

There is no ill feeling against Japanese now, but the relations between Canadians and Japanese are very cordial and it is true that among them the feeling of brotherly affection is increasing day after day. Public sentiment at the time when a Resolution was passed in the Legislature of British Columbia, prohibiting the employment of Japanese labour on special timber Licenses, is a matter of history.

Taking advantage of the good turn in the public sentiment, will you not use your influences upon the Legislature to abolish the said Resolutions? I will

transmit your answer to my Government by telegram and I can assure you with highest authority that such a friendly act on the part of your Government and Legislature will surely be appreciated by the Government and people of Japan as a sincere taken of your recognition and consideration for the Allied Nation in the Far East.

Presented by
Consul of Japan.

註 本覚書ハ阿部領事ヨリ十一月十七日附機密公第五号ノ別紙ヲミテ送附越セリ

事項一三 「オーストラリア」ニ於ケル本邦移民排斥問題

三〇八 五月四日 在シドニー清水総領事ヨリ
加藤外務大臣宛

一九一三年中ニ於ケル濠洲移民法ノ成績ニ関

シ報告ノ件

附屬書 連邦政府ヨリ議會ニ提出セル報告書ノ要領

公第五〇号 (六月九日接受)

大正三年五月四日

在シドニー

総領事 清水精三郎 (印)

外務大臣男爵 加藤高明殿

千九百十三年中ニ於ケル濠洲移民法ノ成績ニ関シ今般聯邦政府ヨリ議會ニ提出シタル報告書ノ要領別紙ノ通及報告候条御参考迄御査閱相成候様致度此段申進候 敬具

(附屬書)

第一、千九百十三年中ニ於ケル外国人入国数

千九百十三年中ニ於ケル濠洲入国者ノ総数ハ十四万〇二百

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇八

五十一人ニシテ前年ノ十六万三千九百人ナリシニ比シ二万三千七百三十九人ヲ減少セリ此減少ハ英國ヨリノ新渡航者ノ減少ニ因ル即チ本年中 (本年中トハ千九百十三年ノ意ナリ以下同シ)伊太利人、仏国人、露国人等ノ如キハ其入国者数前年ニ比シ多少宛ノ増加アリシニ拘ハラス全入国数ノ大部分ヲ占ムル英國人数年前ノ十四万六千六百〇二人ナリシニ比シ本年ハ十二万二千四百四十三人ニシテ其差二万四千五百五十九人ヲ減少シタリ此減少ハ年度半ハニシテ既ニ予見セラレタル所ニシテ倫敦ニ駐在セル High Commissionerノ報告スル所ニ拠レハ右ハ全ク英國ニ於ケル労働市場ノ好況ヲ繼續シタルニ職由スルモノナリト云フ然ルニ本年モ英國人カ全入国数ノ大部分ヲ占ムルコトハ例年ノ如クニシテ其八割七分ニ達スト雖モ此率モ亦前年ノ八割九分余ナリシニ比シ幾分減少セリ即チ濠洲人ノ最モ歡迎スル所タル英國移民ハ其実数ニ於テモ亦其率ニ於テモ減少ノ傾向ヲ呈シ仮令之レヲ以テ聯邦及各州政府ノ移民吸收策ノ失敗ト

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇八

看做スノ尙早計タルヲ免レストスルモ少クトモ其移民政策ノ好成绩ヲ収ムル能ハサリシ事実ヲ認ムルニ足ル是レ近來聯邦及各州政府並ニ High Commissioner ノ施設ニ對シ世上兎角ノ批議アル所以ナリ英吉利人以外ノ入国者ハ英吉利人ニ比シ何レモ遙ニ少数ニシテ其最多キ独逸人ニテモ三千百五十五人ニ過キス其他千人以上ノ入国者アリタルハ伊仏露「スカンデナビヤ」及北米人等ニシテ是等ハ何レモ漸ヲ逐フテ増加スルニ至ルヘシ蓋シ英吉利人ノ移住ヲ今後希望通リニ増加スルコト能ハストセハ寧ロ此際大ニ歐洲大陸移民ノ渡來ヲ奨励スヘシトノ議論ハ近時次第ニ勢力ヲ得來リシ、アレハナリ今左ニ千九百十三年中ニ於ケル各人ノ入国数ヲ表示セン(×印ハ前年ニ比シ減少セルモノヲ示ス)

一、歐羅巴人

英吉利人	×	一二、四四三人	獨逸人	×	三、一五五人
伊太利人	×	一、九六三	仏蘭西人	×	一、四九一
露西亞人	×	一、三三四	一スカンデナビヤ人	×	一、二八五
奧地利人	×	七九四	希臘人	×	四八〇
丁抹人	×	四四四	和蘭人	×	二八八
瑞西人	×	二〇二	マルタ人	×	一九三
西班牙人	×	一一六	白耳義人	×	六三
葡萄牙人	×	二五	ルーマニヤ人	×	九

第二、有色人種出入数

千九百十三年中亜細亞人其他有色人種ノ出入数ヲ国別ニ比較表示スレハ左ノ如シ

国別	入国数	退去数	差引増減(×印ハ減)
支那人	二、二八六	二、六九八	× 四一二
日本人	八二二	五三四	二八八
馬來人	三〇三	二七三	三〇
印度人	一八七	二一四	二七
シリヤ人	三一	一五	一六
アラビヤ人	一四	二六	一二
比律賓人	一二	二九	× 一七
錫蘭人	八	一七	八
アフガン人	七	一七	× 一〇
爪哇人	三	一四三	二八
パプア人	一七一	八二	六〇
チモア人	一四二	一一一	六
太平洋諸島人	一〇五	×	四一
マオリ人	四一	×	二七
亞米利加土人	七	三四	× 二七
西印度人	一	七四	× 八
其他	八二	×	二八
計	四、二二二	四、二五〇	× 二八

前表ニ拠テ見ルニ入国者ノ最多カリシ支那人ハ退去数モ亦最多クシテ結局四百余人ヲ減少シ而モ其入国者ノ殆ト

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇八

波蘭人 × 七人
ブルガリヤ人 × 四
其他 × 一
小計 × 三三、三〇二

二、亞米利加人

北米人 一、七三三人
亞米利加土人 × 七
西印度人 × 一
小計 一、七三五

三、亜細亞人及其他ノ有色人種

支那人 二、二八六
馬來人 × 三〇三
シリヤ人 × 三一
比律賓人 × 一二
アフガン人 × 七
パプア人 × 一七一
太平洋諸島人 × 一〇五
其他 八二
小計 四、二二四

合計十四万〇二百五十二人

前表入国者数ハ聯邦移民法ニ拠ル書取試験ヲ経ルコトナク入国シタルモノ、数ニシテ本年ニ書取試験ニ合格入国ヲ許可セラレタルモノナシ尙前表入国者ノ外聯邦契約移民法ニ拠リ契約移民トシテ入国ヲ許可セラレタルモノ英國人二十七人獨逸人一人計二十八人アリ

全部即チ二千八百八十七人マテハ永住権ヲ有スル一時帰国者ノ再渡航ニ係ルモノナリ其他ノ諸國人ニ至リテハ出入共ニ極メテ少数ニ過キス只日本人ハ前年ハ入国数六百九十八人退去数五百八十六人ニシテ百十二人ヲ増加セシカ本年モ入国数ノ八百二十二ニ對シ退去数五百三十四人ニシテ二百八十八人ヲ増加シ有色人種中増加ノ最多ナルモノナリキ之ヲ有色人種ノ全体ニ付テ見レハ本年ノ入国数ハ合計四千二百二十二退去数ハ合計四千二百五十人ニシテ差引二十八人ヲ減シタリ(前年中ノ入国数ハ四千〇七十八人退去数ハ四千三百四十三人ニシテ差引二百六十五人ヲ減シタリ)サレハ其国内ニ於ケル自然増加ハ之ヲ別トシテ有色人種ノ国外ヨリノ流入ヲ防遏セントスル濠洲移民法ノ目的ハ常ニ完全ニ貫徹セラレシ、アルヲ見ル

第三、日本人入国者類別

前掲本年日本人ノ入国数八百二十二名ヲ類別スレハ左ノ如シ

永住権者……………八〇人
免許証書所持者(移民法第三条(h))……………六四人
外国政府ノ派遣ニ係ル官吏(同第三条(i))……………二人

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇九

旅行券携帯者.....二三人

特別許可.....一人

真珠貝採集業者.....六四七人

脱 船 者.....五人

計 八百二十二

尚日本人ノ出發地別入国数ヲ見ルニ海峽殖民地ノ四百五十
二人ヲ最トシ日本ノ二百四十七人支那(主トシテ香港ナル
ヘシ)ノ八十七人之ニ次ク海峽殖民地及支那ヨリノ渡来者
多キハ木曜島及西濠洲各地ニ於テ真珠業ニ従事スルモノハ
多クハ新嘉坡又ハ香港ニ於テ雇主ノ代理人ト契約ヲ取極メ
タル上各就業地ニ移入セラル、ヲ常トスルヲ以テナリ

第四、入国拒絶数及拒絶ノ理由

千九百十三年中ニ於ケル外国人ノ入国拒絶数ハ合計百〇九
人ニシテ其国別及拒絶ノ理由左ノ如シ

国 別	書取試験 不合格	狂者及心 神耗弱者	肺結核ト ノ負担ニ ラホーム 掃スト認 病者 メラレタ ル者	公共団体 ノ脱船者	計
英吉利人	一	九	一七	九	三五
仏蘭西人					一一
独逸人					

三九四

伊太利人	一
露西亞人	二
希臘人	一
匈牙利人	一
アルメニ ヤ人	三
北米人	一
支那人	三〇
日本人	一
印度人	三八
計	九二

三〇九

五月四日

在シドニー清水総領事ヨリ
加藤外務大臣宛

「クインスランド」州ニ於テ糖業ニ従事スル

有色人種排斥ニ関スル件

附屬書一

- 大正二年八月五日附在「シドニー」日本領事
ヨリ「クインスランド」州首相宛往電写
- 二 大正二年八月九日附「ク」州首相ヨリ在「シ
ドニー」日本領事宛返電写
- 三 大正二年八月十一日附在「シドニー」日本總
領事代理ヨリ「ク」州首相宛往簡写
- 四 大正二年十月二日附在「シドニー」日本總領
事代理ヨリ「ク」州首相宛往簡写
- 五 大正二年十月十一日附「ク」州首相ヨリ在

「シドニー」日本總領事宛返簡写

六 大正二年十月十七日附在「シドニー」日本總
領事代理ヨリ「ク」州首相宛往電写

七 大正二年十月十八日附「ク」州首相ヨリ在
「シドニー」日本總領事代理宛來簡写

八 大正二年十月十六日附「ク」州官報ニ掲載セ
ラレタル同州砂糖栽培法施行規則

九 「ク」州砂糖栽培法施行規則ニ対スル大正二
年十一月二十七日附追加規則等

一〇 大正二年十月二十日附在「シドニー」日本總
領事代理ヨリ「ク」州首相宛往電写

一一 大正二年十月二十二日附「ク」州首相ヨリ在
「シドニー」日本總領事宛來電写

一二 大正二年十月二十七日附在「シドニー」日本
總領事代理ヨリ「ク」州首相宛往簡写

一三 大正二年十一月十日附「ク」州首相ヨリ在
「シドニー」日本總領事宛來簡写

一四 大正二年十一月十七日附在「シドニー」日本
總領事代理ヨリ「ク」州首相宛往簡写

一五 大正二年十二月三日附「ク」州首相ヨリ在
「シドニー」日本總領事宛來簡写

一六 大正二年十二月八日附在「シドニー」日本總
領事代理ヨリ「ク」州首相宛往簡写

一七 大正二年十二月二十三日附「ク」州首相代理

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇九

ヨリ在「シドニー」日本總領事宛來簡写

一八 二月二十五日附在「シドニー」日本總領事ヨ
リ「ク」州首相宛往簡写

一九 三月十三日附「ク」州首相代理ヨリ在「シド
ニー」日本總領事宛來簡写

二〇 四月十六日附在「シドニー」日本總領事及
「ク」州首相代理間會見書

二一 四月二十日附「ク」州首相代理ヨリ在「シド
ニー」日本總領事宛來簡写

二二 四月二十三日附在「シドニー」日本總領事ヨ
リ「ク」州首相代理宛往電写

二三 四月三十日附在「シドニー」日本總領事ヨリ
「ク」州首相代理宛往電写

二四 四月三十日附「ク」州首相代理ヨリ在「シド
ニー」日本總領事宛返電写

二五 四月二十八日附「ク」州首相代理ヨリ在「シ
ドニー」日本總領事宛來簡写

二六 五月一日附在「シドニー」日本總領事ヨリ
「ク」州首相代理宛往簡写

公第五一号

(六月九日接受)

大正三年五月四日

在「シドニー」

總領事 清水 精三郎(印)

外務大臣男爵 加藤高明殿

「クインズランド」州ニ於テ有色人種排斥ノ目的ヲ以テ Sugar Cultivation Act. 1913 ヲ制定実施スルコト、ナリタルニ付テハ従前ヨリ同州ニ於テ甘蔗耕作又ハ製糖業ニ従事シ来リタル本邦人ノ既得地位保護ノ為メ「ク」州政府ト交渉中ナル趣ハ曩ニ矢田部総領事代理ヨリ及報告置候通りニ有之（大正二年八月二十九日付公第七三号及本信附属写第一号乃至第三号）其後本法施行細則ノ規定ニ拠リ本法ノ適用ヨリ本邦人ヲ除外セシムヘキ件ニ付テハ之ヲ地方ノニ解決スヘキ旨本省ヨリ御電訓ノ次第モ有之（大正二年十月十八日往電第十三号同二十一日貴電第七号同二十四日往電第十四号同二十六日貴電第八号）候ニ付引続キ尽力中ニ有之候処元々本件ハ其表面ノ規定如何ニ係ハラス全ク有色人種ヲ糖業ヨリ驅逐スルノ目的ヲ以テ制定セラレタルモノナルコト曩ニモ申進候通ニ有之カ実行ノ手ヲ緩ムルカ如キハ当国一般ノ政情ヨリシテ当局者ノ最モ難シスル所ナルヲ以テ荏苒今日ニ至ルマテ尚ホ満足ナル解決ヲ見ルニ至ラサルハ遺憾至極ノ儀ニ有之尤モ「ク」州政府及聯邦政府ニ対シテハ機宜ニ応シ急ラス最善ト思考スル各種ノ手段ヲ講シ

