ弁護士法抜抄
- 三 「アラスカ」領ノ公有地分譲法及鉱業法抜抄
- 四 「モンタナ」州ノ弁護士法抜抄
- 五 「モンタナ」州ノ公認会計士法抜抄
- 六 「モンタナ」州ノ公立学校教員資格検定法抜抄

通公第五六号

(四月二日接受)

大正三年三月十八日

在シアトル

領事 高橋清一(印)

外務大臣男爵 牧野伸顯殿

本件ニ関シ三月四日付通公第四三号ヲ以テ一応報告ニ及候  
処尚取調ノ結果左ノ通り追加ニ及候

第壹 「アラスカ」領ニ於テハ外国人ハ合衆国市民タラン  
トスルノ意思ヲ表示シタルモノニ非ザレバ酒類ヲ販売  
スルコトヲ得ズ(別紙甲号御参照) 尚前信添付漏レノ  
法規抜抄乙丙号トシテ添付ス

第貳 「モンタナ」州ニ於テハ帰化ノ意思表示ヲナシタル  
外国人ハ市民同様「モンタナ」州裁判所ニ於テ弁護士  
従事スルコトヲ得(別紙丁号御参照)

四 米国西部諸州ノ州法市条例等ニ於ケル外国人関係規定

一七八

二〇五

寄 Certified Public Accountant ト為ルニハ市民タル  
ノ意思ヲ声明シタルモノタルコトヲ要ス尤モ Public  
Accountant ノ職ハ普通ノ外国人ニモ禁ジ居ラズ御参  
考迄別紙戊号ノ一及二トシテ本件ニ関スル「モンタナ」  
州ノ法規及 Public Accountant ニ関スル「ネルン」  
百科学彙ノ説明ヲ添付ス尚前信添付漏レノ公立学校教  
員資格ニ関スル法規抜抄ヲ添付ス(別紙己号御参照)  
第参 「モンタナ」州ニテハ最大ノ都会ナル「ビューテ」  
市(人口約四万)ノ条例ニハ区別的待遇ナシ

右報告ニ及候 敬具

(附屬書一)

甲号

「アラスカ」領ノ酒類販売法抜抄

Compiled Laws of the Territory of Alaska.

1913.

Section 2574.—That every person applying for a  
license to sell intoxicating liquors in said District  
shall file with the clerk of the court a petition for  
such license, verified by the applicant's oath and such  
petition shall be considered and acted upon by the

court in the order in which the same was filed and number. Said petition shall contain:— .....

Third.—The statement that said applicant is a citizen of the United States or has declared his intention to become such; that said applicant is not less than twenty-one years of age and that such applicant has not been, since the passage of this act, adjudged guilty of violating the laws governing the sale of intoxicating liquors or laws for the prevention of crime in said District.

(第百六十一條)  
附註

「アラスカ」州ノ公地分譲法及鑛業法抜錄  
Compiled Laws of the Territory of Alaska.

1913.

Section 1564.—An attorney is a public officer, but any person may act in that capacity who has been admitted as such by the district court of the District, or may be hereafter admitted, as provided in this chapter.

Section 1565.—An applicant for admission as at-

or Territory shall acquire and right under the homestead law. And every person owning and residing on land may, under the provisions of this section, enter other land lying contiguous to his land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Sec. 129. The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the District of Alaska: Provided, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstructions all land and shoal water between low and mean high tide on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, shall be subject to exploration and mining for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes

torney must apply to the district court, and must show—

First.—That he is a citizen of the United States or has declared his intention to become such, and is a resident of said District, and of the age of twenty-one years, which proof may be made by his own affidavit.

(第百六十二條)  
附註

「アラスカ」州ノ公有地分譲法及鑛業法抜錄  
COMPILED LAWS OF ALASKA

1913.

Sec. 101a. Every person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who had filed his declaration of intention to become such, as required by the naturalization laws, shall be entitled to enter one quarter-section, or a less quantity, of unappropriated public lands, to be located in a body in conformity to the legal subdivisions of the public lands; but no person who is the proprietor of more than one hundred and sixty acres of land in any State

until otherwise provided by law: Provided further, That the rules and regulations established by the miners shall not be in conflict with the mining laws of the United States; and no exclusive permit shall be granted by the Secretary of War authorizing any person or persons, corporation or company to excavate or mine under any of said waters below low tide, and if such exclusive permit has been granted it is hereby revoked and declared null and void; but citizens of the United States or persons who have legally declared their intention to become such shall have the right to dredge and mine for gold or other precious metals in said waters, below low tide, subject to such general rules and regulations as the Secretary of War may prescribe for the preservation of order and the protection of the interests of commerce; such rules and regulations shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation, and the reservation of a roadway sixty feet wide, under the tenth section of the act of May fourteenth, eigh-

teen hundred and ninety-eight, entitled, "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes", shall not apply to mineral lands or town sites.

Sec. 131. All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

Sec. 182. Any person authorized to enter lands under the mining laws of the United States may enter and obtain patent to lands containing petroleum or other mineral oils, and chiefly valuable therefor, under the provisions of the laws relating to placer-mineral claims: Provided, That lands containing such petro-

leum or other mineral oils, which have heretofore been filed upon, claimed, or improved as mineral, but not yet patented, may be held and patented under the provisions of this act the same as if such filing, claim, or improvement were subsequent to the date passage hereof.

Sec. 185. All unoccupied public lands of the United States containing salt springs, or deposits of salt in any form, and chiefly valuable therefor, are hereby declared to be subject to location and purchase under the provisions of the law relating to placer-mining claims: Provided, That the same person shall not locate or enter more than one claim hereunder.

Sec. 186. Any person authorized to enter lands under the mining laws of the United States may enter lands that are chiefly valuable for building stone under the provisions of the law in relation to placer-mineral claims: Provided, That lands reserved for the benefit of the public schools or donated to any State shall not be subject to entry under this act.

Sec. 187. Any person or association of persons qualified to make entry under the coal-land laws of the

United States, who shall have opened or improved a coal mine or coal mines on any of the unsurveyed public lands of the United States in the District of Alaska, may locate the lands upon which such mine or mines are situated, in rectangular tracts containing forty, eighty, or one hundred and sixty acres, with north and south boundary lines run according to the true meridian, by marking the four corners thereof with permanent monuments, so that the boundaries thereof may be readily and easily traced. And all such locators shall, within one year from the passage of this act, or within one year from making such location, file for record in the recording district, and with the register and receiver or the land district in which the lands are located or situated, a notice containing the name or names of the locator or locators, the date of the location, the description of the lands located, and a reference to such natural objects or permanent monuments as will readily identify the same.

Sec. 191. Every person above the age of twenty-one years who is a citizen of the United States, or

who has declared his intention to become such, or any association of person severally qualified as above, shall, upon application to the register of the proper land office, have the right to enter, by legal subdivisions, any quantity of vacant coal lands of the United States, not otherwise appropriated or reserved by competent authority, not exceeding one hundred and sixty acres to such individual person, or three hundred and twenty acres to such association, upon payment to the receiver of not less than ten dollars per acre for such lands, where the same shall be situated more than fifteen miles from any completed railroad and not less than twenty dollars per acre for such lands as shall be within fifteen miles of such road.

Sec. 254. That it shall be unlawful for any person not a citizen of the United States, or who has declared his intention to become a citizen of the United States, and is not a bona fide resident therein, or for any company, corporation, or association not organized or authorized to transact business under the laws of the United States or under the laws of any State, Territory, or district thereof, or for any person not a native

1907.

of Alaska, to catch or kill, or attempt to catch or kill, except with rod, spear, or gass, any fish of any kind of species whatsoever in any of the waters of Alaska under the jurisdiction of the United State: Provided, however, That nothing contained in this act shall prevent those lawfully taking fish in the said waters, from selling the same, fresh or cured, in Alaska or in Alaska waters, to any alien person, company, or vessel, then being lawfully in said waters: And provided further, That nothing contained in this act shall prevent any person, firm, corporation, or association lawfully entitled to fish in the waters of Alaska from employing as laborers any aliens who can now be lawfully employed under the existing laws of the United States, either at stated wages or by piecework, or both, in connection with Alaskan fisheries, or with the canning, salting, or otherwise preserving of fish.

(蒙威轉印)

一節

「フンタ」系ノ會議令ニ於テ

Revised Codes of Montana.

Section 6381.—Who may be admitted as attorneys.—Any citizen, or person resident of this state, who has bona fide declared his or her intention to become a citizen in the manner required by law, of the age of twenty-one years, of good moral character, and who possesses the necessary qualification or learning and ability, is entitled to admission as attorney and counselor in all the courts of this state. All person are attorneys of the supreme court who are entitled to practice in the supreme court when this Code takes effect.

(蒙威轉印)

一節

「フンタ」系ノ會議令ニ於テ

LAWS OF MONTANA.

Eleventh Session—1909.

Chapter 39,

“An act to Regulate the Practice of the Profession of Public Accounting.”

Be it enacted by the Legislative Assembly of the State of Montana.