居リ候得共結局我主張ノ全部ヲ貫徹スルコトハ事情甚タ困難ノ儀ナルヤニ思考セラレ候

Sugar Cultivation Act. 1913 （客年八月二十九日付公第七三号附属）第七条ニ基ク細則ハ客年十月十六日ニ至リテ漸ク発布セラレ候処（附属写第四号乃至第九号）該細則ニ拠レハ其第三条第一号乃至第六号ニ於テ白色人種タル欧米人並ニ「ク」州ト条約關係ヲ有スル伊、露及「コロンビヤ」ノ三ヶ国人ヲ本法ノ適用ヨリ除外シタルノ結果本法ハ事實上有色人種ニ対シテノミ施行セラル、モノトナリ只其第七号ニ於テ（a）英国トノ間ニ最惠国約款アル条約ヲ有スル国ノ人民（b）永ク濠洲又ハ「ク」州ニ居住セル者（c）「ク」州ニ居住シ且ツ適法ニ結婚シ又ハ家族ヲ有スル者若クハ（d）其他農務大臣ニ於テ満足スヘキ事情ヲ有スルモノノ四者ノ何レカナルカ為メニ農務大臣ヨリ免除証書ノ交付ヲ受ケタルモノヲモ本法ノ適用ヨリ除外スルコトナシ而シテ右第七号ニ該当スルモノハ細則ノ規定ニ準拠シテ願書ヲ提出シ其筋ヨリ免除証書ノ交付ヲ受クルヲ要ストセリ然ルニ本邦人ノ現ニ「ク」州ニ於テ糖業ニ従事スルモノノ本法ノ適用ヨリ除外セラレ其從來ノ地位ヲ維持スヘキ法規上ノ根拠ハ只右

ノ如キ窮屈ナル第七号ノ規定アルノミニシテ客年十月二十四日往電第十四号ニテ申進シタル通り之ヲ前六号ノ全然無制限ナルニ比シ有色人種ニ対シテ明カニ殊別の待遇ヲ為スモノニシテ此規定ハ実ニ「ク」州政府カ其手心ヲ以テ本邦人其他ノ有色人種ヲ驅逐スルノ手段トシテ編ミ出シタルモノニ外ナラスト思考セラレタルヲ以テ「ク」州政府ニ対シテ本法カ何等殊別の待遇ノ規定ヲ設ケサリシニ係ラス細則ニ於テ斯ノ如キ規定ヲ設ケタルノ甚タ遺憾ナル次第ヲ指摘スルト同時ニ關係本邦人ニ対スル当面ノ救済手段トシテ前記第七号ノ規定ニ拠リ現在糖業ニ關係セル本邦人全部ヲ除外セシムルノ急務且ツ捷徑ナルヲ察シ種々交渉ノ結果本邦人ニシテ十年以上「ク」州ニ居住スル者ハ同号（b）ニ該当スル永年居住者ト認ムルコト、相成（附属写第十号乃至第十七号）而シテ同州ニ於ケル本邦人ノ糖業ニ關係セルモノハ多クハ聯邦移民制限法実施以前即チ十数年前ノ入国ニ係ル者ナルカ故ニ右（b）ノ適用ニ依テ事実上本邦人ノ殆ント全部カ本法ノ適用ヨリ除外セラル、ヲ得ルニ至ルコト、信シタリ依テ其次第ト共ニ免除証書請求ノ手續期日等詳細關係本邦人ニ通報シ且ツ成ルヘク雇主等ノ助力ヲ得テ至急必要ノ

手續ヲ踐ムヘキ様告知致置キ暫ク右請求ニ対スル「ク」州政府ノ処置振監視致居候然ルニ關係本邦人ハ当館ノ通報ニ基キ出願期日タル十二月三十一日迄ニ全部其手續ヲ了シタルニ拘ラス同州政府ハ久シク免除証書ノ交付ヲ遷延シ本年二月ニ至リテ一部分ノ交付ヲ了シタルノ外各地方ニ於テ請求ノ拒絶セラル、モノ少カラサルノ情報アリ依テ本官ハ取調ノ上二月二十五日「ク」州政府ニ対シ右拒絶ノ理由ヲ質シタルニ三月十三日ニ至リ農務大臣ハ昨千九百十三年中ニ甘蔗耕作ニ従事シタルニアラサルモノニハ免除証書ヲ下付セサル内規ナル旨及昨年右耕作ニ従事セサリシ理由カ糖業不振ニ基クモノナル場合ニ関シテハ農務大臣ハ尚充分ナル考量ヲ与フヘキ旨回答致越候（附属写第十八号及第十九号）依テ右内規ノ為メニ不利ノ影響ヲ受クヘキ本邦人ノ員数調査中「ク」州首相代理「バーンス」氏ハ「メルボルン」市ニ開ケル首相會議ノ為メ同市ニ出張ノ由ニ有之候処其内 Colonial Sugar Refining Co. ノ製糖所ニ労働セル本邦人ニシテ多年來引続キ従業セル者ニ対シテモ亦免除証書ノ発給ヲ拒絶セルモノアル趣報告ニ接シタルヲ以テ一面雇主タル Colonial Sugar Refining Co. ノ当地本社当事者ニ面

議シテ本件ニ関スル政府当局トノ交渉結着スル迄成ルヘク本邦人ノ解雇方ヲ見合ハスル様依頼スルト共ニ「ク」州首相代理「バーンス」氏カ各州首相會議ヲ了シ帰州ノ途次当市ニ来着スルヲ待チ四月十六日同氏ニ面会シテ矢田部總領事代理ト同州政府トノ間本件ニ関スル交渉ノ次第ヨリ適法平穩ニ「ク」州ニ居住セル本邦人多年來ノ生業ヲ奪フノ甚タ不当ナル次第並ニ仮令現在本邦人ノ全部ニ免除証書ヲ交付スルモ其数ハ決シテ顯著ナルモノニアラサルノミナラス其数ハ漸次減少スルノ一方ナルコト等ヲ反覆縷述シテ其考量ヲ求メ且拒絶ノ实例ヲ挙げテ其説明ヲ求メタルニ同氏ハ充分ニ本官希望ノ存スル所ヲ諒トシ從來本件ニ関スル「ク」州政府ノ声明ハ之ヲ守ルヘク且ツ本邦人ノ免除証書請求拒絶ノ理由等ニ就テハ帰任ノ上委細取調ヘ回答スヘシトノコトニ有之(附屬第二十号)越ヘテ同月二十二日接受セル同氏來翰ニ於テハ本邦人ニ對シ細則第三条第七号(b)ノ適用方ニ付テ三月十三日付來翰(附屬写第一九号)ノ趣意ヲ反覆セルノミ(附屬写第二十一号)且ツ某製糖会社ニ對シ製糖所内ニ労働セルモノハ免除証書給与ノ限リニアラスト明言セル由ニ有之右ニ依レハ製糖所ノ労働ニ従事セルモノハ

ルヲ認メ明五日出発往復約一週間ノ見込ヲ以テ本官自ラ「ブリスベン」ニ出張スルコトニ決定シタル次第ニ有之候元來本法ハ曩ニ労働党カ聯邦ノ政權ヲ執リシ當時聯邦及「ク」州当局者間ニ打合せノ上聯邦ノ糖業奨励金制度(本制度ハ「ク」州ニ於テ糖業ニ従事スル有色人種排斥ノ目的ヲ以テ白人ノ生産ニ係ル甘蔗ニ對シ奨励金ヲ交付スルモノナリ)ヲ撤廃スルト引代ヘニ制定セラレ之ニ依テ全然有色人種ヲ本業ヨリ驅逐センコトヲ企テタルモノナル処本法ニ拠ル前記細則ノ發布セラル、ヤ當時開会中ナリシ聯邦議會及「ク」州議會ニ於テ労働黨議員ヨリ右細則ノ規定ニ拠レハ現在ノ有色人種ハ殆ント全部引続キ糖業ニ従事シ得ルコト、ナリ兩政府協議ノ上「ク」州議會ニ於テ制定セラル、ニ至リタル排斥法ハ何等其實効ヲ見サルコト、ナルヘシトノ攻撃の質問ノ発セラレタルアリ從テ「ク」州政府ハ本法及細則ノ実施ニ依リテ此際相当有色人種ノ従業者数ヲ減少シ以テ次期議會ニ報告スル所ナカルヘカラサル羽目ニ陥リ且ツ聯邦ノ政權ハ其後自由黨ノ占ムル所トナリタリト雖トモ所謂白濠洲主義実行ノ一端タル本法ノ実施ニ関シテハ之レ亦「ク」州政府ヲ援助セサルヘカラサル立場ニアリ斯克

數年来引続キ就業セルモノト雖トモ免除証書ヲ得難キコト、ナリ從テ本邦人中多數ノ失職者ヲ生スヘク最初ノ希望ヲ距ルコト甚タ遠キノ結果ニ陥リ候抑モ農務大臣カ其内規ヲ以テ本法及細則ノ規定セサル制限ヲ設クルノ当否ハ姑ク之ヲ措キ千九百十三年中ニ糖業ニ關係セザリシモノハ本法制定前ニ他ニ転業シ若シクハ其制定後速ニ新ナル生計ノ道ヲ得タルモノト看做スヲ得ヘク從テ之ニ對スル免除証書ノ拒絕ハ強チ其糊口ノ途ヲ奪フモノニアラスト云フノ稍、理由ナキニアラサレトモ等シク千九百十三年中ニ従業シタルモノニシテ耕地労働者ト製糖所労働者トノ間ニ不公平ナル區別ヲナスノ理由ニ至リテハ殆ント了解ニ苦ム所ニ有之而カモ「ク」州政府カ頑強ニ其当初ノ目的ヲ貫カントシテ極メテ穩和ナル我要求ニモ耳ヲ假サバラントスル態度ノ斯ノ如ク明白トナリタル今日(附屬第二十二号乃至第二十五号)此上尙書面又ハ電信ヲ以テ往復スルノ徒ニ日子ヲ費スノミニシテ到底同州政府ヲシテ反省セシムルノ効ナキコト明カナレハ一面本件在来ノ行懸リヲ詳細聯邦政府ニ通報シテ本邦人現在ノ地位保護ノ為メ相當ノ尽力ヲ求ムルト共ニ(附屬写第二十六号)親シク「ク」州当局者ト面識スルノ必要ナ

ノ如キ事情ノ下ニ「ク」州政府カ本邦人ノ提出ニ係ル免除証書ノ請求ヲ審査シツ、アル折柄「ク」州撰出ノ聯邦下院議員ニシテ労働黨首領タル「フイツシャー」氏(前労働黨内閣總理大臣)ハ十二月三十一日聯邦議會閉会后「ク」州ニ帰郷シ同州当局者ニ對シ極力運動スル所アリタルモノ、如ク其結果同州当局者ノ免除証書下付ニ對スル手心益々嚴重ナルニ至リシモノト推察セラレ候然ルニ本件ノ解決ヲシテ益々困難ナラシムルモノハ独リ右ノ如キ政治上ノ事情ノミニ止マラスシテ雇主ノ態度モ亦至大ノ關係ヲ有スルモノ有之候「ク」州ニ於テ糖業ニ關係セル本邦人ハ極メテ少數ノ独立甘蔗耕作業者ヲ除クノ外大部分ハ他人ニ雇傭セラレテ甘蔗耕地又ハ製糖所(Sugar mill)ノ労働ニ従事セルモノナル処当国ニハ法律ヲ以テ組織セラル、Wages Boardニ於テ労働者ノ最低賃金ヲ規定セルモノアリ從テ有色人種ヲ使用スルコトハ白人労働者ニ比シ宿舍ノ設備稍廉ナル等ノ外雇主ニ取リテ特ニ顯著ナル利益トスヘキモノナク又彼等ハ猥リニ白人ノ同盟罷業ニ加ハラサルカ如キコト之アルヘシト雖トモ之レ迎モ其数ノ甚タ少數ナル今日ニアリテハ取立テ、云フヘキ程ノ利益トモ看做サレス且ツ十數年以

前白人カ本業ノ労働者トシテ成効シ得ヘキヤ否ヤノ尚疑問タリシ時代ト異ナリ今日ニテハ纔ニ残留スル有色人種ヲ全然本業ヨリ駆逐シ去ルモ雇主ニ於テハ殆ント何等ノ困難ヲモ感スルコトナキ状態ナルヲ以テ自然現今雇主等ノ有色人種ニ対スル態度ハ極メテ冷淡ナルヲ免レス換言スレハ雇主ノ今回ノ問題ニ対スル同情ノ極度ハ僅ニ多年瑕瑾ナク勤続シ来レルモノヲ其罪ニアラスシテ突如業ヲ奪フニ忍ヒスト云フニ止マリ之レトテモ決シテ本法ノ制定実施ニ対シ何等反抗ヲ試ムルカ如キ程度ノモノニアラサルコト勿論ナリ去レハ先般「ハムブルドン」及「アムンバ」地方ノ甘蔗耕作者組合會議ニ於テハ「組合員ハ近年白人ヲ使用シ来リタル耕区ニ於テハ将来モ白人ノミヲ使用スヘキコト」ヲ決議シ又「ケーンス」地方ニ於ケル糖業組合ニ於テハ「本法ニ拠リテ書取試験免除証書ヲ所持スル者ハ千九百十三年一月一日以前ニ有色人種ニ依リ耕作セラレタル耕区以外ニハ之ヲ使用スルコトナカルヘキ旨」ヲ決議シタル程ニシテ濠洲ニ於テ最モ有力ノ労働組合タル Australian Workers' Union 陰ニ其背後ニ在テ運動シシ、アルモノ、如ク察セラレ候事情右ノ如クナルヲ以テ此際本邦人カ本問題解決ノタメニ雇

主等ノ助力ヲ得ルカ如キハ到底之ヲ期待スヘカラス Colonial Sugar Refining Co. カ免除証書ノ交付ヲ拒絶セラレタル本邦人ヲ今日ニ至ルマテ尚解雇セサルハ全ク本官ノ依頼ニ対シテ好意ヲ表シタルニ外ナラス一般ニハ彼ノ木曜島又ハ西濠洲ノ真珠貝採取業ニ於ケルトハ情況ノ全然相異ナレルモノアルヲ認メ候

之ヲ要スルニ政府ノ事情彼レノ如クニシテ雇主側ノ態度亦此ノ如クナレハ本件本邦人ノ現地位維持ノ問題ハ之カ満足ナル解決ヲ見ルコト極メテ困難ナリト云ハサルヘカラス然レトモ曩ニ「ク」州政府ハ当館ノ交渉ニ対シ本邦人ノ「ク」州ニ於テ糖業ニ従事セルモノハ概シテ細則第三条第七号(b)及(c)ニ該当シ之ニ依テ免許証書ノ交付ヲ受ケ得ヘキ旨ヲ声明シ其後「ク」州首相代理「バーンス」氏ハ本官トノ会見ニ際シ右「ク」州政府ノ声明ハ之ヲ守ルヘキ旨ノ然諾ヲ与ヘタルアリ依テ一方前述ノ如ク聯邦政府ノ考量ヲ求ムルト共ニ尚「ク」州政府ニ対シテモ亦必要ナル交渉ヲ継続シテ本件ノ満足ナル解決ニ尽力致スヘク尚本官「プリズベン」出張後ニ於ケル経過ニ関シテハ追テ何分ノ儀可申進不取敢今日迄ノ情況一通及報告候 敬具

註 日本外交文書大正二年第一冊一一三文書

(附屬書Ⅰ)

第一号 大正二年八月五日附在「インドニー」日本領事ヨリ「ク」州首相宛往電写

(Copy)

Japanese Consulate-General,
Sydney, August 5th, 1913.

TELEGRAM.

Premier Queensland.