Section 1. That any person having been granted by the University of Montana (a corporation organized and existing under the laws of this State and hereinafter referred to as the “University”) a certificate of his competency to practice as a Public Expert Accountant shall be known as, and styled, a “Certified Public Accountant” and shall be authorized to use the initials “C. P. A.” after his name; and no person who has not received such certificate, nor any partnership all the members of which have not received such certificates, and no corporation shall assume such title or the title “Certified Accountant” or “Chartered Accountant” of the letter “C. P. A.” or “C. A.” or any other words or letters or abbreviations tending to, or intending to, indicate that the persons, firm or corporation using them is a Certified Public Accountant within the meaning of this Act.

Section 2. The University shall, through a Board of Examiners by it appointed, determine the qualifications of all applicants for a certificate under this Act. The Board of Examiners shall consist of three persons skilled in the knowledge, theory and practice

of accounting in all its branches and in commercial law as affecting accountancy, each one of whom shall be the holder of the degree of “Certified Public Accountant” granted to him under this Act or be entitled to receive the degree without examination in accordance with the purport and intent of clause (3) of Section 4 of this Act. The Examiners shall hold office for the period of three years and until their successors are appointed and qualified; except that of the three Examiners first appointed under this Act, one shall hold office for one year and one for two years.

Section 3. A certificate as a “Certified Public Accountant” shall be granted to any person, a citizen of the United States or having in good faith and in the manner required by law declared his intention of so becoming, of the age of twenty-one years, of good moral character, a graduate of an accredited High School or having an equivalent education and (except under the provision of Section 4 of this Act) who shall have been certified to the University by the said Board of Examiners as having successfully passed, (a) a written examination in “Theory of Accounts”,

"Practical Accounting", "Auditing", "Commercial Law as Affecting Accountancy" and such other subjects as the University may designate, and (b) an oral examination of sufficient scope, thoroughness and severity of test and to determine the fitness of the examinee to practice as professional accountant. Any person shall be eligible to and permitted to take such examination who has had three years practical experience in accounting acquired (a) practicing on his own account, or (b) in the office of a public accountant or (c) in a responsible accounting position in the employ of a business corporation, firm or individual. All such examinations shall be conducted by the Board of examiners herein provided for and not less than thirty days prior to the date of each examination the time and place of holding it shall be noticeably advertised for not less than three consecutive days in three representative daily newspapers published in the State. The examination shall take place as often as, in the opinion of the University, may be necessary but not less frequently than one each year.

The University shall make all useful rules and

regulations regarding the conduct, character and scope of the examinations, the method and time of filing and the form and contents of applications therefor and all other rules and regulations necessary to carry into the effect the purposes of this Act.

Section 4. Upon the recommendation of the Board of Examiners, the University may in its discretion waive the examination of, and issue the degree of Certified Public Accountant to, any person a citizen of the United States or having in good faith and in the manner required by law declared his intention of so becoming a resident of the State of Montana or maintaining a regular place of business therein who is, (1) The holder of a C. P. A. certificate issued under the laws of another State which extends like privileges to Certified Public Accountants of this State; provided the requirements for said degree in said other state are, in the opinion of the Board of Examiners, equivalent to those herein stipulated, or (2) the holder of the degree of "Certified Public Accountant" or "Chartered Account" or the equivalent thereof issued in any foreign government; provided

that the requirements, for said degree in said foreign

Approved March 12, 1913.

Section 800.—Certificate of qualification.

1. Qualifications—No certificate to teach in the public schools of Montana shall be granted to any person, who is not a citizen of the United States, or who has not declared his intention to become a citizen.

Section 600. School defined.

A public school is hereby defined to be one that is maintained at the public expense in each school district, and under the supervision of the Board of Trustees, and shall comprise the elementary grades and may comprise in addition at option of the Board the kindergarten and high school grades.

註 戊号ノ二「キネモン」百科学業ノ會計士ニ關スル説明  
省略ス

(附屬書六)

二]号

「モンタナ」州ノ公立学校教員資格検定法抜抄

An Act to Provide for the Establishment  
and Maintenance of A General Uniform  
and Thorough System of Public  
Free Schools, etc., etc.

一七九 五月六日

在シヤトル高橋領事ヨリ  
加藤外務大臣宛

華州漁業法規定ト日本人トノ關係ニ付同州漁  
業監督官意見発表ノ件

通公第八九号

(五月二十七日接受)

大正三年五月六日

在シヤトル

外務大臣男爵 加藤高明殿

領事 高橋清一(印)

華州漁業法ニ関スル件

本件ニ関シテハ客年十二月十六日付拙電第七七号及本年一月二十七日付通公第一九号ヲ以テ當時本法ニ関シテ当州検事總長ノ發表シタル意見報告ニ及置候処今回又モヤ当州 Fish Commissioner Darwin (平素「ベリングハム」ニ住ス)ハ別紙新聞記事ノ如キ意見ヲ發表致候右ニ依レバ邦人ハ目下法人ヲ組織シ之レニ依リテ漁業ヲ営マン計画ヲ回ラシ居ルモ元來直接漁業ニ従事シ得ルモノハ市民若クハ帰化ノ意思ヲ聲明セル外國人タルコトヲ要スルガ故ニ縱令日本人ガ法人ヲ組織スト雖モ市民若クハ帰化ノ意思ヲ聲明セル外國人ヲ使用セザルベカラザルコト、為リ結局白人漁夫ニ於テ影響ヲ受クルコトナカルベシト云フニ有之尙同人ハ本件ニ関シ加奈太「フレーザ」河ニ於ケル邦人ノ狀態ヲ引用シ日本漁夫ノ恐ルベキヲ述ベ居リ候ガ元來当州ニ於ケル鮭捕獲ハ前顯拙電中報告ニ及置候通り「Trap Net」ノ使用ヲ許可シ居ルニ付キ漁夫ノ数少ナク是等ハ以前ヨリ皆各種白人種ニシテ邦人漁夫幾ンド皆無ノ姿ニ有之此上邦人排斥

ノ余地ナキニモ不拘尚今回日本漁夫ニ関スル意見ヲ新聞ニ掲ゲシメタルハ前顯 Darwin ガ來ル十一月ノ選挙ニ於テ再選セラレンガ為メ殊更ラニ本問題ヲ捕捉シ來リテ予メ人氣ヲ博シ置カントノ魂胆カト察セラレ候  
本件ハ桑港邦字新聞紙ヘモ「シヤトル」通信トシテ掲載サレ居候ニ付自然本邦ヘモ傳播セラル、コト、被察候ニ付為念本件真相ヲ報告ニ及置度別紙新聞紙切抜相添ヘ此段申進候 敬具

註 別紙省略

一八〇 五月二十五日

在ポートランド井田領事ヨリ  
加藤外務大臣宛

「アイダホ」州及「ワイオミング」州ノ州法  
及市条例中外國人ノ米國市民タル意思表示ニ  
關スル規定報告ノ件

附屬書一 「アイダホ」州ノ右規定

二 「ワイオミング」州ノ右規定

機密第四号

(六月二十三日接受)

大正三年五月二十五日

在ポートランド

領事 井田 守三(印)

外務大臣男爵 加藤高明殿

本年二月十日付通送第五号ヲ以テ管内各州々法並ニ市条例中外國人ニ對スル職業、産業、營業等ノ許可ニ當該外國人ノ合衆國市民タラントスル意思表示ヲ必要トスル規定ノ有無調査方御申越ノ趣敬承致シ候仍テ「アイダホ」及「ワイオミング」兩州分別紙ノ通り取調及御送付候間御査収相成度尙ホ別級取調ハ兩州憲法及州法中外國人及外國法人ノ差別の待遇ニ關聯セリト認ムベキ各方面ノ規定ヲ網羅シ居ル筈ニ有之候又兩州内重ナル都市ノ条例類モ取調候ヘ共未ダ右ニ關スル規定ノ存セルモノヲ見出サズ候此段御回答旁申進候 敬具

写送付先 在華盛頓珍田大使

(附屬書一)

「アイダホ」州法中外國人殊ニ市民タリ得ザル者ニ關スル規定

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備考 以下「州法典」ト称スルハ千九百〇八年ノ  
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甲 各種職業、營業、産業等

(一) 弁護士 ハ市民又ハ市民タル意思ヲ善意ニ表示シタル者  
ニシテ且ツ当州ノ居住民ニ限ル (州法典三九〇条別紙甲  
号参照以下本項ハ總テ同上参照ノ事)

(二) 医師 (内外科) ハ合衆國市民又ハ市民タル意思表示ヲ  
ナシタル者ニ限ル (同法典一三四六条)

(三) 公立学校教員 ハ合衆國市民又ハ市民タル意思表示ヲナ  
シタル者ニ限ル (千九百十一年州法百五十九条八十八条)

四法人ノ役員 当州会社法ニ依リ設立セラルル法人ノ取締

役ハ少クトモ其一人ハ州内善意ノ居住民ニシテ且ツ市民タルヲ要ス(千九百〇九年州法上院案百号三条)

(四)狩猟及漁業 狩猟免許ハ善意ノ当州市民タル男子ハ一弗ノ免許料ヲ仕払フトキハ「ロッド、エンド、ガン、ライセンス」ト称シ鳥獸魚ヲ通ジテ捕獲スルヲ得ル一般鑑札ノ下付ヲ受ケ又州市民タル女子ハ無鑑札ニテ狩猟及漁獵ヲナスヲ許サルルニ反シ州居住民ニ非ザル者及外国人ニ下付スル鑑札ハ鳥獸魚ノ各書類ニ応ジ獸鑑札(ビッグ、ゲーム、ライセンス)ハ二十五弗、鳥鑑札(バード、ライセンス)ハ五弗又魚鑑札(フィッシング、ライセンス)ハ二弗ノ免許料ヲ仕払ハザルベカラズ(千九百十一年州法六十二章、五条)

註 右各種免許料ハ州居住民ト非居住民トヲ標準トシテ區別シ尚ホ外国人ハ州ノ非居住民ト同一列ニ置キタルモノナリ又当州ノ河湖ニ於ケル漁業ハ釣竿以外ノ漁具ヲ用ヒル場合ニ就テハ種々ノ制限アレトモ之レニ関シ特ニ市民タルト外国人タルトニ依リ區別ヲ付シタル規定ハナシ

(六)耕地灌漑 灌漑区設置其他之レニ関スル投票権者及灌漑区管理人ハ当州ニ居住スル合衆国市民タルヲ要ス(千九百十一年州法百五十四章一条二条及州法典二三七八条)

右区内ニ「キャリー、ランド、アクト」ニ依ルベキ国有地

及一四五九条)

乙 土地所有権及其他ノ財産権

附、財産相続

当州憲法ハ何人モ平等ニ財産権ノ保護ヲ受クベキコトヲ保障シ(州憲法一章一条別紙乙号参照)又州法典ハ市民ト外国人トヲ問ハズ動産及不動産ヲ所有シ又ハ処分スルヲ得ベキコトヲ規定セリ(州法典三〇五八条)

註 客年迄当州ハ州法典二六〇九条ヲ以テ合衆国市民ニアラザル者、市民タル意思表示ヲナサザル者、又合衆国市民タル資格ナキ者殊ニ支那人其他ノ蒙古人ニシテ合衆国ニ出生セザル者ハ不動産上ノ權利ヲ享有スルコトヲ得ザルヲ規定シ又同法典二六一〇条ヲ以テ支那人其他ノ蒙古人ニシテ合衆国ニ生レザルモノハ鉱業権ヲ取得スルコトヲ得ザルヲ規定セシガ客年ノ州会ニ於テ右兩案ヲ廃止スル法案ヲ通過シ同年五月十日ヨリ其効力ヲ生ジタルヲ以テ以後州内ニテハ市民ト外国人殊ニ東洋人トハ區別ナク土地所有権、鉱業権及其他ノ財産権ノ享有ヲ認メラルルニ至レリ(大正二年四月十日付機密第二号参照)

尚ホ州有土地ノ払下ハ合衆国市民又ハ市民タル意思表示ヲナシタル者ニ限り之レヲナスコトヲ得(州法典一五七九条)又国有地ニシテ「キャリー、ランド、アクト」ニ依リ州ニ

四 米国西部諸州ノ州法市条例等ニ於ケル外国人関係規定

存在スルトキハ州ニ払下ヲ受ケタル上其土地ニハ合衆国市民又ハ市民タル意思表示ヲ為シタルモノニ限り開拓ノ為メ入込払下ヲ出願スルコトヲ得(千九百十一年州法百五十四章五条末段、六条ノ中二三八六号及同C号)

(七)保險業 相互火災保險、郡内相互損害保險及家畜保險会社ノ設立者ハ当州ノ市民タルヲ要ス(千九百十一年州法二二八章六八条八七条及一〇九条)又相互共済会(病氣、災厄、老年等ヲ目的トシ Paternal benefit Society ト称ス)ノ設立者ハ合衆国市民ニシテ且ツ其過半数ガ州ノ市民タルヲ要ス(千九百十一年州法二二五章一二条)

(八)公ノ工事及労働者ノ雇傭 合衆国市民ニアラザル者、市民タル意思表示ヲナサザル者又ハ市民タリ得ベキ資格ナキ者ハ州又ハ市ノ工事ニ雇ハルルヲ得ズ又公ノ工事ヲ請負ヒタル請負人ハ是等ノ者ヲ使用スルヲ得ズ(州憲法十三章五条及州法典一四五七条)次ギニ郡、市庁又ハ州内ニ於テ事業ヲ営ム内外法人ハ如上ノ外国人ヲ雇傭スルヲ得ズ若シ知ラズシテ斯ル外国人ヲ雇入レ他ヨリ故障ノ申立アリタル場合ハ被雇人ガ帰化証ヲ提示セズ又ハ帰化ノ意思表示ヲ為サザル限りハ直チニ解雇スベキモノトス(州法典一四五八条

交付セラレタル土地ハ合衆国市民又ハ市民タル意思表示ヲ為シタル者ニ限り開拓ノ為メ入込払下ヲナスコトヲ得(州法典一六二六条)

財産相続ハ州内居住外国人ハ市民ト同一ナルモ非居住外国人ハ被相続人ノ死亡後五年内ニ相続請求ノ手續ヲ為サザレバ相続スルヲ得ズトノ制限アリ(同法典五七一五条)

丙 教育及婚姻

教育ニ就テハ州憲法ハ各種公立学校<sup>パブリック・スクール</sup>ノ入学ハ人種ノ如何ニ依リ區別ヲ付スルコトナキヲ規定セリ(州憲法九章六条別紙丙号参照)其他州法中有色児童ニ分離教育ヲ施ス如キ規定ヲナシタルモノヲ見ズ

婚姻ニ就テハ白人ト黒人及半黒人間ノ婚姻ヲ禁止スルニ止マリ(州法典二六一六条)白人ト蒙古人若クハ其他ノ東洋人間ノ婚姻ヲ制限セル規定ナシ

丁 外国法人

州憲法ハ外国法人ハ内国法人以上ノ權利又ハ特権ヲ享有スルヲ得ズト規定セリ(州憲法十一章十條別紙丁号参照)外国法人ガ州内ニ於テ業務ヲ行ハントスルトキハ州内ニ營業所及代理人ヲ設ケテ当該官憲ニ届出デザルベカラズ(州憲



法十一章十條及州法典(一七九二條)外國保險会社ニシテ州内ニ於テ火災及海上保險業ヲ營ブヘンヲスルベキニ十萬弗又生命損害其他ノ保險業ヲ營ブヘンヲスル場合ニ十萬弗ヲ州保險官又ハ他ノ合衆国内ヨリ該官憲ヨリ被保險者ノ保証準備金トシテ供託スルヲ要ス(十九百十三年州法九十七章三條)(別 紙) (一) (二) (三) (四)

由時

#### ATTORNEYS AND COUNSELORS AT LAW.

PERSONS ENTITLED TO ADMISSION AS ATTORNEYS. Any citizen or person resident of this state, who has bona-fide declared his intention to become a citizen in the manner required law, of the age of twenty-one years, of good moral character, and who possesses the necessary qualifications of learning and ability, is entitled to admission as attorney and counselor in all courts of this state. (Section 3990, IDAHO REVISED CODES 2)

#### THE PRACTICE OF MEDICINE.

EXAMINATION OF APPLICANTS. Every person, except as hereinafter provided, desiring to commence the practice of medicine and surgery, or either of

them, within the State shall, immediately and prior to commencing the same, make a written application to the State Medical Examining Board, upon suitably prepared blanks, to be furnished by the Board, for a license so to do. The applicant shall transmit with the said application his or her diploma, together with an affidavit setting forth that said diploma is genuine and that the applicant is the rightful possessor thereof and the identical person named therein, and that the same was obtained by pursuing the regular course of study or examination in said institution, and setting forth that he or she is a citizen of the United States, or has declared his intention of becoming such. If the said diploma has been issued by a reputable college of medicine in good standing, said applicant shall be eligible to examination. etc. (Section 1346, IDAHO REVISED CODES 1)

#### CERTIFICATION OF TEACHERS.

#### CERTIFICATES NOT GRANTED TO ALIENS.

No persons shall be granted a certificate or employed as teacher in any public school who is not a citizen of the United States, or who has not declared his

intention to become such. (Chapter 159, Section 88, Idaho Session Laws, 1911)

#### DIRECTORS OF CORPORATION.

That section 2728 of the Revised Codes of Idaho be and the same is hereby amended to read as follows:

Section 2728. The corporate powers, business and property of all corporations formed under this title, must be exercised, conducted and controlled by a board of not less than three nor more than fifteen directors, to be elected from among the holders of the stock, or when there is no capital stock, then from among the members of such corporation. At least one of the directors must, in all cases, be a citizen and actual bona-fide resident within this State. Directors of corporations for profit must be holders of the stock thereof in an amount to be fixed by the by-laws. Directors of all other corporations must be members thereof etc. (Section 3, Senate Bill No. 100, Idaho Session Laws, 1909)

#### FISH AND GAME.

It shall be unlawful for any person or persons to hunt for any game whatever, or to fish in the public

waters until a license is first procured as provided herein, upon the request of the State Fish and Game Warden or his deputies, such license must be produced for inspection. Any bona-fide male citizen over the age of twelve (12) years, who has been such for a period of six (6) months preceeding the application for a license, upon the payment of One Dollar (\$1.00) to the State Fish and Game Warden or any deputy warden, shall be entitled to receive from the officer to whom such payment it made a rod and gun license which shall permit such person to pursue, hunt and kill any of the game animals or birds mentioned in this Act during the time when it shall be lawful to kill the same in any of the counties of this State, subject to the limitations as to the number of each kind of animals or birds provided herein, and to catch fish with the hook and line according to the provisions of this Act. It shall be a misdemeanor for any such officer to issue receipt in lieu of such license, such licenses shall not be transferred to any other person. Any person who is a non-resident of the State of Idaho, or an alien, shall, upon payment to the State

Fish and Game Warden or any deputy Warden, the sum of twenty-five Dollars (\$25.00), be entitled to receive from such officer to whom payment is made a non-resident big-game license, which license shall permit such person to pursue, hunt or kill such number of each kind of big game as hereinafter provided during the time in each current year when it shall be lawful to kill such animals. Such license shall state the name and place of residence of the holder thereof and shall not be transferred to any other person.