Re sugar growers and cultivation Acts recently passed by Queensland Parliament. Has any provision been made for preserving rights of Japanese engaged in sugar industry who are already domiciled in your State? If so, under what terms and conditions? If not, how is it proposed to treat them? Kindly mail me two copies of each Act.

Japanese Consul

(附屬書Ⅱ)

第二号 大正二年八月九日附「ク」州首相ヨリ在「インドニー」日本領事宛返電写

(Copy)

August 9th, 1913.

TELEGRAM.

Japanese Consul

Sydney.

Sugar Cultivation Act makes no discrimination in respect of persons of different race. Regulations not yet proclaimed. Your telegram will receive consideration.

Denham Premier

(附屬書Ⅲ)

第三号 大正二年八月十一日附在「インドニー」日本総領事代理ヨリ「ク」州首相宛往簡写

(Copy)

Japanese Consulate-General,
Sydney, August 11th, 1913.

Sir,

I have the honour to acknowledge receipt of your telegram informing me, in reply to my enquiries, that the Queensland Sugar Cultivation Act makes no discrimination in respect of persons of different race, but that the Regulations under Act have not yet been proclaimed.

I shall be grateful to be apprised of any Regulations which may be proposed, affecting the existing rights of Japanese domiciled in your State, in time,

if possible, to make what representations may be necessary for the preservation of such rights before the Regulations shall have been proclaimed.

In this connection may I ask your careful and favourable consideration of the following facts respecting Japanese who are engaged in the sugar industry in Queensland, viz.,-

1. That the number of such Japanese is not great, and must in time decrease to vanishing point as the natural result of the Commonwealth Immigration legislation.
2. That to grant exemption to such Japanese would be in harmony with the spirit of the Commonwealth legislation, which designedly avoids anything in the nature of retrospection.
3. That the hardship caused to those who might be deprived of their only means of livelihood, by being compelled to cease work to which they have been accustomed for years, would be severe beyond all proportion to the benefit conferred upon any other persons.
4. That the exemption of the Japanese would

consideration of my views which you were good enough to promise.

I have the honour etc.

(Sgd) Y. Yatabe,

Acting Consul-General.

The Honourable

The Premier of Queensland,

B r i s b a n e

(附屬書四)

第五号 大正二年十月十一日附「タ」州首相ヨリ在「シドニー」日本総領事宛返簡号

Copy

Chief Secretary's Office,

Brisbane, 11 th October, 1913.

Sir,

I have the honour to acknowledge the receipt of your letter of the 2nd instant, further regarding Queensland Sugar Cultivation Act, and to inform you that the Regulations under that Act will be submitted for approval next week, and that a copy thereof will be sent to you immediately afterwards.

I have the honour etc.,

be regarded by the Imperial Japanese Government as an act of great kindness and courtesy on the part of the Queensland Government, and would be very much appreciated.

I have the honour etc.

(Sgd) Y. Yatabe,

Acting Consul-General

The Honourable

The Premier of Queensland, Brisbane.

(附屬書四)

第四号 大正二年十月二日附在「シドニー」日本総領事代理ヨリ「タ」州首相宛往簡号

(Copy)

Japanese Consulate-General,

Sydney, October 2nd, 1913.

Sir,

With further reference to my letter of the 11th August last, on the subject of the Queensland Sugar Cultivation Act, receipt of which you acknowledged on the 19th idem, I have honour to ask if you will kindly inform me whether sufficient time has yet elapsed to enable you to disclose the result of the

(Sgd) D. DENHAM,
Premier.

The Japanese Consul-General,

164, Pitt Street,

SYDNEY.

(附屬書六)

第六号 大正二年十月十七日附在「シドニー」日本総領事代理ヨリ「タ」州首相宛往電号

(Copy)

Japanese Consulate-General,

Sydney, 17 th October, 1913.

T E L E G R A M.

Premier, Brisbane.

Your letter of 11th instant received. Please wire me how proposed regulations conserve existing rights of Japanese domiciled in your state or may I have copy of proposed regulations in terms of second paragraph of my letter of 11th August last?

Japanese Acting

Consul-General

(附屬書七)

第七号 大正二年十月十八日「タ」州首相ヨリ在「シドニー」日本総領事代理宛來翰号

(Copy)

Chief Secretary's Office,
Brisbane, 18th October, 1913.

Sir,

Adverting to your telegram of yesterday's date relative to the Regulations issued under the Sugar Cultivation Act, I have the honour to forward herewith a copy of the said Regulations, which were tabled in Parliament on the 16th instant.

I have the honour etc.,
(Sgd) D. DENHAM,
Premier.

H. I. J. M's Acting Consul-General,
SYDNEY.

(附屬書ハ)

第八号 大正二年十月十六日附「シ」州官報ニ掲載セラレタ
ハ同州砂糖栽培法施行規則

Queensland Government Gazette

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crop, and from time to time to harvest the same during any period not exceeding three years, which certificate the Secretary for Agriculture is hereby authorized to grant to such owner.

Every such certificate shall be for such period not exceeding three years and be subject to such conditions as the Secretary for Agriculture thinks proper and shall be in the following form :-

[Form A.]

"THE SUGAR CULTIVATION ACT OF 1913."

Certificate of authority to cultivate and harvest existing sugar crop.

This is to certify that it has been proven to me that , of , is the owner of a crop of sugar-cane growing upon the land hereinafter described, and that such crop had actually been planted before the commencement of the above-named Act, and accordingly he the said owner is hereby authorized to cultivate the said crop and from time to time to harvest the same during a period of (insert limit of time not exceeding three years) from the date hereof.

Department of Agriculture and Stock,
Brisbane, 16th October, 1913.

His Excellency the Governor, by and with the advice of the Executive Council, has been pleased to make the following Regulations under and for the purposes of "The Sugar Cultivation Act of 1913."

JOHN WHITE.

Commencement of Regulations.

1. These Regulations shall be deemed to have commenced and to have taken effect on and from the date of the commencement of "The Sugar Cultivation Act of 1913," hereinafter referred to as "the Act."

Relief of persons who have planted cane.

2. Where any crop of sugar-cane is at commencement of the Act growing upon any land under such circumstances that if such crop had been planted after the commencement thereof an offence under the Act would have been committed, the owner of such crop may apply to the Secretary for Agriculture for a certificate of authority to cultivate such

This certificate is subject to the following conditions (as for example that the said (owner's name) shall not either directly or indirectly employ or authorize or permit to be employed in or in connection with the cultivation or harvesting of the said crop any person who has not first obtained a certificate of having passed the dictation test, unless such person is exempted from the operations of the above-named Act and the Regulations thereunder, otherwise this certificate shall become null and void and the said (owner's name) shall be liable to the penalties provided in the said Act and Regulations for breach thereof).

Dated at this day of , 19.

Secretary for Agriculture.

Description of land.

- (1.) Locality:
- (2.) Portion:
- (3.) County:
- (4.) Parish:
- (5.) Area of land actually planted with cane:

Upon the grant of such certificate such owner

shall not be guilty of an offence against the Act or these Regulations if he cultivates such crop and harvests the same pursuant to such certificate.

Restricted application of Act and Regulations.

3. Nothing in the Act or these Regulations shall apply to the following classes of persons, and all such persons shall be exempted from the operation thereof:•

(1.) All native-born residents of Australia of European descent.

(2.) All residents of Australia of European parentage.

(3.) All residents of Australia who are descended from any resident of the Continent of North America other than from any aboriginal native thereof or Negro or aboriginal of African or Asiatic race.

(4.) Subjects of the Kingdom of Italy who are not of European race so long as the Treaty between His Majesty the King and the Kingdom of Italy, dated the fifteenth day of June, 1883, remains in force in Queensland.

(5.) Subjects of the Empire of Russia who are not of European race so long as the Treaty mentioned in the last preceding paragraph hereof and the Treaty between His Majesty the King and the Empire of Russia, dated the twelfth day of January, 1859, remain in force in Queensland.

(6.) Citizens of the Republic of Colombia so long as the Treaty mentioned in the last preceding paragraph but one hereof and the Treaty between His Majesty the King and the Republic of Colombia, dated the sixteenth day of February, 1866, remain in force in Queensland.

(7.) Any person not otherwise entitled to exemption under the foregoing provisions of this Regulation whom by reason of—

- (a) the subsistence between the nation to which such person belongs and the United Kingdom of Great Britain and Ireland of a Treaty conferring most favoured nation rights, or
- (b) such person's long residence within Queensland or the Commonwealth, or
- (c) such person having a lawful wife or family

residing within Queensland, or

(d) any other circumstances satisfactory to the Secretary for Agriculture—

it is not considered necessary to examine under the Act and these Regulations, and to whom the Secretary for Agriculture has granted a certificate of exemption.

Application or such exemption.

4. Before such certificate of exemption mentioned in paragraph 7 of the last preceding Regulation is granted, the person concerned shall make application therefor to a Clerk of Petty Sessions in the following form:—

[Form B.]

“THE SUGAR CULTIVATION ACT OF 1913.”

Application for Certificate of Exemption.

To the Clerk of Petty Sessions,

Petty Sessions District of

I hereby apply for a Certificate of Exemption from examination under the above-mentioned Act on the following grounds:— (State grounds on which exemption is applied for.)

I declare that the following particulars with respect to myself are true:—

- (1.) Name in full:
 - (2.) Country of origin:
 - (3.) Place of birth:
 - (4.) Nationality:
 - (5.) Age last birthday:
 - (6.) Married or single:
 - (7.) Date of arrival in Queensland:
 - (8.) Date of arrival in Commonwealth:
 - (9.) Previous place or places of residence in Commonwealth, if any:
 - (10.) Present place of residence:
 - (11.) Occupation:
- Dated at this day of , 19.

(Signed)

Witness: J. P.

Statutory declaration.

5. Every such application shall be accompanied by a statutory declaration as to the truth of the particulars set forth therein, and shall be attested by a Justice of the Peace who personally knows the ap-

Certificates of exemption.

[Form C.]

Certificate of Exemption.

(1.) Name in full:

(3.) Place of birth:

(5.) Age last birthday:

(7.) Date of arrival in Queensland:

Every such application shall be in the following

[Form D.]

Application for Examination and a Certificate.

Petty Sessions District of

「オーストラリア」ニ於ケル本邦移民排斥問題 三〇九

- Dated at Brisbane this day of , 19.

Secretary for Agriculture.

Every such certificate shall be in duplicate, and shall be transmitted by the said Under Secretary to the said Clerk of Petty Sessions, who shall cause the applicant to mark with his finger print in Indian ink every such certificate and duplicate thereof.

The said Clerk of Petty Sessions shall then deliver one copy to the successful applicant and return the other copy to the said Under Secretary, who shall file such copy and record the same.

Persons to obtain certificates.

7. Every person (other than a person who is exempted from the operation of the Act and a person who is the holder of a certificate of exemption as hereinbefore provided) who desires to engage in or carry on the cultivation of sugar-cane upon land

industry of the cultivation of sugar-cane and the manufacture therefrom of sugar] hereby apply to be examined by you for the purpose of obtaining a certificate of having passed the dictation test within the meaning of the above-mentioned Act in the language, such language being the language for the time being directed by the Secretary for Agriculture.

I hereby declare that the following particulars with respect to myself are true:—

(1.) Name in full:

(2.) Country of origin:

(3.) Place of birth:

(4.) Nationality:

(5.) Age last birthday:

(6.) Married or single:

(7.) Date of arrival in Queensland:

(8.) Date of arrival in Commonwealth:

(9.) Previous place or places of residence in

Commonwealth, if any:

(10.) Present place of residence:

(11.) Occupation:

(12.) Locality and description of land to be cul-

tivated (or place at which applicant is to be employed):

Dated at this day of , 19.
(Signed)

Witness: J. P.

Statutory declaration.

8. Every such application shall be accompanied by a statutory declaration as to the truth of the particulars set forth therein, and shall be attested by a Justice of the Peace who personally knows the applicant and who, before attesting the same, shall by inquiry so far as he is able ascertain the truth thereof.

9. The Clerk of Petty Sessions shall be the State officer authorized by the Secretary for Agriculture to conduct all such examinations and grant all certificates of having passed the dictation test within the meaning of the said Act.

Upon receipt of an application the Clerk of Petty Sessions shall appoint a time and place for the examination and shall notify the applicant; and the applicant shall attend at the said time and place and

be examined by the said Clerk of Petty Sessions accordingly.

The said examination shall be in the language for the time being directed by the Secretary for Agriculture.

The said Clerk of Petty Sessions shall ascertain whether the applicant is able to correctly write out in the said language in his presence not less than fifty words in such language at the oral dictation of Petty Sessions. The words chosen for dictation and the number thereof shall be in the discretion of the said Clerk of Petty Sessions; provided that they shall be not less than fifty words and not more than one hundred and fifty words.

The said Clerk of Petty Sessions shall be the sole judge of the ability of the applicant to write from dictation as aforesaid. If he is satisfied as to such ability, he shall grant to the applicant a certificate of having passed the dictation test, but otherwise he shall refuse such certificate.

Certificate.

10. Every such certificate shall be in the following form:-

ing form:-

[Form E.]

"THE SUGAR CULTIVATION ACT OF 1913."

Certificate of having passed the dictation test.

Petty Sessions District of 19.

I, the undersigned, Clerk of Petty Sessions for the above-named district, hereby certify that on the day of , 19. pursuant to application No. of 19, (name of person) was duly examined by me under and for the purposes of the above-mentioned Act, and when I dictated to him not less than fifty words in the language (such language being the language directed for the time being by the Secretary for Agriculture), he correctly wrote them out in that language in my presence.

Dated at this day of , 19.
Clerk of Petty Sessions.
Record of certificate.

11. Every such certificate shall be in duplicate. The said Clerk of Petty Sessions shall cause the applicant to mark with his finger print in Indian ink every certificate and duplicate thereof. One copy shall

then be delivered to the successful applicant and the other copy shall be transmitted by the Clerk of Petty Sessions to the Under Secretary of the Department of Agriculture and Stock, Brisbane, who shall file and record the same.

Certificate to be produced.

12. Every person who has obtained a certificate of authority to cultivate to maturity and harvest an existing crop of sugar-cane or a certificate of having passed the dictation test or a certificate of exemption under these Regulations shall, on the demand of any member of the Police Force of a rank not inferior to that of Senior Constable, or of a Police Magistrate or Clerk of Petty Sessions, or person authorized in that behalf by the Secretary for Agriculture, produce to him the said certificate and permit him to take a copy thereof.

Penalty.

13. Any person who-

(1.) In any application under these Regulations makes any statement which is to his knowledge false,

第九号

「シ」州砂糖栽培法施行規則ニ対スル大正十一年十一月二十七日附加規則等

REGULATIONS UNDER SUGAR CULTIVATION ACT, 1913.

Queensland Government Gazette, Nov. 27th, 1913.

Department of Agriculture & Stock
Brisbane, 27th November, 1913.

His Excellency the Governor, by and with the advice of the executive Council, has been pleased to make the following additional Regulation under and for the purposes of "The Sugar Cultivation Act of 1913", which shall be read and construed with the Regulations dated 16th October, 1913.

JOHN WHITE.

14. For the purposes of the Act and these Regulations judicial notice shall be taken of the signature of the Secretary for Agriculture and any Clerk of Petty Sessions.