Any person who is a non-resident of the State of Idaho, or an alien, shall, upon payment to the State Fish and Game Warden, or any deputy game warden, the sum of five Dollars (\$5.00), be entitled to receive from such officer to whom payment is made a non-resident bird license, which shall permit such person to pursue, hunt or kill such number of each kind of birds as herein mentioned during the time in each year when it shall be lawful to kill such birds as provided in this Act.

Any person, regardless of age or sex, who is a non-resident of the State of Idaho, or an alien, shall,

Every person over the age of twenty-one (21) years, who shall be a citizen of the United States, and a resident of the State of Idaho, and who shall be, at the time of the election at which he offers to vote, the holder of land embraced in any district, or proposed district, and which is to be irrigated from the works owned by said district, or which is to be irrigated from the works proposed to be purchased or built, shall be entitled to vote any election held under the provisions of this title. etc. (Section 2, Chapter 154, Idaho Session Laws, 1911)

#### ELECTION OF DIRECTORS. — ELECTION, TERM OF OFFICE, QUALIFICATIONS AND BOND OF DIRECTORS.

On the second Tuesday of December following the organization of any district an election shall be held at which shall be elected three directors by the electors of the district at large. The terms of the office of directors shall be three years. The directors shall, immediately after the first regular election following such organization, be selected by lot so that one shall hold his office for the term of one year, one for

upon payment of Two Dollars (\$2.00) to the State Fish and Game Warden or any deputy warden, be entitled to receive from the officer to whom such payment is made a non-resident fishing license, which license shall permit the holder thereof to catch fish with hook and line only, as provided in this Act. etc.

Any female persons, residents of the State of Idaho, and all veterans of the Civil War may take fish and game under the provisions of this Act without procuring a license as provided by this Act.

All licenses under the provisions of this Act shall expire on the thirty-first day of March next following the date of their issue. (Section 5, Chapter 62, Session Laws of Idaho, 1911.)

#### IRRIGATION DISTRICT

That Section 2375 of the Idaho Revised Codes be, and the same is hereby amended to read as follows: said Board shall then give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this title, etc. (Section I, Chapter 154, Idaho Session Laws, 1911)

the term of two years, and one for the term of three years, and an election shall be held in each district on the second Tuesday in December of each year thereafter, at which one director shall be elected for a term of three years, or until his successor is elected and qualified. Such director must be a qualified elector and a resident of the division of the director whom he is to succeed in office. etc.

#### (Section 2378, Idaho Revised Codes) NATIONAL LANDS IN IRRIGATION DISTRICT

Said board shall have power to manage and conduct the business and affairs of the district .....PROVIDED FURTHER, That in case there are within the boundaries of an irrigation district organized under the Laws of this State, lands which are in a condition to be selected under the Carey Act laws of the United States of America, the board of directors of an irrigation district may, and it is hereby authorized and empowered to, file with the State Board of Land Commissioners a request for the selection, on behalf of the State, by the State

Board of Land Commissioners, of the lands to be reclaimed, designating said lands by legal subdivisions, etc. (Section 2386 Idaho Revised Codes I, as amended by Chapter 154, Session 5, Session Laws of Idaho, 1911)

Upon the withdrawal of the land by the Department of the Interior, it shall be the duty of the State Board of Land Commissioners to enter into a contract for the construction of irrigation works the district submitting the proposition, which contract shall contain complete specifications of the location, dimensions, character and estimated cost of the proposed canal, ditch or other irrigation works. (Chapter 154, Session 6, Session Laws of Idaho, 1911)

Any citizen of the United States, or any person having declared his intention to become a citizen of the United States (Excepting married women) over the age of twenty-one (21) years, may make application under oath to the State Board of Land Commissioners, to enter any of said lands, in an amount not to exceed one hundred and sixty (160) acres for any one (1) person; and such application shall set forth that the person desiring to make such entry does so for the

other policy liabilities of such companies, etc.

(Section 68, Chapter 228, Session Laws of Idaho, 1911)

COUNTY MUTUAL FIRE INSURANCE COMPANY. Twenty-five (25) or more persons, citizens of Idaho and owing insurable property in any county in this State, may form a county mutual fire insurance company in such county for the purpose of insuring each other against loss by fire, lightning, tornado, windstorm or hailstorm on property situated in the county in which the headquarters of the association are located and in not more than four (4) other counties adjacent thereto, and may assess and collect from each other such sums of money as may be necessary to pay losses from fire, lightning, tornado, windstorm or hailstorms, from time to time as such losses occur, and to pay such expenses as may be approved by the board of directors; PROVIDED: That the grange or similar associations or organizations now operating upon the lodge or mutual co-operative plan may operate under this Act in all or any of the counties of this State, etc. (Section 87, Chapter 228, Session Laws of Idaho, 1911)

purpose of actual reclamation, cultivation and settlement in accordance with the Act of Congress and the laws of this State relating thereto, and that the applicant has never received the benefit of the provisions of any Carey Act law to an amount greater than one hundred and sixty (160) acres, including the number of acres specified in the application under consideration, etc. (Section 6, Chapter 154, Session Laws of Idaho, 1911)

#### RELATING TO INSURANCE DEPARTMENT FOR THE STATE OF IDAHO.

MUTUAL FIRE INSURANCE COMPANY. Twenty-five (25) or more persons, citizens of this State, may form a corporation to carry on the business of fire insurance on the mutual plan; but no such corporation shall begin to do business until a guaranty fund at least Twenty-Five Thousand Dollars (\$25,000) has been provided and deposited in cash or in such securities as are permitted by law in case of stock companies with the Commissioner of Insurance, under the condition named in this Act, the same to be held as security for the payment of all losses and

LIVESTOCK INSURANCE COMPANY. Any number of citizens of this State, not less than five (5), may organize an insurance company for the purpose of insuring the owners of livestock against loss to such stock by death from any cause, and against theft or accident. (Section 109, Chapter 228, Session Laws of Idaho, 1911)

FRATERNAL BENEFIT SOCIETY. Seven or more persons, citizens of the United States, and a majority of whom are citizens of this State, who desire to form a fraternal benefit society, as defined by this Act, may make and sign, (giving their addressed), and acknowledging before some officer competent to take acknowledgment of deeds, articles of incorporation, in which shall be stated etc., (Section 12, Chapter 225, Session Laws of Idaho, 1911)

#### IMMIGRATION AND LABOR.

ALIENS NOT TO BE EMPLOYED ON PUBLIC WORK. No person, not a citizen of the United States, or who has not declared his intention to become such, shall be employed upon, or in connection with, any State or municipal works. (Article 13, Section 5,

Constitution of Idaho)

EMPLOYMENT OF ALIENS.

EMPLOYMENT ON PUBLIC WORKS PROHIBITED. No person, not a citizen of the United States, or who has not declared his intention to become such, or who is not eligible to become such, shall be employed upon any State or municipal works ; nor shall any such person be employed by any contractor to work on any public works of the State or any municipality ; etc. (Section 1457, Idaho Revised Codes 1)

COUNTIES, CITIES AND CORPORATIONS NOT TO EMPLOY ALIENS. It shall hereafter be unlawful for any county government, or municipal or private corporation organized under the laws of this State or organized under the laws of another State or territory or in a foreign country and doing business in this State, to give employment in any way to any alien who has failed, neglected or refused, prior to the time such employment is given, to become naturalized or to declare his intention to become a citizen of the United States. (Section 1458, Idaho Revised Codes 1)

DISCHARGE OF ALIEN EMPLOYEE. Whenever

employment has been innocently given to any alien by any county government, municipal or private corporation mentioned in the preceding section, and complaint shall be made in writing by any person to the officers of the county government or municipal corporation, or to the general manager, superintendent, foreman or other agent of the private corporation, having charge or superintendency of the labor of such alien employee, that such employee is an alien, he shall forthwith discharge such employee from employment unless said employee shall produce his declaration to become a citizen, or his certificate of naturalization, or a duly certified copy thereof. (Section 1459, Idaho Revised Codes 1)

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RIGHT OF PROPERTY

INALIENABLE RIGHTS OF MAN. All men are by nature free and equal and have certain inalienable rights, among which are enjoying and defending life and liberty, acquiring, possessing and protecting property, pursuing happiness, and securing safety.