(附屬書六)

certificate for such exemption shall be granted unless application therefor shall be made on or before the said date.

(附屬書一〇)

第一〇号

大正十一年十月二十日「サシニリー」日本総領事ニ面シ「シ」州首相宛往電等

(Copy)

TELEGRAM.

Premier of Queensland, Oct. 20th, 1913, Brisbane.
Your letter 18th instant received and enclosure with thanks. May I understand that subject to application showing qualifications required by Regulations all Japanese domiciled in Commonwealth are exempted from operation of Sugar Cultivation Act? Please wire as I am in communication with my Government on this matter. Reply paid. Japanese Acting Consul-General, Sydney.

(附屬書一一)

第一一号

大正十一年十月二十二日「シ」州首相ヨリ「在」シニリー」日本総領事宛來電等

(Copy)

October 22nd, 1913.

URGENT TELEGRAM.

Japanese Consul-General.

Your telegram twentieth are Sugar Cultivation Regulations Japanese domiciled in Commonwealth will in most cases come under B and C subclause 7 Regulations 3.

Denham Premier.

(附屬書一一)

第二二号

大正十一年十月二十七日附在「シニリー」日本総領事代理ヨリ「シ」州首相宛往簡等

(Copy)

Japanese Consulate-General,
Sydney, October 27, 1913.

Sir,
Adverting again to the subject of the Sugar Cultivation Act and the Regulations issued thereunder, I have the honour to invite your attention to the fact that while the Act itself does not make any invidious discrimination between the various nationalities affected thereby, the same cannot be said of the Regulations.

For example, Regulation 4 stipulates that the persons referred to in paragraph 7 of Regulation 3 must make application for a certificate of exemption in a specified form, while other persons referred to in the previous six paragraphs of the same Regulation (3) do not appear to be required to make such application. This seems to me to be a matter for regret, as, so far as I can see, the Japanese come under the provisions of paragraph 7 only.

I should be much obliged if I could be assured that it is the intention of your Government that all Japanese subjects who come under the provisions of this paragraph (7) and who can establish their qualification under either of the subsections of such paragraph, may rely—subject to application as provided for in Regulation 4—upon being able to continue their occupations without molestation, so far as the Sugar Cultivation Act is concerned.

There are two other matters in connection with paragraph 7 of Regulation 3 upon which also I should be thankful to obtain your opinion. Sub-section (a) of the paragraph refers to “the subsistence between

the nation to which such person belongs and the United Kingdom of Great Britain and Ireland of a treaty conferring most favoured nation rights”.

As you are aware there is a treaty of commerce and navigation subsisting between Japan and the United Kingdom of Great Britain and Ireland, which was ratified the year before last, 1911.

Section 2 of Article 1 of that treaty says as follows:

“3. They (That is, that subjects of each of the High Contracting Parties) shall in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation”.

Does not this section of the Treaty entitle all Japanese in Queensland to exemption under Sub-section (b) of paragraph 7 of Regulation 3? If not, I should be thankful to have your explanation as to the reason.

Further, Sub-section (b) of paragraph 7 of Regulation 3, states as another ground of exemption -

“(b) Such persons' long residence within Queens-

land or the Commonwealth”.

May I ask the favour of a definition of the term “long residence”, with the hope that it may not be so defined as to conflict with the spirit of the Commonwealth Immigration Act?

And, generally, may I repeat the desire which I have before expressed that your Government may see wisdom and the justice of refraining from taking any steps which may have the effect of injuring or destroying the existing rights of Japanese domiciled in your State?

I have the honour etc.

(Signed) Y. Yatabe.

Acting Consul-General

The Honourable

The Premier of Queensland

BRISBANE.

(附屬書 131)

第三三三号 大正二年十一月十日「タ」州首相ヨリ在「シドニー」日本総領事宛来簡写

(Copy)

Chief Secretary's Office,

Brisbane, 10th November, 1913.

Sir,

I have the honour to acknowledge the receipt of your letter of the 27th ultimo having further reference to the Sugar Cultivation Act and Regulations thereunder.

In reply, I have the honour to inform you that Sub-clause (a) of Paragraph 7 of Regulation 3 does not extend to Japanese, as the stipulations of the Treaty of 1911 referred to by you are not applicable to Queensland. In this connection I would invite your attention to Article 26 of that Treaty.

With regard to Regulation 3 Paragraph 7 (b), while I am not in a position to furnish you with a definition of the meaning of term “long residence”, you may rest assured that the clause will be so applied that there will be no invidious discrimination between various nationalities.

I have the honour etc.

(Sgd) D. DENHAM.

The Japanese Consul-General.

SYDNEY.

(添付書一四)
第一四号

大正二年十一月十七日附在「シドニー」日本総領事
代理ヨリ「シ」州首相宛往簡写

(Copy)

Japanese Consulate-General,

Sydney, 17th November, 1913.

Sir,

I have the honour to acknowledge the receipt of your letter of the 10th instant, with reference to the Sugar Cultivation Act and Regulations thereunder.

I note your remark that Subclause (a) of Paragraph 7 of Regulation 3 does not extend to Japanese; but am at a loss to understand how such can be the case, in view of the wording of the subclause in question.

You will observe that the Subclause referred to entitles to exemption any person between whose nation and the United Kingdom of Great Britain and Ireland a treaty exists conferring most favoured nation rights. The Subclause is not limited by any qualification requiring notice of adhesion by any of the Dominions, Colonies of Possessions of Great Brit-

ain and Ireland, as mentioned in Article XXVI of the Treaty of Commerce and Navigation (1911) between Japan and the United Kingdom.

May I respectfully submit the following illustration for your consideration;

If A and B make an agreement conferring mutual advantages, and C—who is not a participant in such advantages, owing to not having gone through the necessary form of asking to be—chooses to stipulate that certain privileges shall be granted to the friends of A because of the existence of the agreement between A and B, would it not be strange if C should afterwards deny those privileges to the friends of A because he (C) had not applied to become a part of the agreement between A and B? And further, supposing that there is no prospect of C asking to become a part to such agreement, is it not, at least, difficult to understand why he should have made any reference to it at all in connection with privileges which it is in his power to confer upon the friends of A?

Respecting the definition of the term “long re-

sidece” in Regulation 3, Paragraph 7 (b), you are

good enough to say that the clause will be so applied that there will be no invidious discrimination between various nationalities. That assurance, however, does not touch the point to which I referred in my letter, of the 27th ult., when I expressed the hope that the term might be defined in such a manner as not to conflict with the spirit of the Commonwealth Immigration Act.

I shall be glad to hear your further views upon the above matters at your early convenience.

I have the honour etc.

(Sgd) Y. YATABE.

Acting Consul-General.

The Honourable

The Premier of Queensland,
BRISBANE.

(附屬書一五)

第一五号

大正二年十二月三日「タ」州首相ヨリ在「シドニー」日本総領事宛来簡写

(Copy)

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三〇九

Chief Secretary's Office,
Brisbane, 3rd December, 1913.

Sir,

I have the honour to acknowledge your letter of the 17th ultimo.

I note that you contend for a wider construction of Subclause (a) of Paragraph 7 Regulation 3, but I am advised that the ruling as to its meaning, of which you were apprised in my letter of the 10th ultimo, is the correct one.

Whilst I am unable, as already stated, to furnish you with a definition of “long residence”, I should be glad if you would state precisely what you would be disposed to consider a conflict in this regard with “the spirit of the Immigration Restriction Act”.

I have the honour etc.
(Signed) D. DENHAM.

Japanese Consul-General,

Sydney.

(附屬書一六)

第一六号

大正二年十二月八日在「シドニー」日本総領事代理ヨリ「シ」州首相宛往簡写

Japanese Consulate-General,
Sydney, December 8th, 1913.

Sir,

I have the honour to acknowledge the receipt of your letter of the 3rd instant, and have noted its contents.

Replying to your request that I should, upon the point of "long residence", state precisely what I would be disposed to consider a conflict in this regard with the spirit of the Immigration Act, I respectfully submit that any period which exceeded the time necessary to entitle a Japanese to a certificate of domicile under the Immigration Act, would constitute such a conflict.

I have the honour etc.

(Signed) Y. YATABE.

Acting Consul-General.

The Honourable

The Premier of Queensland,
BRISBANE.

(秘圖轉レハ)

送レヤサ

Sydney, 25th February, 1914.

Sir,

Referring to the Sugar Cultivation Act of your State, and Regulations thereunder, and to the correspondence which passed between you and my predecessor last year upon matters connected therewith, and particularly to a letter dated 23rd December, 1913, (No. 13/6458) signed by the Acting Chief Secretary, wherein it is stated that "persons who have been ten years resident in the Commonwealth will be considered to have been long resident therein within the meaning of Regulation 3 (7b)", I have the honour to inform you that I have received a report from Mackay (Q) to the following effect.

At the end of December last, all the Japanese residents of Mackay who had been resident in the Commonwealth for over ten years, and who had been engaged in Sugar Cultivation, made application for certificates of exemption under Regulation 3 (7b).

In January (last month) a notification appeared in the local newspapers that certificates of exemption would be issued at the Court at Mackay: consequent-

大正三年十二月十三日附「タ」州首相代理ヨリ在
「シムジー」日本総領事宛来簡与

(Copy)

Chief Secretary's Office,
Brisbane, 23rd December, 1913.

Sir,

Acknowledging the receipt of your letter of the 8th inst., I have the honour to inform you that persons who have been ten years resident in the Commonwealth will be considered to have been long resident therein within the meaning of Regulation 3(7b) of Regulations under the Sugar Cultivation Act 1913.

I have the honour etc.

(Signed) W. H. Barnes.

Acting Chief Secretary.

Japanese Consul-General,

Sydney.

(秘圖轉レハ)

第一ノ号

「シムジー」日本総領事ヨリ「タ」

州首相宛往簡与

(Copy)

Japanese Consulate-General.

ly the Japanese applicants duly attended at the Court in order to obtain them. At the Court, however, certificates were only issued to those who had been engaged in Sugar Cultivation during the year 1913, but refused to all others.

The reason why some of these applicants were not engaged in Sugar Cultivation during 1913 is stated to have been because of a slackness in the operations of that industry during that year, which compelled them to seek employment in other directions, such as fishing and laundry-work, in order to obtain their living. But I am given to understand that they had all been engaged in Sugar Cultivation prior to 1913.

I shall be very grateful if you will kindly cause enquiry to be made, with the view of informing me if the circumstances are as I have related, and, if so, to be good enough to let me know under what section of the Act or Regulations such action was taken.

I have the honour etc.

(Signed) S. SHIMIZU.
Consul-General.

The Honourable
The Premier of Queensland,
BRISBANE.

(附圖轉17)

第一九号

三月十三日附「タ」州首相代理ヨリ在「シムニー」
日本総領事宛来簡写

(Copy)

Chief Secretary's Officer
Brisbane, 13th March, 1914.

Sir,

I have the honour to acknowledge the receipt of your letter of the 25th ultimo, and in reply to inform you that the issue of Certificate of Exemption to persons coming within Subclause 7 (b) of Clause 3 of the Regulations is discretionary, and that the Honourable the Secretary for Agriculture, in exercising that discretion, has made it a rule not to grant such exemption to persons who were not, during the year 1913, engaged in or carrying on the cultivation of sugar cane.

With reference to those applicants who were engaged on such cultivation prior to 1913, but because

land, Mr. Shimizu asked the favour of an interview with him, which was granted—Mr. Barnes kindly calling this morning at the Consulate-General. Mr. Shimizu showed Mr. Barnes telegram received from T. Komori, Ingham, and copies of two telegram addressed to the head office of the Colonial Sugar Refining Co. Ltd., Sydney, from their managers at Victoria Mill and McNade Mill (copies of these 3 telegrams hereto attached).

Mr. Shimizu asked Mr. Barnes to explain the words “nature of their employment does not constitute sufficient grounds granting same” in the telegram from the Manager of the Victoria Mill.

Mr. Barnes said that he required time to consider before giving such explanation. But he understood in substance, that an arrangement had been arrived at by correspondence between the Queensland Government and the Japanese Consulate-General to the effect that certificates of exemption would be issued, on application, to those Japanese who had resided in the Commonwealth for a period of over ten years at the time of the proclamation of the Sugar Cultivation Act

of any slackness in the operation of the industry during that year may have been compelled to seek employment in other directions, I have to advise you that the Honourable the Secretary for Agriculture, while unable to bind himself to grant a Certificate of Exemption to any of such persons, is prepared to give attentive consideration to any representations they may urge with a view to the relaxation in their favour of the rule above-mentioned.

I have the honour to be etc.,
(Signed) W. H. BARNES.
Acting Chief Secretary.

H. I. J. M's Consul-General,
164, Pitt Street,
SYDNEY.

(附圖轉110)

第二一〇号

四月十六日附在「シムニー」日本総領事宛「タ」州
首相代理ヨリ来簡写

MEMORANDUM.

16th April, 1914.

Taking advantage of the presence in Sydney of the Hon. W. H. Barnes, Acting Premier of Queens-

of 1913, by virtue of subclause 7 (b) of clause 3 of the Regulations under the Act.

He further stated that he would endeavour to see that such arrangement should be adhered to, and that he would look up the matter on his return to Brisbane, and apprise Mr. Shimizu of the result of his enquiries.

(英譯)

Copy of telegram from the Manager, Victoria Mill,

Q. Addressed to Sugar Co. Sydney, 15/4/14.

Clerk Petty Sessions advised Government cannot issue certificates of exemption twenty nine Japanese working this mill as nature of their employment does not constitute sufficient grounds granting same await your instructions concerning clause four Sugar Cultivation Act.

Copy of telegram from the Manager, MacNade Mill,

Q. Addressed to Sugar Company, Sydney, 15/4/14.

Received notice this morning exemption under Sugar Cultivation Act has been refused. Practically

all our aliens including Japanese and Malays in mill Chinese on tramway maintenance if this applies to us for additional barrack accommodation required see my seven sixth.

Copy of telegram from T. Komori, Ingham, Q.
Addressed to Consul-General for Japan, Sydney, 15/4/14.

Clerk Petty Sessions Ingham received letter His Government cannot issue certificates of exemption to all Japanese working Victoria Mill. Please interview Colonial Sugar Company in Sydney about this matter.

(附屬書二二)

第二二号

四月二十日附「タ」州首相代理ヨリ在「シムニー」
日本総領事宛来簡写

(Copy)

Chief Secretary's Office,
Brisbane, 30th April, 1914.

Sir,
Referring to your letter of the 16th instant, I have the honour to inform you that the Honourable the Secretary for Agriculture, in refusing to issue

certificates of exemption to the Japanese mentioned in your letter, is acting in accordance with his rule not to apply subclause 7 (b) of Clause 3 of the Regulations to persons who were not engaged in or carrying on the cultivation of sugar cane during the year 1913. To this rule I have already adverted, in my letter to you of the 13th ultimo.

I have etc.

(Sgd) W. H. BARNES.
Acting Chief Secretary.

H. L. J. M's Consul-General,
164 Pitt Street,
Sydney.

(附屬書二二)

第二二号

四月二十三日附在「シムニー」日本総領事ヨリ「タ」
州首相代理宛往電写

Copy of telegram from Japanese Consul-General,
Sydney to Acting Premier, Brisbane.

Referring your letters thirteenth ultimo and twentieth instant. Regret new disabilities have been imposed since agreement by correspondence that ten

Shimizu.

(附屬書二四)

第二四号

四月三十日附「タ」州首相代理ヨリ在「シムニー」
日本総領事宛返電写

Copy of telegram from Barnes, Acting Premier,
Brisbane to Japanese Consul-General, Sydney.

April 30th, 1914.

Your telegram thirtieth Letter already posted reach you tomorrow morning.

(附屬書二五)

第二五号

四月二十八日附「タ」州首相代理ヨリ在「シムニー」
日本総領事宛来簡写

(Copy)

Chief Secretary's Office,
Brisbane, 28th April, 1914.

Sir,

May I expect reply soon to my wire twenty-third ? I have received report from Herbert River many Japanese have been refused exemption and are told by police authorities that their employment will cease tomorrow. If true, great distress will be caused.

letter to you of 13th March last.

Your representation that "new disabilities have been imposed since agreement by correspondence that ten years residence would entitle to exemption" is not considered to state the situation accurately. There was no agreement. You were assured of the interpretation that would be given to the term "long residence", and that there would be no invidious discrimination between nationalities; and the attitude of my Government has not been inconsistent with such assurance.

With reference to your request for preservation of the status quo, pending your protest to the External Affairs Department, I beg to inform you that the policy adopted with regard to the issue of exemption certificates has been determined upon after careful consideration, and I regret that I am unable to give you any assurance that the operation of the Act with regard to the persons whose claims you advocate will be suspended or delayed.

I have etc,
(Sgd.) W. H. Barnes.

I ament that Japanese immigration to its territory should cease, and the provisions of the Immigration legislation were designed to ensure that, ultimately, (and at a not far distant date) there should be no Japanese in Australia excepting such as might be permitted to land under special arrangements with the Commonwealth Government.

The experience of thirteen years of the administration of that Act has not disturbed such a view of the case.

But provision was made in subsection 4b of the Amendment Act of 1905, for the preservation of the rights of status of domiciled persons.

There was, therefore, no reason to suppose that the rights and privileges of those Japanese who were resident in Australia prior to the passage of the Act would not be honourably safeguarded, or that such Japanese might not live their lives and pursue their peaceful avocations without molestation.

With this preamble, may I invite your attention to the administration of the Queensland Sugar Cultivation Act of 1913.

His Imperial Japanese
Acting Chief Secretary.
Majesty's Consul-General,
Sydney.

(聖慮輔) (大)
總領事様
府内「ハーバートン」ニ於ケル本邦移民排斥問題
御座る事御座る事

(Copy)

Japanese Consulate-General,
Sydney, May 1st, 1914.

Sir,
I have the honour to bring under your notice certain matters connected with the Sugar Cultivation Act (1913) of Queensland, and Regulations thereunder, so far as they concern the interests of Japanese domiciled in Queensland.

In the parliamentary debates which preceded the passage of the Immigration (Restriction) Act of 1901 and subsequent amendments thereof, which are now consolidated in the Immigration Act, 1901-1912, it appeared to be the desire of the Commonwealth Par-

I enclose copies of correspondence which has taken place between this Consulate-General and the Government of Queensland, and which, I trust, will show that nothing has been sought by my predecessors, and nothing is now sought by me, but the preservation of the rights of those Japanese who have been long resident in Australia.

It will also show that when we had succeeded in obtaining a definition of the term "long residence" in subclause 7 of Regulation 3 of the Queensland Sugar Cultivation Act to mean a residence of ten years, there was some justification for considering that the matter had been satisfactorily settled, and that certificates of exemption might be issued to all those Japanese who had been resident in Australia for over ten years.

But a new situation has now arisen by the action of the Honourable the Minister for Agriculture of Queensland in the exercise of the discretionary power given to him in subclause 7 of Regulation 3. He has refused to issue certificates of exemption to those Japanese who were not engaged in the sugar indus-

try during the year 1913, notwithstanding that they have been resident for over ten years in Australia, and that the reason why they did not work at sugar cultivation during 1913 was because of the slackness of operations in that industry at that period, owing to temporary and local conditions. All these Japanese had been engaged in the sugar producing industry for a considerable time prior to 1913.

The Honourable the Secretary for Agriculture has also discriminated between those Japanese labourers who have been employed in the fields in the cultivation of Sugar cane, and those who have been employed in the mills, refusing to grant certificates of exemption to the whole of the latter class.

I find it hard to imagine that it can have been contemplated that the Honourable the Minister would exercise his discretionary power in so harsh a manner; for his action is practically equivalent to the framing of an additional regulation, imposing further disabilities, and the effect of which will be to place those Japanese concerned in a condition of penury and distress through being unable to obtain employment.

I sincerely trust that you may recognize that such a sad result is neither necessary nor just, and that some means may suggest themselves to you by which it may be prevented.

I have, etc.,

(Sgd.) S. SHIMIZU.

Consul-General.

The Hon. The Minister
for External Affairs,
MELBOURNE.

三〇 五月十二日 在シドニー清水総領事ヨリ
加藤外務大臣宛

「クインズランド」州ニ於テ糖業ニ従事スル
有色人種排斥ニ関シ同州首府ニ出張直接交渉
ノ結果報告ノ件

- 附屬書一 五月七日在「シドニー」日本総領事及「ク」
州外相代理間会見録写
- 二 五月八日在「シドニー」日本総領事及「ク」
州首相代理間会見録写
- 三 五月九日在「シドニー」日本総領事及「ク」
州首相代理間会見録写

機密公第四号

(六月九日接受)

大正三年五月十二日

在「シドニー」

総領事 清水 精三郎 (印)

外務大臣男爵 加藤高明殿

本件ニ関シ前報中記載ノ通(本月四日付公第五一号)本官ハ本月五日当地出発「クインズランド」州首府「ブリスベン」ニ出張七日朝首相代理「バーレンス」氏ヲ訪問シ本件ニ就キ第一回会見ヲ遂ケ前回「シドニー」市ニ於ケル会見ノ覚書ヲ示シ(本月四日付公第五一号付属第二〇号)且矢田部総領事代理ト「ク」州政府間ノ交渉往復文ヲ引用シ右等ニ依リ閣下ノ政府ハ十ヶ年以上州内ニ居住シタル日本人ニハ免除証書ヲ給与スヘキ旨ヲ声明シアルニアラスヤト申述候処元来本件ノ免除証書ハ従来州内ニテ糖業ニ従事セルモノハミニ給与スヘキ予定ナリシ処十年間州内ニ居住セル糖業外ノモノニシテ免除証書ヲ要求スル者多ク為ニ困難ヲ生スルニ至レリト申サレ候ニ付本官ノ知レル限り日本人ニシテ今回免除証書ノ願書ヲ提出セルモノハ何レモ多年間糖業ニ従事セルモノハミナルコトヲ弁解シタル処「バーレンス」

氏ハ糖業ナル語ノ定義ニ付異議ヲ挟ミ右ハ当州当局ニ於テハ甘蔗ノ生産ニ限ルコトニ解釈シタリト申サル、ニ付本官ハ法文中ノ語句ヲ引用シ右解釈ノ失当ナルヘキコトヲ弁明シタル処同氏ハ右解釈ニ関シ兎ニ角法曹ノ意見ヲ求ムルコト、シテハ如何ト申サレタルモ斯クテハ空シク時日ヲ遷延スルコト、ナルヘシト信シタルニ付右解釈如何ニ拘ハラズ日本人ハ耕地労働ト製糖所労働トノ區別ナク何レモ同様ニ保護セラレ免除証書ヲ給与セラルヘキモノナリト主張シタル処同氏ハ右ノ論旨ヲ是認シタルカ如ク早速閣議ヲ開キ審議ノ上何分ノ回答致スヘキ旨申出是ニテ第一回会見ヲ結了致候

翌八日午前中閣議ヲ経タル模様ニ付午後首相代理訪問候処「バーレンス」氏ハ本件ニ関シ昨日ノ会見覚書ハ各閣員ニ配布シ今朝閣議ニテ審議致候処当政府ハ最初ノ取極メ通実施シ居ルコトナレハ今更之ヲ改ムルコト能ハサルコトニ決定シタル旨申サレ候ニ付当州ニ永年居住セル日本人保護ノ原則ニ付テハ昨日会見ノ節陳述シ置キタル処ナルカ之ニ関シ貴見ヲ伺ヒ度シト陳述シタル処右ノ論点ニ就テハ当該法律ノ規定ニ拠ルモノナリト空漠ノ答弁ヲナセルニ付法律上如

何ニ広大ナル権力ヲ行政官憲ニ授ケラル、モ本官ハ閣下ノ政府カ公明正義ノ原則ニ反スル処置ヲ為スヘキコトヲ想像スル能ハスト突込ミ弁論ヲ重ネタル処遂ニ我政府ハ常ニ注意シテ右原則ヲ守リツ、アリト答弁シタルニ付若シ然リトセハ同シク砂糖業ニ従事スルモノニシテ耕作者ノミニ免除証書ヲ与ヘ製糖所ニ働ケル者ニ之ヲ拒絶スルノ理由何レニアリヤト突込ミ談話ヲ進メ候処結局ニ至リ当州内ノ日本臣民ハ現行規定ニヨリ充分ニ保護セラレツ、アリト吾人ハ思考セリナト意外ノ申条ニ付本官ハ实例ヲ挙示シテ其事実ニ反セルコトヲ説破シ目下ノ現状ニシテ改メラレスンハ多年糖業ニ従事セル多数ノ日本人ハ既得ノ地位ヲ侵害セラレ其職業ヲ失フニ至ルヘシト弁論致候処「バーンス」氏ソハ本官ノ個人的ニ甚タ遺憾トスル所ナリ然レトモ前述ノ通審議ノ末閣議ノ決定スル所ナレハ如何トモ致シ難シト申サル、ニ付各閣員ハ右等ノ事実及条理ヲ充分ニ承知ノ上ニテ決議シタルモノト思ハレサルカ故ニ更ニ閣議ヲ開キ再考ヲ求メラレタシト迫リ反覆説得候処漸ク応諾ノ模様ノ色アルモ前議ヲ覆スノ困難ナルヘキノ意ヲ示セルニ付万一不幸ニシテ我主張ヲ容レラレサルコトニ決定シテ動カサルニ於テハ少

ニ関シ極メテ友情的ニ談判シタル所為ニ依リ本件ハ実ニ拙者ノ衷心遺憾トスル所ナルコトヲ御諒承相成度此外ニ何等附言スルコト能ハス」ト云ヒ又ハ本件ハ既ニ内閣ノ最モ重要ナル審議ヲ經テ決定シタルモノナル旨ヲ繰返スノミニテ到底所謂内規設定ノ理由サヘ与ヘサルニ依リ本官ハ本件会见ノ要旨ヲ摘言スレハ左ノ結論ヲ得ヘシトテ

第一、「ク」州政府ハ千九百十三年八月五日ヨリ同年十二月二十三日ニ跨ル通信ニ依リ我總領事館ニ与ヘタル証言ヲ履行セサルモノト認ム

第二、「ク」州政府ハ我臣民既得ノ地位ヲ顧ミスシテ公明正義ノ原則ニ準応スル待遇ヲ為サ、ルモノト認ム

第三、貴政府ノ執リタル処置ハ多数ナル我臣民ノ既得権ヲ侵害スルヲ以テ其処置ノ理由ノ説明ヲ求メタルニ之ヲ与ヘラレサルハ極メテ異常ナルモノナリトス

ト言明シテ会见ヲ終結シタリ
右ノ如ク苟モ一政府ノ首相代理タル人ニ向ヒ其政府ノ不信ヲ責メ且公明正義ノ原則ニ反セリトマテ極言シテ挑発ヲ試ミタルモ只々遺憾ナリト答フルニ過キスシテ何等弁解ナキノ事態ハ殆ト不可解ノコトニ属セリ本官ハ「ブリスベン」

クトモ本件処分ノ理由ヲ開示セラレンコトヲ求メ閣議再開ヲ約シテ結了シタリ

翌九日ハ土曜日ニテ政府ニテハ各官庁共半休ノ日ニ有之且「バーンス」氏ハ月曜日早朝出発「メルボルン」市出張ノ予定ナル旨予テ同氏ヨリ承及居リ是非共一先本日中ニ交渉終結ノ必要有之候ニ付本官ハ朝来政庁ニ出頭シテ閣議ノ閉会ヲ待居候処午前十一時過「バーンス」氏ヨリ会见ヲ求メラレ曰ク懸案ノ一条ニ就キ今朝閣議ヲ開キ審議ヲ重ネタルモ協定ニ関シ当政府ノ下セル解釈ハ正当ナルコトヲ信スル旨決定シタレハ今更之ヲ改ムルコト能ハサルヲ遺憾トス云々答示セラレタルニ付本官ハソハ意外ノ仰ナリトテ交渉顛末ノ通信ニ就キ一々事実ト相違セル点ヲ指摘シ殆ト完膚ナカラシメタルノ感アリタルモ「バーンス」氏ハ充分審議ヲ經テ決定シタルコト、テ何トモ致方ナキヲ遺憾トスト云フニ過キス此上弁論ヲ費スモ何等益スル所ナカルヘキヲ信シ「就テハ昨日請求シ置キタル通り何故ニ耕作者ト製糖所労働者トノ間差別的ノ待遇ヲナサル、ヤ其理由ノ説明ヲ願ヒタシ」ト申述候処簡單ニ甘蔗耕作法ニテ承知アリタシナト愚答ヲ繰返スヲ以テ重ネテ之ヲ弁駁シタルニ「御同様本件

着後極力手ヲ廻ハシ内情ノ探查ニ努メタルニ其内報ノ概要左ノ如シ

一、千九百十二年聯邦政府ハ其砂糖補助法(有色人ヲ甘蔗栽培業ヨリ驅除スル目的ニテ白人ノミヲ用ヒテ栽培シタル甘蔗ニ補助金ヲ与フルコトヲ規定ス)ヲ廃止スルニ当リ有色人驅除ノ実効ヲ収ムヘキ法律ヲ「ク」州政府ニ於テ設ケシムルコトニ関シ兩政府間ニ協商アリ其協商中ニ有色人ハ製糖所内ニ使用セシメサルヘキ条件ヲ含メルニ依リ「ク」州政府ハ其自由意思ニテ之ヲ變更シ難シト云ヘルコト

一、「ク」州政府当局ハ在留日本人ノ糖業者ハ概ネ耕地ニ労働シ製糖所内ニ働クモノハ極メテ少数ナルヘシト最初ヨリ誤信シ前項ノ協商ノ実行ハ日本人ニ影響セサルヘシト思惟シタリ是レ同政府カ矢田部總領事代理ニ対シ日本人ハ概ネ免除証書ヲ給与スルコト、ナルヘシト回答シタル所以ナリト云ヘルコト
一、然ルニ実施ニ当リ多数ノ日本人製糖所ニ働キ居ルコトヲ知ルト同時ニ本官ノ抗議ニ会シ進退谷マル羽目ニ陥レリト云ヘルコト

一、労働党ハ首領「フキッシャー」氏其他ヲ通シ有色人排斥ニ関シ「ク」州政府ニ対シ頻ニ圧迫ヲ加ヘタリト云ヘルコト

一、首相代理「バーンス」氏ハ他用ニテ「メルボルン」市出張ノ用事アルニ依リ序ニ本件ニ就キ急ニ聯邦政府ト協議スルノ必要ヲ認メ突然予定ノ出発日取ヲ一日繰リ上クルニ至レリト云ヘルコト

越ヘテ本月十日予定ノ通リ本官ハ「ブリスベン」市出発帰任ノ途ニ就ケルカ急ニ出発日取ヲ變更セル「バーンス」氏モ同列車ニテ「シドニー」市迄同行スルニ至リ極メテ好機會ヲ得タルニ付車中屢々私友的ノ訪問ヲ交換シ序ヲ以テ種々打融ケタル談話ヲ重ネ徐ロニ内情ヲ探リタルニ前記内探ノ結果ハ大体上相違ナキヲ突留メ得ラル、コト、相成候同氏ハ「メルボルン」市ニテ聯邦政府ノ首相及反對党首領ニモ熟議シ其結果ハ帰州ノ途次当市通過ノ節本官ニ面会シ内話可致答ニ有之候

將又「ブリスベン」ニ於ケル会見ハ毎回速記ヲ用ヒ双方ノ所言ヲ速記セシメタルニ依リ其写一通ハ聯邦政府ハ抗議書ノ追加トシテ之ヲ提出致置候ニ付別紙一通御参考ノタメ茲

Mr. Shimizu: After I had the pleasure of an interview with you in Sydney, I made a memorandum of the interview. Will you please look it over.