(Article 1, Section 1, Constitution of Idaho)

WHO MAY OWN PROPERTY. Any person, whether citizen or alien, may take, hold, and dispose of property, real or personal. (Section 3058, Idaho Revised Codes 1)

SALE OF STATE LAND. The State Board of Land Commissioners may at any time direct the sale of any State Lands, in such parcels as they shall deem for the best interest of the State..... In all sales the land shall be offered in legal subdivisions of not more than one hundred and sixty acres: PROVIDED, That sales of State Lands shall only be made to citizens of the United States and those who shall have declared their intention to become such. No land shall be sold for less than its appraised value nor for less than ten dollars per acre. etc. (Section 1579, Idaho Revised Codes 1)

CAREY ACT LANDS

APPLICATION TO ENTER LAND. Any citizen of the United States, or any person having declared his intention to become a citizen of the United States (Excepting married women) over the age of twenty-

one years, may make application, under oath, to the board, to enter any of said land in an amount not to exceed one hundred and sixty acres for any one person ; and such application shall set forth that the person desiring to make such entry does so for the purpose of actual reclamation, cultivation and settlement in accordance with the Act of Congress and the laws of this State relating thereto, and that the applicant has never received the benefit of the provisions of this chapter to an amount greater than one hundred and sixty acres, including the number of acres specified in the application under consideration, etc. (Section 1626, Idaho Revised Codes 1)

SUCCESSION-PROBATE PROCEEDINGS.

INHERITANCE BY ALIENS. Resident aliens may take in all cases by succession as citizens ; and no person capable of succeeding under the provisions of this title is precluded from such succession by reason of the alienage of any relative ; but no non-resident foreigner can take by succession unless he appears and claims such succession within five years after the death of the decedent to whom he claims succession.

(Section 5715, Idaho Revised Codes 2)

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# EDUCATIONAL AND SCHOOL LANDS.

## RELIGIOUS TEST AND TEACHING IN SCHOOL

PROHIBITED. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as a teacher or student ; and no teacher or student of any such institution shall ever be required to attend or participate in any religious service whatever. No sectarian or religious tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color. (Article 9, Section 6, Constitution of Idaho) .

## MARRIAGE.

## MARRIAGES OF CAUCASIANS WITH NE-

GROES. All marriages of white persons with negroes or mulattoes are illegal and void. (Section 2616, Idaho Revised Codes 1)

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## FOREIGN CORPORATIONS.

## REGULATION OF FOREIGN CORPORATIONS.

No foreign corporation shall do any business in this State without having one or more known places of business, and, an authorized agent of agents in the same, upon whom process may be served, and no company or corporation formed under the laws of any other country, State, or territory, shall have or be allowed to exercise or enjoy, within this State any greater rights or privileges than those possessed or enjoyed by corporations of the same or similar character created under the laws of this State. (Article II, Section 10, Constitution of Idaho)

## FILING OF ARTICLES DESIGNATION OF A-

GENT. Every corporation not created under the laws of this State must, before doing business in this State, file with the county recorder of the county in this State in which is designated its principal place of business in this State, a copy of the articles of incorporation of said corporation, duly certified to by the Secretary of State of the State in which said

corporation was organized, and a copy of such articles of incorporation duly certified by such county recorder, with the Secretary of State, paying to the latter the same fee as are provided by law to be paid for filing original articles of incorporation. Such corporation must also within three months from the time of commencement to do business in this State, designate some person in the county in which the principal place of business of such corporation in the State is conducted, upon whom process issued by authority of or under any law of this State may be served, and within the time aforesaid must file such designation in the office of the Secretary of State, and in the office of the clerk of District Court for such county, and a copy of such designation certified by either of said officers, must be evidence of such appointment. It is lawful to serve on such person so designated any process issued as aforesaid, and such service must be deemed a valid service thereof, etc. (Section 2792, Idaho Revised Codes 1)

## DEPOSITS REQUIRED OF COMPANIES. No

insurance company organized under the laws of any

foreign country, transacting the business permitted in classes (1) and (2), or either of them, including or excluding class (12) of Section 10 of this Act, shall be licensed to transact such business in this State, unless, in addition to complying with the laws of this State, it shall have made a deposit with the Insurance Commissioner of this State, or with the duly authorized officer of some other state of the United States, in a sum not less than Two Hundred Thousand Dollars(\$ 200,000.00).

No insurance company organized under the laws of any State, territory or district of the United States, or of any foreign country transacting the business permitted in one or more of Classes (3), (4), (5), (6), (7), (8), (10), (11), (12), (13), and (14) of Section 10 of this Act, shall be licensed to transact such business in this State, unless, in addition to complying with laws of this State, it shall have made a deposit with the Insurance Commissioner of this State, or with the duly authorized officer of some other state of the United States, in a sum not less than One Hundred Thousand Dollars(\$ 100,000.)

Such deposit shall be an exclusive trust for the benefit and security of all the policy holders of such company in the United States, and may be made in such securities as provided in Section 25 of this Act, and such deposit of a company organized under the laws of any foreign country shall be deemed, for all purposes of the insurance laws, the capital of the company making it. Every insurance company organized under the laws of any foreign country doing business in this State must, on or before the first day of March of each year, file with the Insurance Commissioner a certificate from the properly qualified officer of the state wherein its deposits is made, showing the amount and the character of the securities composing such deposit (Section 3, Chapter 97, Session Laws of Idaho, 1913) Note: - The insurance business classes (1), (2), and (12) designate fire, marine, team and vehicle insurance, while (3), (4), etc., designate life, accident, and all miscellaneous insurance other than above-mentioned.

(附屬書二)

「ワイオミング」州法中外國人殊ニ市民タリ得ザル者ニ關

スル規定

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- 甲、各種職業、營業、産業等
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備考

以下「州法典」ト称スルハ千九百十年ノ編纂ニ係ル「Wyoming Compiled Statutes」ヲ指シ又「何年州法」ト云フハ右法典編纂後ニ於ケル当該年ノ州会ヲ通過シタル「Session Law」ヲ指ス

- 甲、各種職業、營業、産業等
- (一) 弁護士 ハ合衆国市民ニシテ且ツ善意ノ当州居住者ニ限ル (州法典九五九条別紙甲号参照、以下本項ハ總テ同上参照ノ事)

(二) 特許計算士 ハ合衆国市民又ハ市民タル意思表示ヲナシタルモノニ限ル (千九百十一年州法四十五章八条)

(三) 銃獵案内人 ハ善意ノ当州市民ニシテ且ツ選舉有權者タルヲ要ス (千九百十一年州法六十六章二十一条)

註 免許ヲ得ズシテ銃獵案内ヲ業トスルハ一般ニ禁ゼラレ又当州ノ在住民ニ非ル者ガ保護獸類ノ狩獵ヲナスニハ必ラス免許銃獵案内人ヲ同伴スルヲ要スルコト後ニ述ブル如シ

(四) 銀行業 当州銀行法ニ準拠シテ設立スル銀行 (State Bank) ノ取締役ハ合衆国市民又ハ市民タル意思表示ヲナシタル者ニ限り又其取締役ノ過半数ハ当州ノ居住民タルヲ要ス (州法典四〇三〇条) 又州銀行法ニ準拠スル以外ノ所謂個人銀行 (Private Bank) モ右ト同一制限ノ適用ヲ受クベキモノトス (同上法典四〇七九条)

(五) 耕地灌漑 耕地ノ灌漑ニ便スル為メ灌漑区ヲ設立セントスル場合ニ其設立者及管理者タルニハ区内土地所有者ニシテ選舉權ヲ有スル者タルヲ要ス (州法典八三一条及八三二条) 茲ニ選舉權ヲ有スル者ト云フハ合衆国市民又ハ市民タル意思表示ヲナシタル者ヲ云フト解スベキモノトス (千九百十一年州法九十九章一条)

(六) 漁業及狩獵

(イ) 漁業 当州市民ハ州内河川中法律ヲ以テ指定シタル一定ノ流域ヲ限り二時半ヨリ細カカラザル網目ノ引網又ハ刺網ヲ以テ捕獲スルヲ許可セラルベク又「トラウト」、「ホワイトフィッシュ」、鯉ノ如キ食用魚ヲ藏スル湖水ノ所在地ノ市民五十名以上ノ請願アルトキハ一時半對二時半ヨリ細カカラザル網目ノ刺網ヲ用ヒテ之レヲ漁獲スルコトヲ州市民ニ許可スルコトアルベシ (千九百十三年州法百二十一章三十条)

註 前掲ノ場合ニ捕獲シタル魚類ハ州外ニ送出スルヲ得ザルモ自家用ノ剩余ヲ州内住民ニ販売スルハ妨ゲナシ元來当州ノ河湖ニ於テハ釣竿以外ノ漁具ヲ使用シテ魚類ヲ捕獲スルコト並ニ營利ノ目的ヲ以テ「トラウト」及其他ノ保護魚類 (特ニ販売ノ為メ飼育シタルモノヲ除ク) ヲ漁獲スルコトハ一般ニ禁ゼラレ唯州ノ市民ニ限り前掲ノ如キ特例ヲ許シタルモノナルヲ以テ外國人ハ勿論如上特例ノ範圍外ニアルモノナリ

(ロ) 狩獵免許 一般狩獵鑑札「ハンタース」又ハ「ビッグ、ゲーム、ライセンス」ト称シ保護鳥、獸、魚類ヲ通ジテ捕獲ヲ許スモノ) ハ善意ノ当州選舉有權者其他合衆国市民ニシテ州内ニ居住シ若クハ財産ヲ有スル等法律ニ列記セル者ハ

二弗五十仙(千九百十三年州法百二十一章三十六条)又其以外ノ者(州居住民ニ非ル合衆国市民及外国人ヲ含ム)ハ五十弗(同上三十八条後段)次ギニ鳥獵鑑札「ガンナース」又ハ「バード、ライセンズ」ト称シ鳥類ニ限り捕獲ヲ許スモノ)ハ当州選舉有権者其他合衆国市民ニシテ州内ニ居住スル等法律ニ列記セル者ハ一弗(同上三十六条末段)又州居住民ニ非ル合衆国市民及外国人ハ共ニ五弗(同上三十八条前段及十一条)ノ免許料ヲ納付スルヲ要ス又熊獵鑑札(熊ハ保護獸類ノ部類ニ入ラズ)ハ州居住民ニ非ルトキハ拾弗ノ免許料ヲ納付スベキモノトス(千九百十一年州法十六章二十三条)

又如上ノ各種鑑札ヲ受クルニ当リ免許料ノ外ニ左ノ手数料ヲ納ムベキモノトス(千九百十三年州法百二十一章十六条)

居住市民一般鑑札	每件	五十仙
非居住民(外国人ヲ含ム)一般鑑札	〃	二弗五十仙
居住市民鳥鑑札	〃	二十五仙
外国人鳥鑑札	〃	一弗
非居住市民鳥鑑札	〃	五十仙
熊鑑札	〃	一弗

乙、土地所有權及其他ノ財産權

当州ハ外国人ノ土地所有ニ関シ何等ノ制限の規定ヲ存セズ而シテ憲法ハ財産ノ取得、所有、讓渡又ハ租稅負担ニ関シ州内ニ居住スル外国人ニ州民ト異ナル待遇ヲナスノ法律ヲ設ケザル旨ヲ保障セリ(州憲法一章二十九条別紙乙号参照)但シ州有土地ノ貸附ハ州内ニ居住シ且ツ租稅ヲ納付スル市民ニ先取權ヲ附与ス(州法典六一五条)

州有土地ノ払下ハ州憲法採用ノ当時善意ノ州有地土着民タリシ者ニ対シテハ其土地ヲ公売ニ依ラズ隨意契約ヲ以テ払下グルコトヲ得(同法典六二七条)又是等ノ土着民ニシテ州有地ニ改良ヲ施シタル場合ニハ先買權ヲ附与ス(同法典六二八条)以上ノ場合ノ外州有土地ノ払下ハ總テ公売トシ最高競落者ニ売下グルモノトス(同法典六二九条)

国有地ニシテ「キャリー、ランド、アクト」ニ依リ開拓ノ為メ州ニ交付セラレタル土地ハ合衆国市民又ハ市民タル意思表示ヲナシタルモノニ限り入込払下ヲ願出ゾルコトヲ得(同法典六七七条)

丙、非白人児童教育

当州憲法ハ各種公立学校ノ生徒ニ対シ人種ニ依リ区别的待

次ギニ州ノ選舉有権者及其子又ハ被保護者以外ノ者ガ保護獸類ノ狩獵ヲナサントスルトキハ免許ノ銃獵案内人ヲ同伴スルヲ要ス(千九百十三年州法百二十一章十四条)

註 右各種狩獵免許料ノ區別ハ主トシテ州居住民ト非居住民トヲ標準トセルガ如シ然レドモ之レヲ沿革ニ徴スレハ客年中現行法ヲ改正セル以前ニハ鳥獵鑑札免許料ヲ州居住民ニ非ル合衆国市民ハ五弗トセルニ対シ外国人ハ二十弗トシ明カニ市民ト外国人トノ區別ヲ認メタリ

又現行法ニ於テモ手数料ハ鳥鑑札ニ就テ州居住民ニ非ル合衆国市民ハ五十仙ナルニ外国人ハ一弗トシ其間ニ多少ノ區別ヲ存セリ

(E)遺言執行人 遺言者ガ遺言ヲ以テ遺言執行人ヲ指名セントスルトキハ合衆国市民ニシテ且ツ居住者タル者ヲ以テスルヲ要ス(州法典五三九九条)

(F)公ノ工事及労働者ノ雇傭 合衆国市民ニアラザル者又ハ市民タル意思表示ヲナサザル者ハ当州、郡及市ニ雇傭セラレ若クハ其工事ニ使用セラル、ヲ得ズ(州憲法十九章一条)未ダ州ニ来住セザル外国人ノ雇傭ヲナサントスル契約ハ其日附ヨリ六ヶ月ヲ經過スレバ無効トナル(州法典三四二八条)

遇ヲナスヲ得ザルコト及大学ハ人種ノ如何ヲ問ハズ各学生ニ対シ等シク公開セラルベキコトヲ規定ス(州憲法七章十条及十六条、別紙丙号参照)然レトモ州法典ハ一学校区内ニ十五人以上ノ有色児童アルトキハ之レニ対シ白色児童ヨリ分離シタル別個ノ学校ヲ設クルコトヲ得ルヲ認メタリ(州法典一九五四条)

丁、黄白人種間婚姻

当州ニテハ白人ト蒙古人及其他ノ有色人種間ノ婚姻ヲ禁止ス(千九百十三年州法五十七章一条、別紙丁号参照)

戊、外国法人

外国法人ガ当州内ニ於テ業務ヲ行ハントスル場合ハ州ノ当該官憲ニ届出ゾルヲ要ス(州法典四二四九条、別紙戊号参照)建築及不動産抵当貸付、貯蓄、投資等ノ業務ヲ目的トスル外国会社ハ手数料五十弗ヲ支払フテ当該官庁ヨリ許可ヲ受クルヲ要ス(同法典四〇九五条及四〇九六条)

外国保険会社ハ三十万弗ヲ下ラザル既払込資本額ヲ有シ且ツ合衆国内被保険者ノ保証準備金トシテ少クトモ十万弗ヲ合衆国内ノ相当官憲ニ供託セルモノタルヲ要シ又其代理店

ヲ設ケル場合ハ該設置地方住民ヲ代理人ニ指名スルハ要ス  
(同法典四一一三一条)  
(英譯)(一)(二)(三)(四)(五)

(一)

法律

#### Attorneys at Law.

#### NECESSARY QUALIFICATIONS OF APPLICANTS.

No one shall be admitted whom shall not be a citizen of the United States, a bona fide resident of this state, at least twenty-one years of age, and a person of good moral character. No one shall be examined who shall not have studied law at least three years either in or under the supervision of a law school in the United States, or in the office of a member of the bar, or one of the judges of this state, or in part at or under the supervision of such law school and in part in such an office. Said study must have been actually and not constructively commenced and continued.(Section 959, Wyoming Compiled Statutes).

#### Certified public accountant.

Any citizen of the United States, or person who has duly declared his intention of becoming such citizen,

certificate shall be valid for a term of one year from the date of issue unless sooner revoked, and shall state the name, age and place of residence of the holder of the same, and shall recite that the holder of such certificate is a person of good moral character, bona-fide resident and qualified elector of this state, and that he is either a freeholder in this state or has a valid filing upon the public lands within the State of Wyoming. etc.(Section 2763, Wyoming Compiled Statutes, as amended by Section 21, Chapter 66, Session Laws of Wyoming, 1911)

#### BANKS, SAVING ASSOCIATIONS, ETC.

#### DIRECTORS-QUALIFICATIONS. The affairs of

every association, formed and organized to carry on the business of banking under the provisions of this chapter, shall be managed by not less than five no more than nine directors. Each director shall, during his whole term of service, be a citizen of the United States, or have lawfully declared his intention to become a citizen thereof, and a majority of such directors shall be residents of this state, etc.(Section 4030, Wyoming Compiled Statutes)

over the age of twenty-one years, of good moral character, being a graduate of a high school or having had an equivalent education, who has had at least three years experience in the practice of accounting, and has passed a satisfactory examination as herein provided, shall be entitled to a certificate as public accountant, and shall be styled and known as a certified public accountant.(Chapter 45, Section 8, Session Laws of Wyoming, 1911)

#### GAME LAWS

QUALIFICATIONS OF GUIDE. It shall be unlawful for any person to engage in the business of guiding, as the term is commonly understood, without having first procured from some Justice of the Peace of the county in which he resides, a guide's certificate. Any competent person of good moral character, who is a bona-fide citizen and qualified elector of this state, and who is either a freeholder of the State of Wyoming or has a valid filing upon public lands within the State of Wyoming, may, upon the payment of ten dollars to a Justice of the Peace of this state, receive a certificate as guide, which

#### Private Banks

Regulation. Every person or persons, company of corporation, now engaged in, or who may hereafter engage in the business of banking, buying or selling exchange, receiving money on deposit subject to checks, and commonly designated as private bankers, shall be subject to the same restrictions and provisions of law affecting the management, control and examination, as are now provided for state banks organized under the provisions of chapter 269.(Section 4079, Wyoming Compiled Statutes)