Mr. Barnes: Certainly I will, with pleasure.

After reading the memorandum, Mr. Barnes said:— I am afraid there is one sentence here that is not included, in the third paragraph. That paragraph reads as follows:—

“Mr. Barnes said that he required time to consider before giving such explanation, but he understood in substance that the arrangement that had been arrived at by the correspondence between the Consul General and the Queensland Government was to the effect that certificates of exemption would be issued on application to those Japanese who had resided in the Commonwealth for a period of over ten years”.

The alteration I wish to make is to add there the words

“and who have been constantly engaged in the sugar industry”.

ニ添付致候又本件ニ関シテハ聯邦政府ノ当局ニモ面議ノ必要有之ニ付公務ノ都合見計ヒ其内「メルボルン」市出張ノ積ニ有之候同市出張ノコトハ予テ御認可ヲ経居候処公務ノ都合上不得已見合居候義ニ付却テ好都合ノコトニ相成候本件ニ関シテハ「ブリスベン」出張中内探ノ為メ大ニ二三ノ人ヲ煩ハシ居ルニ付好時機見計ヒ謝意ヲ表スル為メ日本品ニテモ贈与致度又「メルボルン」出張ノ節モ同様ノ儀必要可有之被存候ニ付機密費五百円程御送付被下度右御許否ハ電信ニテ御回示相仰度候

右及具報候 敬具

(附屬書一)

五月七日在「シドニー」日本総領事及「ク」州首相代理間会見録写

(Copy)

Notes of an interview between His Imperial

Japanese Majesty's Consul General (Mr.

Seizaburo Shimizu) and the Acting

Chief Secretary of Queensland

(Hon. W. H. Barnes).

7th May, 1914.

All the rest is all right.

Mr. Shimizu: The greater part of the correspondence was before I came. I carefully perused it, but I cannot find that in it at all. Will you look at the telegram from Mr. Denham to the Acting Consul-General, dated 22nd October, for instance?

Mr. Barnes: Yes, I will read it.

“Your telegram 20th re Sugar Cultivation Regulations Japanese domiciled in Commonwealth will in most cases come under b and c subclause 7 Regulation 3”

Mr. Shimizu: Also the letter from the Acting Chief Secretary to the Acting Japanese Consul-General, dated 23rd December, 1913.

Mr. Barnes: Yes, I will read that too.

“Acknowledging the receipt of your letter of the 8th instant, I have the honour to inform you that persons who have been ten years resident in the Commonwealth will be considered to have been long resident therein with the meaning of Regulation 3 (7b) of Regulations under the Sugar Cultivation Act of 1913”.

Regulation 3, (7) (b) says:-

“Such person's long residence within Queensland or the Commonwealth”.

and (c) says:-

“such person having a lawful wife and family residing within Queensland”.

Mr. Shimizu: From these telegrams and letters we understood that all the Japanese in this Country who are of long residence, the definition of which was given as over 10 years in the letter, all those persons would be given exemption certificates.

Mr. Barnes: Might I just give you what I think was the intention. The intention was of course to deal with the sugar industry? I assume that there were Japanese, and people of other nationalities, engaged in Queensland in the sugar industry. We were out to deal with the sugar industry in those regulations, with people in the sugar industry, and at that period it did not include anyone who was outside the sugar industry. The difficulty that has arisen now is this, that those who were outside the sugar industry and were ten years in the

had been previously engaged in the sugar industry, and consequently they were thrown out through no fault of their own.

Mr. Shimizu: It is so. As far as I know there is no Japanese who applied for exemption who was not engaged at some time in the sugar industry. In most cases they came to this country for the sugar industry, and have been engaged in it continually for over ten years, although there may be a few who may have been unable to get employment in 1913. Some of them were engaged in the cultivation of sugar cane; others were taken to some of the mills, some as mechanics, some working the filter presses, some in centrifugal work, some as firemen, and so on.

Mr. Barnes: It seems to me that a great deal really depends upon what the interpretation of “the sugar industry” is.

Mr. Shimizu: I quite agree with you. There are many Japanese who have been working until the end of the 1912 crushing season in the sugar industry continually and for over ten years, but a great

State want to come in under the Regulations.

Mr. Shimizu: In the broadest sense the correspondence seemed to cover all the Japanese who were domiciled in Queensland.

Mr. Barnes: That is the point of difference between us absolutely just now.

Mr. Shimizu: In the broadest sense it would seem to cover all the Japanese domiciled in Queensland or the Commonwealth also. The correspondence includes all those who were engaged in the sugar industry and being in the States more than ten years. As far as I know, however, all the Japanese who applied for exemption were engaged in the sugar industry for several years, at least, and the majority of them over ten years, but there were a few who were not engaged in the sugar industry in 1913 on account of sickness in the industry, though they had been engaged previously for several years.

Mr. Barnes: Your point is that the year you specifically refer to was a poor sugar year, and probably there was not sufficient work for all those who

majority of the Japanese in Queensland are in the recent years in the mill and not in field work. And until we heard from you, in your letter of the 13th March, 1914, we thought there could be no distinction between field work men and mill men. I was quite surprised to hear that.

Mr. Barnes: I will read that letter.

“I have the honour to acknowledge the receipt of your letter of the 25 ultimo, and in reply to inform you that the issue of Certificates of Exemption to person coming within subclause 7 (b) of Clause 3 of the Regulations is discretionary, and that the Honourable the Secretary for Agriculture in exercising that discretion, has made it a rule not to grant such exemption to persons who were not, during the year 1913, engaged in or carrying on the cultivation of sugar cane.

Mr. Shimizu: Allow me to interrupt you for a moment. In saying that, did you mean that those who were engaged in mill work, however long they have been, were to be refused a certificate

of exemption?

Mr. Barnes: I think certainly that the intention was that it was only those who were actually engaged in the cultivation of sugar cane, and not those who were in the mills. That is what was meant. The letter goes on as follows:-

“ With reference to those applicants who were engaged in such cultivation prior to 1913, but because of any slackness in the operations of the industry during that year may have been compelled to seek employment in other directions, I have to advise you that the Honourable the Secretary for Agriculture, while unable to bind himself to grant a Certificate of Exemption to any such persons, is prepared to give attentive consideration to any representations they may urge with a view to the Relaxation in their favour of the rule above-mentioned”.

Mr. Shimizu: I am very grateful indeed to find this expression, which is brought out in the last paragraph. At the same time I cannot really understand the reason why the Honourable the

that it is a person actually engaged in the growth of sugar.

Mr. Shimizu: Then people can work in the mill without exemption.

Mr. Barnes: I shall have to get advice as to what the correct interpretation is. The whole trouble apparently hinges and leads up to the one thing, namely, the interpretation as to what a sugar grower is. We have said that certain people, except those who have been continually engaged in the sugar industry for ten years, are the only ones who can get exemption tickets. It seems to me that it is important to find out whether our interpretation of the regulation is correct.

Mr. Shimizu: If your view is correct that mill workers are not sugar growers, or are not required by the Act to be exempted, all the better. It would simplify the matter very much indeed. But what I am afraid of is the phrase in the Sugar Cultivation Act of 1913. Clause 4 says:-

“ After the passing of this Act—

(i) Any employer who, either directly or in-

Secretary for Agriculture should make any discrimination between field hands and mill hands. The aim of all this correspondence was to protect our people who were domiciled in Queensland, no matter in the field work or in the mill work. Even by the Federal Immigration Restriction Act their domicile rights were not interfered with. They can go to Japan on an exemption paper, and can come back on that exemption paper without being interfered with, just as if they were naturalized, or people of this country. It would follow that these Japanese who were domiciled before the Immigration Restriction Act would be fully protected. There are two kinds of workers in the sugar industry—field workers of sugar cane, and mill workers.

Mr. Barnes: May I ask whether you have had any legal advice as to what a “sugar worker” really is? It seems to me that a great deal hinges upon that.

Mr. Shimizu: I shall be pleased to hear your opinion on that.

Mr. Barnes: The Department have really held hitherto

directly or under any pretence or device, attempts to employ, or employs or authorizes or permits to be employed, in or in connection with the industry of the cultivation of sugar-cane and the manufacture therefrom of sugar, any person who has not first obtained a certificate of having passed the dictation test.”

Judging from the words “and the manufacture therefrom of sugar” mill hands are included.

Mr. Barnes: That would be your answer to what I have just said with regard to the growth of sugar cane. The Act is so explicit that it covers everything. It seems to upset the suggestion I made a while ago that they may be excluded.

Mr. Shimizu: It looks like it very much.

Mr. Barnes: It may be wise for both of us to get some legal advice as to whether any of the Regulations and the Act are contradictory.

Mr. Shimizu: That would be a very good thing.

Mr. Barnes: I will get a copy of the notes, and if you find it is correct after perusing it, I will have a

copy sent to our Attorney General for his opinion. But I suggest that perhaps you would like to consult someone right outside, in the legal world in Brisbane. You would then have an outside opinion, and we would have an inside opinion.

Mr. Shimizu: The interpretation one way or the other does not make any great material difference to me. All I would ask you respectfully is that those domiciled in the country over ten years are protected and their livelihood not taken away from them. Quite apart from any interpretation that may be put on the Act they should be absolutely protected and allowed, should they so desire it, to engage in the manufacture of sugar, whether in the mill or in the field, or in any part of the work associated with the mill.

Mr. Barnes: That is the position you take up?

Mr. Shimizu: Yes, I see no difference between the mill and the field work. If they are in the same manner and fairly treated and in a sense of justice, then I am quite content.

Mr. Barnes: Your point is that as long as they sub-

were working in the mill in the crushing season, and outside when the crushing is finished?

Mr. Barnes: I should scarcely think they would be included.

Mr. Shimizu: There are many who work in the mill in the crushing season, and after the crushing season over what can they do? They go to the forest and cut wood for the mills, or something else. If there is no crushing work in the mills they are compelled to go out of the mill and do something else. These I desire to be included in those "constantly" engaged.

Mr. Barnes: I see your point. All that you have put before me this morning will be carefully considered by Cabinet.

(附屬書11)

五月八日在「シムズ」日本総領事及「タ」州首相代理間会見録

(Copy)

Notes of an interview between H. I. Japanese Majesty's Consul-General (Mr. Seizaburo Shimizu) and the Acting Chief

scribe to the law of the country, they should be protected with regard to their employment and allowed to engage in the sugar industry, whether in the field or in the mill?

Mr. Shimizu: Certainly, yes. Seeing that it is the practice and usage of international relations, even though there are no particular Treaties between the countries concerned.

Mr. Barnes: I will get the Cabinet together to discuss the Conference we have had this morning. At this stage I cannot make any promise. I will take it to Cabinet. Before taking it to Cabinet, I will let you have a copy of the notes, and you can tell me if they are correct.

Mr. Shimizu: With regard to the alteration in the memorandum of the interview I had with you, what can I do with regard to that?

Mr. Barnes: When you get these notes you can make any note you wish in order to protect yourself in any way.

Mr. Shimizu: All right. By the word "constantly" in that alteration, does that exclude those who

Secretary (Hon. W. H. Barnes).

8th May, 1914.

Mr. Barnes: When we chatted matters over yesterday, I said I would get the Cabinet together to discuss what you had said to me and I had said to you. I had the notes of the interview furnished to each member of the Cabinet in town. This morning we gave a great deal of consideration to it, and they said that *the arrangement as originally made was being absolutely carried out*, and we could not depart from it.

Mr. Shimizu: May I ask your opinion with regard to the principle I stated yesterday with reference to the protection of those Japanese domiciled in the State? I said that Japanese who were domiciled in Queensland or in the Commonwealth before the enactment of the Commonwealth Immigration Restriction Act should be fully protected in their occupation and their livelihood.

Mr. Barnes: That certainly raises another point; a new point which we did not consider yesterday.

Mr. Shimizu: No, it is not new. It is included in the discussion. In fact it is the most important point which I raised yesterday. It is referred to on page (4) of the notes, and again on the fifth page near the bottom. Seeing that the decision of your Cabinet is that you will hold the position you have already held, what do you think of this protection of aliens domiciled in the country before the passing of the Immigration Restriction Act?

Mr. Barnes: The only thing that I can say is that the latest legislation passed really covers that point in my judgment—our own legislation—sugar matters having been placed in our hands.

Mr. Shimizu: Can you point out any clause in the Sugar Cultivation Act with regard to what you have just said?

Mr. Barnes: I do not think that anything is specifically referred to, but the Act as it passed gave to us full power. That is the position we take up.

Mr. Shimizu: Even so, I would not suppose you would take any action which is not in accordance with the principle of justice and fair play.

of sugar cane. I merely refer to that to show you what was in the mind of the Government at the time with regard to those who were actually engaged in farming their own lands.

Mr. Shimizu: That is in regard to the occupier of the lands. A moment ago I asked you to point out a Clause in the Act which gave you certain power which you allege.

Mr. Barnes: The Act gave us power to issue regulations, and those regulations may be very comprehensive, and they may be altered from time to time as the Government may wish. There is really supreme power there.

Mr. Shimizu: Yes, that is so. The Act gives the Government power to make regulations, but I should like to represent that in exercising that power the Governor-in-Council would not take any action to do anything not in accord with the principle of justice and fair play.

Mr. Barnes: My answer to that was, and is, that the Governor-in-Council have always most carefully observed that point and still desire to observe that

Mr. Barnes: Do you think that we are doing that which is not in accord with the principle of justice and fair play?

Mr. Shimizu: It would indicate that way very much.

Mr. Barnes: Certainly there has been no desire on the part of the Government to do other than carry out *any arrangement that they may have made with you*.

Mr. Shimizu: I did not suppose so for a moment. I see that great power is given to the Governor-in-Council by the Act to make Regulations, but in exercising that power the Governor-in-Council would not take any action not in accord with the principle of justice and fair play.

Mr. Barnes: They would be very sorry to do so.

Mr. Shimizu: Especially with regard to aliens who were permitted, according to the law, to come here, and were already domiciled, having domiciled rights recognized in international law.

Mr. Barnes: Clause 5 of the Sugar Cultivation Act; protection is given to those men who owned properties and were actually engaged in the growth

point.

Mr. Shimizu: It is very satisfactory to know that. As I said yesterday there are two kinds of workers in the sugar industry, field workers and mill workers.

Mr. Barnes: And it is the mill workers you are now seeking to help.

Mr. Shimizu: Yes, it is. You told me that the Honourable the Secretary for Agriculture made it a rule not to give any certificate of exemption to those who were not engaged in the cultivation of sugar cane during the year 1913.

Mr. Barnes: Yes.

Mr. Shimizu: I told you yesterday that by these phrases all mill men were excluded from exemption. I strongly advocate that there should be no difference between field work and mill work, because we thought and still I firmly believe, that there could be no distinction whatever. Both are exactly the same in their status, they are domiciled aliens, coming, as they did, before the Immigration Restriction Act; they came here for the sugar industry,

if I remember correctly, invited by Australians most of them, and admitted by law.

Mr. Barnes: Your point is then strongly that we are practically breaking down an agreement that was made between yourselves and the Commonwealth before the introduction of the Immigration Restriction Act?

Mr. Shimizu: I will not go so far as that, but a great many of them were invited to come to this country to engage in the sugar industry. Do you agree with that?

Mr. Barnes: I confess I cannot say. I do not know.

Mr. Shimizu: Do you agree to this, that they were admitted to the country according to law at that time, before the Immigration Restriction Act? Since then no Japanese can come. They all came before that, and their domiciled rights were protected even by the Commonwealth law.

Mr. Barnes: Your point is that, whilst the Commonwealth gave protection to their domiciled rights, you think we are not doing so?

Mr. Shimizu: If the rule made by the Secretary for

doing nothing else, to be deprived by the action of the Government of that trade or business, and their living taken away.

Mr. Barnes: We think that our Japanese citizens have been amply protected by the provision that has been made.

Mr. Shimizu: What provision do you refer to?

Mr. Barnes: Take, for instance, the men who are at present engaged in the sugar industry. I think it will be found, you perhaps may have information different to mine, that those who were previously engaged in the industry are pretty well now all engaged in the industry still. Is that not the position?

Mr. Shimizu: That invites me to state concrete cases. I have a report—of course this is confidential—from the General Manager of the Colonial Sugar Refining Company in Sydney, that 29 of the mill hands of the Victoria Mill were refused exemption, and, although I have not the exact figures, I think it is 38 of the Macknade Mill hands were refused exemption, and the headquarters of the C. S. R.

Agriculture is carried out, the Japanese who came to this country in accordance with the law and were domiciled here, whose rights were respected and protected by the Commonwealth, and who were engaged in mill work for over ten years, may be deprived of their livelihood. That cannot be thought to be very fair.

Mr. Barnes: You desire to make this point, that our action in this connection is not a satisfactory one to your people?

Mr. Shimizu: That is what I think. These mill hands who have been working there, all of them probably over ten years, doing almost nothing outside, are they to be deprived of their livelihood by a rule made by the Honourable the Secretary of Agriculture?

Mr. Barnes: Your point is that there is no other occupation they can take up?

Mr. Shimizu: In individual cases what may happen I cannot tell. I do not know, but, generally speaking, it must be very hard indeed for anyone who has been engaged in one trade or business, and

Company are going to instruct their Mill Managers to pay them off; as they are not permitted to employ those who are not exempted. Otherwise they will be guilty, and heavy penalties will be imposed on them, being afraid of which they are sending telegraph instructions to their respective managers to pay them off. I have other cases, too. About 25 Japanese who have been engaged in the Kalamia Mill, all of them over ten years, were refused exemption, with this reason. I will read the memo: "To Mr. (so and so): "The Sugar Cultivation Act of 1913". With reference to your application for a certificate of exemption under the above Act I regret to inform you that the certificate cannot be issued as you are not engaged in the sugar industry within the meaning of the Act. Signed, Ernest Scriven, Under Secretary." That was given as a reason for refusal, while they had been engaged, all of them, in the mill over ten years, every crushing season. The total, then, is 92 altogether. And that may not be all. There may be, and probably are, more

refusals, and all of these will be thrown out of employment.

Mr. Barnes: What really you desire is that men like those should get certificates?

Mr. Shimizu: Certainly, yes, I think all, nearly all at least (because I do not see all the applications), all the Japanese who applied for exemption this time are entitled to exemption,

Mr. Barnes: Have all those men been continuously employed in the sugar industry.

Mr. Shimizu: I think so. Of course, as we discussed yesterday, there may be some who were compelled to engage in something else out of the crushing season of the mills, because there would not be enough work for them. But I strongly asked you yesterday that these should be included if you wanted to make it a condition of exemption "constantly in the industry".

Mr. Barnes: Your point yesterday was that the sugar industry could not find them employment more than six months of the year?

Mr. Shimizu: I referred to the crushing season: gen-

Mr. Barnes: Personally I very much regret that it should appear to you in that way, and I can only further add that the matter was considered fully, and I have already told you what the decision of the Cabinet was.

Mr. Shimizu: I wonder if all the Cabinet members fully understood and appreciated these facts and reasons which I have advanced here.

Mr. Barnes: The reasons which you have given I shall be careful to see that every Cabinet Member gets.

Mr. Shimizu: I thank you for that. Would it not be possible for you to get your Cabinet friends to reconsider the matter? I think that it is serious enough. If I cannot be satisfied by you that our people here are fairly treated, what can I do? The only thing I can do is to send a report to my Government: but I shall be sorry, as Consul-General for Japan here, to report to my Government that I do not think our people are being treated with fair play and justice.

Mr. Barnes: Speaking for the Government. I can only say, too, that I should feel exceedingly sorry if

erally speaking, about 6 months. There may be some who have been working year after year in the crushing season, but out of the crushing season may have been compelled to seek some employment outside of the mill. Again there were some who during the year 1913, owing to the slackness in the sugar industry, could not obtain employment in that year. Also they were engaged in that industry prior to 1913, year after year. These are also entitled to exemption.

Mr. Barnes: I think the year 1913 was a very good year, and not a slack year. I am open to correction, but I think 1913 was a record year.

Mr. Shimizu: That is what I am told from our men in the field. Of course, in some parts it might have been a good year, and in other parts a slack season. Nearly all the Japanese who applied for exemption this time had been working in the sugar industry for over ten years, year after year, making it their main business, their main means of income, their livelihood, and now they are to be deprived of it.

you thought you had to view it in that light, nor could I for one moment—if you do think you are not being fairly treated—say to you "do not do so", because I think I would be asking what was not a proper thing. If you think you are not being properly treated, then I cannot blame you for representing it to your Government.

Mr. Shimizu: I cannot help it. But I shall be very sorry indeed to report that way, because my mission here, whatever may be the actions of some politicians in this country, whatever may be their attitude, is to promote the friendly relations between Japan and Australia as much as possible.

Mr. Barnes: I should very heartily try to reciprocate as much as possible.

Mr. Shimizu: I think this matter is important enough for you to ask your Cabinet friends to reconsider it.

Mr. Barnes: I will see that every member of the Cabinet gets an account of our interview this afternoon as soon as possible. You made another request which I am a little doubtful of being able

to meet, that they should consider it as soon as possible. I fear that most of the members of the Cabinet will be out of town tomorrow.

Mr. Shimizu: Would it not be possible for you to tell your friends immediately what has been going on, and ask them to reconsider the matter? If this matter is to be settled at all it should be done very quickly.

Mr. Barnes: I recognize that. There will be an additional advantage if the matter stands over for a few days, in that there will be more men to consider it.

Mr. Shimizu: But you will be away. And I must rely upon the Premier.

Mr. Barnes: I want to accept my fullest responsibility in this matter, but I must leave for Melbourne on Monday morning. I may say the Cabinet discussed the matter all round this morning, and they contended they were carrying out the *arrangement which had been come to*.

Mr. Shimizu: You say that they had read the notes of the discussion yesterday, and what did they

give as the reason for the distinction made between mill hands and field hands? Why were field hands to be given exemption, and the others not? The mill men were practically refused in a wholesale way.

Mr. Barnes: They said that, from the inception, that was the intention.

Mr. Shimizu: Your intention may have been so, but looking from the point of view that these aliens are here and should be fully protected, what can you give me as the explanation of treating them in such a way?

Mr. Barnes: Your point is that, whether engaged in the sugar industry or in any other industry, they have certain rights which should be protected. The telegram of 22nd October which you quoted yesterday said "in most cases". It was never suggested that they should all come in. I contend that really, in most cases, they have.

Mr. Shimizu: Oh, no.

Mr. Barnes: Is it not a fact that the majority of the men in Queensland to-day have come under it?

Mr. Shimizu: No, according to my estimate, which may not be exact, but it is approximate, the Japanese mill hands in Queensland number 153, and there are not more than 300 Japanese engaged in the sugar industry, I think less than that. And there are over 150 mill hands who are to be refused exemption according to the rule which the Minister for Agriculture has made. The words "most cases" in that telegram we thought would mean 99, 98, 97, or 95 per cent, at the utmost.

Mr. Barnes: I am quite sure that what was intended by that was in connection with the men actually engaged in the cultivation of sugar.

Mr. Shimizu: No. The correspondence did not say anything about it. There was no such qualification. There was nothing with regard to cultivation or mill work. There was nothing about that until your letter dated 15th March this year was received by me.

Mr. Barnes: It seems to me that our differences are fairly considerable just now.

Mr. Shimizu: Yes, very.

Mr. Barnes: If it is possible I will get into touch with the members of the Cabinet so that the *matter will have further consideration*. But the matter was so fully discussed this morning that I do not think there will be any departure from the decision.

Mr. Shimizu: I shall be very sorry. Even if we cannot agree, I shall at least expect you to give me the reasons why such distinction has been made.

Mr. Barnes: The answer I know would be that the arrangement entered into is being carried out.

Mr. Shimizu: What arrangement do you refer to?

Mr. Barnes: The arrangement agreed upon between yourself and the Government.

Mr. Shimizu: No, it is not.

Mr. Barnes: That would be what the Government would say.

Mr. Shimizu: If it is so, they are entirely mistaken.

Mr. Barnes: Probably, and unintentionally, you yourself are mistaken.

Mr. Shimizu: I shall be very glad indeed to have it pointed out to me in what I am mistaken. Our arrangement was simply this. These Japanese who were domiciled in Queensland and had

been long resident, according to the definition given as over 10 years, were to be exempted, at least in most cases, coming under (b) and (c) of sub-clause 7 of Regulation 3. That was the substance of the arrangement, and nothing was said with regard to the distinction between mill hands and field hands until your letter of 13th March last, and nothing was said again about employment in the 1913. The contents of your letter dated 13th March last was the first time these two points were raised for excluding the Japanese.

Mr. Barnes: The points you have now made with regard to the original agreement will be laid before the Cabinet.

Mr. Shimizu: And reconsider the matter?

Mr. Barnes: Yes, (nodding the head).

(紙讀欄川)

五月九日在「シンペー」日本総領事及「シ」州首相
代表團會談録

(Copy)

Notes of an interview between the Japanese Consul-General and the Acting Chief Secretary, Brisbane,

Mr. Shimizu: The Act was passed and the regulations were published. The correspondence, as I remember, started with the letter from the Acting Consul-General to the Premier, dated 5th August, 1913, and ended with your letter dated 23rd December of the same year. Going through it word by word I cannot find any word in it with regard to the distinction between mill hands and field hands; there is nothing said about it. Again, nothing is said as regards those who did not work in the year 1913 in the sugar industry, though they worked in that industry prior to that year.

Mr. Barnes: My answer to you there was that 1913 was a busy year and not a slack year, as far as I know.

Mr. Shimizu: That does not matter very much. In all the correspondence by which our arrangement was made, there was nothing in it as regards those two points, and we thought we were justified in thinking that all the Japanese who were engaged in the sugar industry in this country, in this State, at least, were entitled to exemption.

9th May, 1914.

Mr. Barnes: When we parted yesterday I told you that the members of the Cabinet who were get-at-able would meet this morning to consider further what transpired between us yesterday. This morning we met, and I can only say that after going into the matter fully, all the members of the Cabinet myself included feel that the interpretation that we have put upon the arrangement is the correct one, and therefore I am sorry to say that we cannot depart from it, and that yesterday's decision in upheld.

Mr. Shimizu: I am very sorry to hear that, and I am very much surprised to hear that you and your friends think that the position you are upholding is in accord with the original arrangement between my office in Sydney and your Government.

Mr. Barnes: And may I add "with the legislation which was passed".

Mr. Shimizu: Do you mean the Sugar Cultivation Act of 1913?

Mr. Barnes: Yes.

Mr. Barnes: It was certainly never so intended.

Mr. Shimizu: It reads in that way. The telegram from Mr. Denham to the Acting Consul-General said "in most cases the Japanese would come under (b) and (c) of sub-clause (7) of Regulation 3. We took that as an assurance, as a promise, that all the Japanese who were domiciled in the State would be given exemption. We reported to our Government to that effect. We are now wishing to be assured that this assurance will be faithfully carried out. Those two new points—the distinction between mill hands and field hands, and those who did not work in the industry in 1913—were brought out for the first time in your letter of the 13th March last, seven weeks after the whole matter had been already concluded on the 23rd December. Further, it was not initiated from my side. I asked you for an explanation on some other point, and it was in the way of an answer to my letter that these two points were brought out. And these two points are not in the Act or the Regulations, but, as you say, in a rule made by

the Honourable the Secretary for Agriculture. It is unthinkable to me that such action should be taken by the Honourable Minister for Agriculture when an assurance, and almost a promise, was given to the representative of my Government. Can you give me any explanation of it?

Mr. Barnes: I have really nothing to add. You will recognize that full consideration has been given, I think, to all your requests, and I can only personally regret that we do not see eye to eye as to what was intended.

Mr. Shimizu: You were good enough to tell me yesterday, when I said I thought that you and your Cabinet friends were entirely mistaken as regards the arrangement, that perhaps I was unintentionally mistaken. I felt absolutely sure that I had made no mistake, and I asked you if you could point out to me in what I was mistaken. I have already pointed out to you that your Government in holding this position are mistaken, and you told me that the matter had been carefully considered; but I cannot see clearly that these

contents of the Act cover mill hands. If however you can give me an assurance that the mill hands should not be interfered with by the Government, and that the mill owners will not be interfered with then I would be very thankful.

Mr. Barnes: I really cannot add anything at all to what I have already said, and you can readily understand from the very friendly way in which we have discussed these matters that it is a source of regret to me.