#### Irrigation districts.

Qualified Elector defined. For the purpose of this act the words "Qualified elector or electors" shall be understood to be a citizen of the United States, or who may have declared his or her intention to become such, and that any person. etc.(Chapter 99, Section 1, Session Laws of Wyoming, 1911)

Petition. For the purpose of establishment of an irrigation district as provided by this chapter, a petition shall be filed with the board of county commissioners of the county which embraces the largest



acreage of the proposed district; said petition shall state that it is the purpose of petitioners to organize an irrigation district, under the provisions of this chapter; said petition shall also contain a general description of the boundaries of such proposed district, the means proposed to supply water for the irrigation of the lands embraces therein, the name proposed for such district, and shall elect a committee of three of said petitioners to present such petition to the board of county commissioners as provided by law, praying that the said board define and establish the boundaries of said proposed district and submit the question of the final organization of the same to the vote of the freeholders who are also qualified electors within said proposed district. etc. (Section 831, Wyoming Compiled Statutes)

Commissioners define boundaries. When such petition\*\*\*\*\*When the boundaries of any proposed district shall have been examined and defined as aforesaid, the county commissioners shall forthwith make an order allowing the prayer of said petition, defining and establishing the boundaries and designating the name of such proposed district, and also divide

such district into three or five divisions, as nearly equal in size as may be practicable; and one director, who shall be a freeholder and qualified elector in the division, shall be elected as a director, from such division, by the freeholders who are also qualified electors in the proposed district at large. etc. (Section 832, Wyoming Compiled Statutes)

#### Game and fish law.

Lawful Fishing Defined. A fishing tackle consisting of a rod or pole, line and hook, shall be the only lawful means by which fish may be taken from the waters of the state. This hook shall not be baited with any poisonous drug or substance, and it shall be unlawful for any person or persons to use any net, seince, gill nets, fish traps, grab hooks, spears, snare, or similar means for catching fish, and no speckled or mountain trout, California trout or any game fish shall be caught at any time during open season for speculative purposes, or for market, or for sale, and it shall be unlawful for any person to sell or offer for sale any speckled or mountain trout caught in the waters of this state, in the Lakes

and reservoirs of the Laramie Plains, provided, that any person or persons who are engaged in fish culture for commercial purposes, upon making satisfactory proof of the same, may sell, transport within and out of the state any fish that have been raised and caught from his or their private waters. And it is further provided that the citizens of this state shall be permitted to fish with seine or gill net with meshes not less than  $2\frac{1}{2}$  inches in any of the waters of the Big Horn river within the state, below the city of Thermopolis, and the North Platte river below Fort Steele, in Powder River from the crossing of the Douglas and Buffalo wagon road to the Wyoming line, and in Clear Creek from a point opposite Clearmont to its mouth, in this state; provided, that fish so lawfully caught shall not be shipped out of this state, or used as food for any kind of livestock, but persons having more fish than can be used for their own consumption may sell the same to residents of this state; and, further provided, that the superintendent of a fish hatchery district may, upon petition of fifty citizens of the county wherein is located any lake or

lakes which have been stocked with food fish, such as lake trout, white fish and carp, and upon the recommendation of the board of county commissioners of said county, permit citizens of this state to fish for said lake trout, whitefish, carp with a gill net with mesh not less than two and one-half inches, said net to be exhibited to said superintendent and by him approved; and it is further provided, that fish so lawfully taken shall not be shipped out of the state of Wyoming, but persons having more of said fish than can be used for their own consumption may sell the same to the residents of the State of Wyoming; and provided, further that said superintendent may at any time revoke said permission if in his judgment it is necessary in order to preserve the fish in Lakes.

Any person offending against this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty dollars nor more than fifty dollars, or shall be imprisoned for a period of not more than three months or by both. (Chapter 121, Section 30,

Session Laws Wyoming, 1913)

Resident Licenses. Any person who is a bona fide elector of this state or the child or legal ward of a bona fide elector of this state, over the age of fifteen years, or a sailor or a soldier who is a bona fide elector of the United States and has been stationed at a government post within this state for one year past, or a non-resident having property in the state on which he or she pays taxes to the amount of \$100.00 or over annually, or an officer employed in this state by the National Forest Service, upon making application to any qualified Justice of the Peace, Assistant Game Warden or Deputy Game Warden, and upon furnishing satisfactory proof that such person is a bona fide elector of this state, or the child or legal ward of a bona fide elector of this state, over the age of fifteen years, or a soldier or sailor who is a bona fide elector of the United States and has been stationed at a government post within this state for one year past, or a non-resident having property in this state on which he or she pays taxes to the amount of \$100.00 or over annually, or an

tioned at a government post within this state for one year past, or non-residents having property in this state on which they pay taxes to the amount of \$100.00 or over annually, but who shall be a citizen of the United States or a freeholder in this state, shall upon payment of five dollars to any Justice of the Peace, Assistant or Deputy Game Warden of this state, be entitled to receive from such officer gunner's license, which license shall permit such person to kill any of the game birds of this state during the current season, under the restrictions heretofore and hereinafter imposed. Any person who is not a bona fide elector of this state, or the child or legal ward of a bona fide elector of this state, or soldier or sailor who is a bona fide elector of the United States and has been stationed at a government post within this state for one year past, or non-residents having property on the state on which they pay taxes to the amount of \$100.00 or over annually, shall upon the payment of fifty dollars to any Justice of the Peace, Assistant or Deputy Game Warden, be entitled to receive from such officer a hunter's license,

officer employed in this state by the National Forest Service, and upon the payment of two dollars and fifty cents, shall be entitled to receive a hunter's license, which license shall permit such person to pursue, hunt and kill one female elk, one deer with horns and one male mountain sheep, and the other game animals and birds and to catch the fish of this state during the current season under the restrictions heretofore and hereinafter imposed; or upon the payment of one dollar to any Justice of the Peace, or Assistant or Deputy Game Warden, shall if over the age of fourteen years, be entitled to receive a license which shall entitle the holder thereof to kill any of the game birds of this state during the current season under the restrictions heretofore and hereinafter imposed.(Chapter 121, Section 36, Session Laws of Wyo. 1913)

Non-Resident Gunner's and Hunter's Licenses.

Any person who is not a bona fide elector of this state, or the child or legal ward of a bona fide elector of this state, or a soldier or sailor who is a bona fide elector of the United State, and has been sta-

which license shall permit such person to kill two elk, one deer horns and one male mountain sheep and the other game animals and game birds of the state, and catch the fish of the state, during the current season, under the restrictions heretofore and hereinafter imposed.(Chapter 121, Sec. 38, Session Laws of Wyo., 1913)

Alien License. Any alien shall, upon payment of five dollars, to any Justice of the Peace, Assistant or Deputy Game Warden of this state, be entitled to receive a gunner's license, which license shall permit the rightful holder thereof to hunt and kill the game birds of this state under the restrictions hereinbefore and hereinafter imposed. Each Hunter's, Gunner's license shall state the name, age, residence and occupation of the person holding the same.(Chapter 121, Section 11, Session Laws of Wyo., 1913)

Compensation for Justices of the Peace and Deputies.

The Justices of the Peace and Deputy Game Warden collecting and accounting for licenses and certificates provided for in this chapter, shall be allowed fees as follows:

Each resident special big game license..... \$ 1. 50  
 Each resident ordinary big game license ... 50  
 Each resident bird license ..... 25  
 Each Alien bird license ..... \$ 1. 00  
 Each non-resident gunner's license..... 50  
 Each non-resident big game license ..... \$ 2. 50  
 Each guide's certificate ..... \$ 1. 00  
 Each bear License..... \$ 1. 00  
 (Chapter 121, Sec. 16, Session Laws of Wyo., 1913)  
Non-residents must have Guides. It shall be unlawful for any person who is not a qualified elector of this state, or the child or legal ward of a bonafide elector of this state, over the age of fifteen years, to hunt, pursue or kill any of the game animals of this state, unless accompanied by a qualified guide. etc.(Chapter 121, Section 14, Session Laws of Wyo., 1913)

Bear Hunter's License. It shall be unlawful for any non-resident person to hunt, pursue, trap, or kill any bear in this state without having first procured a "Bear Hunter's License", which shall be issued to him as other licenses upon the payment of the sum

citizen of the United States or who has not declared his intentions to become such shall be employed upon or in connection with any state, county or municipal works or employment.(Constitution of Wyoming, Article XIX, Section 1)

#### Protection of labor.

Contracts for alien labor void. No contract made for services with any alien or foreigner previous to the time that such alien or foreigner may come into the state shall be enforced within this state for any period after six months from the date of such contract. (Section 3428, Wyoming Compiled Statutes)

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#### PROPERTY

Aliens' Rights. No distinction shall ever be made by law between resident aliens and citizens as to the possession, taxation, enjoyment and descent of property.(Article 1, Section 29, Constitution of Wyoming)

Manners of learning state lands. The state board of land commissioners, and also the state board of school land commissioners shall severally lease all

of Ten dollars.(Chapter 66, Sec. 23, Session Laws of Wyo., 1911)

#### WILLS.

Executors-Rights and bond of sole legatee. The testator may name in his will any person or persons as executor or executors to carry into effect his will, but such executor or executors shall be residents and citizens of the United States, and whenever it shall appear to the judge having jurisdiction that any executor or trustee named in any will is not a resident of the state, the judge shall require such executor or trustee to designate some resident of the state as agent or attorney, upon whom any order, notice or process issuing out of the courts of the state may be served, which service shall have the same force and effect as if served upon such person, non-resident executor or trustee in person, and if any non-resident executor or trustee fails to appoint such agent or attorney, the judge shall revoke his authority to act, etc.(Section 5300, Wyoming Compiled Statutes)

#### Labor on Public Works.

Who shall not be employed. No person not a

state and school lands belonging to the state in such manner, and to such parties as shall inure to the greatest benefit and secure the greatest revenue to the state. Preference shall in all cases be given to applications for leases of either state or school lands to persons who are resident citizens and tax payers of the state, and applications made by the citizens of the state who hold title to lands upon which they reside nearest to any state or school lands applied for, shall be given a preference right over all other applicants, to lease the same at such rental as the board shall deem equitable and just, and such preference to resident title holders shall extend to an area of lands equal to twice the area of lands to which such resident citizen holds title, not however, to exceed six hundred and forty acres of school or educational institutions' lands, or a total of two thousand five hundred and sixty acres of state and school lands. etc.(Section 615, Wyoming Compiled Statutes)

#### Sale of state lands.

Sale. The board may at any time direct the sale of state lands. \*\*\*\*\*The board shall sell

such subdivisions as it shall deem for the best interest of the state; PROVIDED, In case of actual and bona fide settlers at the time of adoption of the constitution of the State of Wyoming, that any actual and bona fide settler may make application to the board, accompanied by a map showing the exact situation and extent of said portion of legal subdivision so improved, and the improvements thereon made, and the board shall appraise said portion of the legal subdivisions, and sell the same to said settler at not less than the appraised value. (Section 627, Wyoming Compiled Statutes)

Preference given to actual settlers. Actual and bona fide settlers who have improved state lands, and were, at the time of the adoption of the constitution of the state of Wyoming, actual settlers thereon, shall have preference right to purchase the land whereon such settlement has been made, not exceeding one hundred and sixty acres, for a sum not less than the appraised valuation thereof. In making appraisalment thereof, the valuation of improvements thereon shall not be taken in consideration. (Section

628, Wyoming Compiled Statutes)

How sold. All state lands shall be disposed of only at public auction to the highest responsible bidder, after having been duly appraised by the board, except as provided in the last two preceeding sections, and shall be sold at not less than three-fourths of the appraised value thereof, and for not less than ten dollars per acre. (Section 629, Wyoming Compiled Statutes)

#### Carey Act Lands.

Who may make application. Any citizens of the United States or any person having declared his intention of becoming a citizen of the United States, over the age of twenty-one years, may make application, under oath, to the board, to enter any of said land in an amount not to exceed one hundred and sixty (160) acres for any one person, and such application shall set forth that the person desiring to make such entry does so for the purpose of actual reclamation, cultivation and settlement in accordance with the act of Congress and the laws of this state relating thereto, and that the applicant has never re-

ceived the benefit of the provision of this act to an amount greater than one hundred and sixty (160) acres, including the number of acres specified in the application under consideration. Such application must be accompanied by an original signed copy or a certified copy of a contract for a water right, made and entered into by the party making the application with the person, company or association who have been authorized by the board to furnish water for the reclamation of said lands; and if said applicant has at any previous time entered lands under the provisions of this chapter, he shall so state in his application, together with description, date of entry and location of said land. The board shall thereupon file in its office the application and papers relating thereto, and, if allowed, issue a certificate of location to the applicant. All applications for entry shall be accompanied by a payment of twenty-five cents per acre, which shall be paid as a partial payment on the land if the application is allowed; and all certificates when issued shall be recorded in a book to be kept for that purpose. If the application is not al-

lowed, the twenty-five cents per acre accompanying it shall be returned to the applicant; Provided, That where the construction company fails to furnish water to any settler under the provisions of the contract with the state, the state shall refund to such settler, all payments that he shall have made to the state. The board shall dispose of all lands accepted by the state under the provisions of this act at a uniform price of fifty cents per acre, half to be paid at the time of entry, and the remainder at the time of making final proof by the settler; and, Provided, further, That whenever any citizen of the United States, or any person having declared his intention of becoming a citizen of the United States, shall make application as provided in this section to enter any of said land in an amount not exceeding one hundred and sixty (160) acres, and shall further prove to the satisfaction of the board that he or she is the father or mother of eight living children, it shall be the duty of the board to permit the application for entry by him or her without charge and to issue a certificate of location to such applicant without charge, and to dispose

of such lands so said applicant upon final proof being made. (Section 677, Wyoming Compiled Statutes)

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## EDUCATION.

No discrimination between pupils. In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color. (Constitution of Wyoming, Article VII, Section 10)

THE UNIVERSITY.—Tuition free. The university shall be equally open to students of both sexes, irrespective of race or color; and, in order that the instruction furnished may be as nearly free as possible, any amount in addition to the income from its grants of lands and other sources above mentioned, necessary to its support and maintenance in a condition of full efficiency shall be raised by taxation or otherwise, under the provision of the legislature. (Constitution of Wyoming, Article VII, Sec. 16)

Separate School for colored children. When there are fifteen or more colored children within any school

district, the board of directors thereof, with the approval of the county superintendent of schools, may provide a separate school for the instruction of such colored children. (Section 1954, Wyoming Compiled Statutes)

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## INTERMARRIAGE.

Intermarriage of Races Prohibited. All marriages of white persons with Negroes, Mulattoes, Mongolians or Malays hereafter contracted in the State of Wyoming are and shall be illegal and void. (Chapter 57, Section I, Session Laws of Wyoming, 1913.)

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## FOREIGN CORPORATIONS.

File Certificate or Charter. Every incorporated company incorporated under the laws of any foreign state or kingdom or of any state or territory of the United States beyond the limits of this state (Excepting insurance companies), and now or hereafter doing business within this state, shall within thirty days after commencing so to do business, file in the office

of secretary of state and also file in the office of the register of deeds of the particular county within which it maintains its principal office and place of business, a copy of its charter of incorporation; or in case such company is incorporated by a certificate under any general incorporation law, it shall file in the office of the secretary of state, and in the office of the register of deeds of the particular county within which it maintains its principal office and place of business, a copy of such certificate and of such general incorporation law duly certified and authenticated by the proper authority of such foreign state, kingdom or territory. (Section 4249, Wyoming Compiled Statutes)

## BUILDING AND LOAN ASSOCIATIONS—FOREIGN.

Admission. Every building and loan association, savings, association, investment society, investment company or association selling shares of stock, contracts or agreements payable on the installment plan, incorporated under the laws of other states, territories or countries, may be admitted to do business in this state only upon proper application made and filed

with the state auditor. (Section 4095, Wyoming Compiled Statutes)

Examination—Fee—License Every building and loan association, savings association, investment society, investment company or association selling shares of stock, contracts or agreements payable on the installment plan incorporated under the laws of other states, territories or countries, and applying to be admitted to the state of Wyoming, shall be admitted in the manner and form now prescribed by law; Provided, however, That no such association shall be admitted save and except upon written recommendation and statement by the state examiner to the effect that such association is solvent and conducting its affairs compatible with prudent business principles filed with the state auditor authorizing him to issue a certificate of admission to any such association upon the payment to him as ex officio insurance commissioner of the sum of fifty dollars, which shall be covered into the state treasury in the same manner and form as other fees received by such officer. (Section 4096, Wyoming Compiled Statutes)

# INSURANCE COMPANIES.

Condition upon which foreign companies may do business. It shall not be lawful for any insurance company, association or partnership, organized or associated for any of the purposes specified in this chapter, incorporated by or organized under the laws of any other state of the United States, or any foreign government, directly or indirectly, to take risks or transact any business of insurance in this state, unless possessed of three hundred thousand dollars of actual paid up capital, exclusive of any assets of any such company as shall be deposited in any other states or territories or foreign countries, for the special benefit or security of the insured therein; and any such company desiring to transact any such business, as aforesaid, by any agent or agents in this state, shall appoint one attorney in each county in which agencies are established, resident of the county, and shall file with the insurance commissioner a written instrument, duly signed and sealed, authorizing such attorney of such company to acknowledge service of process, for and in behalf of such company in this

state, consenting that service of process, mesne or final, upon such attorney, shall be taken and held as valid as if served upon the company, to the laws of this state or any other territory or state, and waiving all claims of right or error by reason of such acknowledgment or service, and also a certified copy of their charter or deed or settlement, together with a statement, under the oath of the president or vice-president, or other chief officer, and the secretary of the company for which they may act, stating the name of the company and the place where located, the amount of its capital, with a detailed statement of the facts and items as required from companies organized under the laws of this state; such statement shall also show to the full satisfaction of the insurance commissioner that said company, if organized without the United States of America, has deposited in some one of the United States, or territories, a sum not less than one hundred thousand dollars for the special benefit or security of the insured therein, and shall file also a copy of the last annual report, if any, made under any law of the state, territory of foreign coun-

try by which such company was incorporated, and no agent shall be allowed to transact business for any company whose capital is impaired by liabilities, as stated in Section 4120, to the extent of twenty per cent. thereof while such deficiency shall continue. (Section 4122, Wyoming Compiled Statutes)