Mr. Shimizu: Yes, more so to me. Of course I am very disappointed and very surprised that even the reasons are refused for making this distinction between mill hands and field hands, when I asked you to give them for it.

Mr. Barnes: I told you we were carrying out the Act, and that the whole thing was in the Act of Parliament.

Mr. Shimizu: I do not think so. Of course great power was to given to the Governor-in-Council. I quite agree that the Governor-in-Council has been given very extensive power; but in the Act itself

important points have been brought to their attention. Again, I told you yesterday if we could not agree on this matter I should expect you to give me reasons why this distinction between mill hands and field hands was made, and I am still, for the information of my Government, expecting to obtain some explanation or reason why this distinction has been made.

Mr. Barnes: I can only refer you to the Act itself.

Mr. Shimizu: What Act?

Mr. Barnes: The Sugar Cultivation Act of 1913.

Mr. Shimizu: If that Act only concerned field hands you are quite right, but as I read to you yesterday there is a Clause in the Act which prohibits those who are not exempted or passed the examination from being employed in the mill. If any mill owner employs an alien who has not passed the examination or been granted a certificate of exemption such mill owners shall be guilty and punished, and further those who were employed in that way would be punished also. Although the name of the Act is the Sugar Cultivation Act the

there is nothing said about making such distinction. In the Regulations I see great distinctions made between races, Europeans on the one hand, and—

Mr. Barnes: I am very sorry to hear that, because our anxiety is that there should be the friendliest feeling between us.

Mr. Shimizu: That is what we desire to cultivate and foster, but what I am complaining of now is not in regard to the Act itself at all. I am not complaining now with regard to any of the provisions even of the Regulations. What I am complaining of is the rule which the Minister for Agriculture has made. It is very strange: I cannot understand it: it is unthinkable. When the Act was passed, and when the Regulations were passed and published, there was nothing said about this distinction. Then so many of our Japanese subjects domiciled here should be deprived of their livelihood by an action of the Minister for Agriculture in spite of the fact that there is nothing in the Act or Regulations.

Mr. Barnes: I can only say that the matter has re-

ceived the gravest consideration of the Cabinet, and the position is as I have explained it to you. Mr. Shimizu: Well then, I suppose there is no use saying any more when you say that. But I am not mistaken in concluding that;

(1) The assurance or promise which was given by your Government to the Japanese Consul-General at Sydney by correspondence which passed between them from the 5th August 1913 to the 23rd December of the same year, that assurance or promise is not being carried out; in other words the promise has been broken.

(2) I do not think Japanese subjects domiciled in this country are being treated in accord with the principle of justice and fair play. Their domiciled rights as recognized in international law are disregarded by your Government: (3) When I asked the Honourable the Prime Minister, no satisfactory reasons were forthcoming. It is most extraordinary that some reason should not be given for the action which has

been taken by Cabinet members, and which so seriously and gravely interferes with the domiciled rights of our people in so great a number. * By "domiciled rights" I mean the existing rights of domiciled persons.

s. s.

Mr. Barnes: I am very sorry that you think that. Mr. Shimizu: I cannot help it. It is a rational and reasonable way of concluding. All the contention we have had on the former occasions would lead up to those conclusions.

Mr. Barnes: I can only say that I regret exceedingly that those are the conclusions you have arrived at after our conferences together.

Mr. Shimizu: I am going to see whether the Commonwealth Government have any power to protect our subjects from being treated in such a way. In my opinion in this country subjects concerning aliens come under the exclusive power of the Commonwealth Government under the Constitution. If I am not mistaken the Commonwealth Government must have some power to protect such aliens from being treated in such an unfair

way by one of the States.

Mr. Barnes: Of course I cannot for one moment, nor do I, desire that you should take any action but what you think you should take in the interests of your people. I can only commend you for it, and no offence will be taken by this Government at your doing so.

Mr. Shimizu: Have you any further remarks to make? Mr. Barnes: No, I have nothing further to add. Do you think that covers all you wish to say to me this morning?

Mr. Shimizu: Yes.

After mutual expressions of good-will, and thanks for the courtesies extended, the discussion closed.

三二一 六月三日 在シドニー清水総領事ヨリ
加藤外務大臣宛

濠洲ノ対日感情ニ関スル件

機密公第六号

(七月六日接受)

大正三年六月三日

在「シドニー」

総領事 清水 精三郎 (印)

一三 「オーストラリア」ニ於ケル本邦移民排斥問題 三二一

外務大臣男爵 加藤高明殿

濠洲聯邦ノ地積ハ貳百九十七万四千五百八十一方哩ニシテ最近調査ノ人口僅カニ四百八十七万五千五百九十九人ニ過キス其内約三百万人ハ当国東南ノ一隅ニ占ムル「ニュー・サウス・ウェールズ」及「ヴィクトリア」ノ二州ニ住居シ其他ノ諸州ハ人口極メテ稀薄ナレハ広濶ノ沃野ニシテ人跡ヲ絶テルノ地多ク殊ニ其北部ヲ占ムル百万余方哩ニ跨カル地方ハ熱帯ニ属シ欧洲人ノ住居ニ適セス是ニ於テ当国各州政府ハ多年間英本国其他欧洲移住者ノ招徠政策ヲ立テ極力励精スル所アリシニ拘ラス欧洲移住者ノ潮流ハ常ニ北米合衆国加奈陀若シクハ南米諸国等ノ方面ニ向ヒ南洋ニ隔絶セル濠洲ヘノ来住者ハ至テ少ク北部熱帯地方ノ如キニ至リテハ相替ラス概ネ空漠無人ノ地域ニ属セリ

然ルニ亜細亜諸国ヲ一望スレハ日本、支那、東印度、蘭領印度諸島等何レモ人口稠密ニ過キ其住民ハ生計ニ苦シミ剩余人口ノ放出ニ焦慮熱中スル向多ク濠洲ニ於テ極力之ヲ防遏スルニアラサレハ其広漠ナル沃野ハ漸次所謂有色人ノ為メニ横領セラル、ニ至ルヤ必セリトハ当国人多年ノ憂慮スル所ニシテ当国カ白人濠洲主義ノ旗幟ヲ標榜シ移民制限法

ヲ立テ攷々トシテ有色人種ノ入国禁遏ニ努ムルコト全ク此意ニ出ツルニ外ナラサルナリ

我日本帝國カ日清日露ノ兩戰役ヲ経テ國威ヲ四海ニ輝カスニ至リ殆ント恐怖ノ念ヲ起シタル國少カラスト雖トモ此念慮ノ深キコト濠洲ノ如キハ蓋シ稀ナルヘシ当國ニテハ千九百〇一年聯邦ノ組織成立スルヤ其第一議會ニ於テ移民制限法ヲ制定シ語學試験ヲ名トシ有色移民入国禁遏ノ制ヲ立テ我日本人ニ對シテモ他ノ有色人種同様官吏商人學生及旅行者等ノ外絶対ニ移民ノ入国ヲ禁止スルノ政策ヲ立テ爾來之ヲ勵行シ毫モ假借スル所ナシ然ルニ英本國ハ日本ト同盟ヲ訂結シ國交愈々親密ヲ加フルニ至リタレハ其屬領タル濠洲カ日本ニ對シ鎖國ニ均シキ政策ヲ執行スルハ定メシ日本國民ノ忿怨ヲ免ル、コト能ハサルヘシトノ念慮胸底ニ湧起シ寢寐之ヲ忘ル、能ハス此念慮ハ我國御威ノ高マルニ連レ且シ當國移民制限法ノ勵行ト同時ニ年ヲ追テ増進シ遂ニ恐日病ノ痼疾トナリタルモノト察セラル

當國諸新聞紙ノ論調及公人私人ノ演說等ニ拠リ其心中ヲ察スルニ以テ謂ラク人口稠密ニシテ生計ノ程度低劣ナル亜細亞諸國人ノ侵入ハ何レモ皆當國ノ社會狀態經濟組織等ヲ倒壊

相「マスセー」氏ノ言明ノ如キ何レモ其局ニ當レル大官ノ公言セルモノニシテ事ノ國際關係ニ涉ル点ニ就テハ最モ謹慎ヲ加フヘキ筈ナルニモ拘ハラズ存外露骨ノ言辭アルハ其胸底推シテ知ルヘシ況ンヤ新聞紙上ノ記事所論ノ如キニ至リテハ間々甚ダシク我國國民ノ意志ヲ誣ヒ殆ント絶笑ニ堪ヘサル所言ヲ憚カラサル事例ニモ乏シカラス尤モ當國人種中ニモ日英兩國カ國際上ノ利害共同ナルノ基礎ニ立チテ攻守同盟ヲ結ヒ居リ日本ノ受クル利益ハ英國ノ夫レニ讓ラサルニ依リ此同盟ハ容易ニ渝ハルコトナカルヘク日本ノ濠洲侵略ノ如キ事變ハ杞人ノ憂ニ過キサルヘシトノ意見ヲ懷抱スルモノナキニアラサレトモ其數極メテ少キモノ、如シ當市日刊新聞「シドニー、モーニング、ヘラルド」ハ當國上流社會ニ愛読セラレ論調穩健ノ稱アリ同紙客月二十七日紙上ニ掲クル「日本及濠洲」ト題スル社説ハ當國上流社會ノ輿論ヲ代表セルモノナレハ其切抜ヲ添付シテ御參考ニ供ス濠洲カ斯克モ本邦ヲ恐ル、ノ主因ハ其移民制限ノ政策ニアルコト前記ノ通りニテ之ヲ詳言スレハ一方ニ於テハ國土大人人口稀薄ナルカ故ニ英本國其他歐洲移住者奨励ノ為メニハ國勢及富源ノ廣告船賃ノ補助若シクハ新來者ニ与フル各

スルノ虞アリテ其恐ルヘキヤ一ナリト雖トモ殊ニ日本人ハ堅忍力勇氣習練等優秀ニシテ且ツ太平洋ヲ圧スル武備ノ後援アルカ故ニ若シ其國民ニシテ當國ノ門戸ナク鎖鑰ナキ北辺ヲ窺フコトアリトセンカ英本國海軍ノ外何物モ能ク之ヲ防クノ力アルコトナシ故ニ日本ニ對スルノ方略ハ可成之ヲ敬遠シテ其移民ヲ拒絕シ以テ事端ヲ起スノ機會ナガラシムルト同時ニ力ヲ尽シテ海陸ノ兵備ヲ整ヒ緩急事アルニ當リ少クトモ本國海軍ノ到達スルマテ自力ヲ以テ防禦ニ當ルノ大計ヲ立テサルヘカラス満期終了若シクハ廢棄ノ虞アルヘキ日英同盟ニ信賴シテ防備ヲ怠ルカ如キコトアラハ遂ニハ嚙臍ノ悔ヲ免ルヘカサルニ至ルコトアルヘシ是レ國民ノ大苦痛ヲ忍ンテ全國國民兵制ヲ勵行シ巨額ノ國帑ヲ惜マス濠洲海軍ヲ擴張セサルヘカサル所以ニシテ吾人カ千九百〇九年國防法ヲ制定シ爾來極力之ヲ實行シツ、アルノ真意モ亦是ニ外ナラサルナリ云々

右ノ立言ヲ例証スヘキ公私人ノ發言ハ極メテ頻繁ニシテ枚舉ニ遑アラサレトモ本年四月十八日付公第四一號信ニテ報告シタル濠洲聯邦軍務大臣「ミレン」氏ノ意見書及本年三月二十四日付公第二七號信報告「ニュージランド」政府首

種ノ便宜等有ラユル手段ヲ講シツ、アルノ傍ラ他方ニ於テハ人口ノ過剩ニ苦シミ移住ノ好地ヲ求メツ、アル一大強國ニ對シ鎖國主義ヲ執リ當ニ移民ヲ絶対ニ拒絕スルノミナラス永住權ヲ有スル其臣民又ハ協商ニ基キ入國スル少數ノ商人ニ對シテモ妻女ノ呼寄從僕ノ同伴等ニ至ルマテ種々ノ制限又ハ不便ヲ加フルコトナレハ到底日本人ノ忿懣ヲ免カレサルヘシトハ當國人ノ自覺スル所ニシテ他日一旦日英同盟終了ノ後何等事端ヲ生スルニ至ルコトアラハ日本國ハ濠洲ノ國是タル移民制限法ノ改廢ヲ要求スルニ至ルヘシトノ念慮ヲ禁スル能ハサルナリ

此恐日病ハ少クトモ新來本邦人ノ出入若シクハ在留者ノ營業等ニ關シ不良ノ影響アルカ故ニ之カ救治ノ事ハ本官ノ最モ苦心シツ、アル所ニテ極メテ至難ノ業ニ屬スレトモ漸次ニ國情ヲ研究シ有力者ニ接近シテ若シ出來得ヘクハ徐ロニ緩和ノ途ヲ講スルコトヲ試ミントス

右別紙添付及具報候 敬具

送付先 在英井上大使

註 附屬書省略

三二二 六月九日 在シドニー清水総領事ヨリ
加藤外務大臣宛

「クインスランド」州ニ於テ糖業ニ従事スル
有色人種排斥ニ関シ同州政府ト交渉シテ其ノ
態度ヲ改メシメタル件

- 附屬書一 五月十五日附「ク」州首相代理ヨリ在「シド
ニー」日本総領事宛来電写
二 五月十六日附濠州連邦外務次官ヨリ在「シド
ニー」日本総領事宛来電写
三 五月十九日附「ク」州首相代理ヨリ在「シド
ニー」日本総領事宛来電写
四 五月二十六日附「ク」州首相代理ヨリ在「シ
ドニー」日本総領事宛来電写

公第六一號

(七月六日接受)

大正三年六月九日

在「シドニー」

総領事 清水 精三郎 (印)

外務大臣男爵 加藤高明殿

本件ニ関シ本官「ブリスベン」市ニ出張シ帰任ノ途次「ク
インスランド」州首相代理「バーンス」氏「メルボルン」

号)アリタルニ依リ本官ハ電信ニテ謝意ヲ表スルト同時ニ
農務大臣再考ノ結果ヲ電報セラレンコトヲ求メ候処二十六
日ニ至リ首相代理ヨリノ来電(附屬第四号)ニ「去十八日
(十九日ノ誤リ)拙電ニ関シ農務大臣ト協議ノ上「クイン
スランド」州二十年以上住居シ製糖所内ニテ糖業ニ従事シ
タル日本人ヨリ免除証書下付願書ヲ更ニ提出セシムル様取
計ハレタシ」ト有之候ニ付之ニ対シ更ニ電信ニテ謝意ヲ表
シ且ツ願書提出ノ上ハ何レモ「フェヴラブルコンシダレ
ーション」ヲ受クヘキコトヲ信スル旨回答シ更ニ利害関係
者ニ向ツテハ夫々電信ニテ願書提出方ヲ通告致置候
右ノ次第ニテ願書再提出ノ結果ニ就テハ当館ニ於テ専ラ監
視致居候処関係製糖所ノ一ナル「ヴェクトリヤ」製糖所ヨ
リノ再出願二十九人ニ対シテハ免除証書發給セラレタル由
在当市本社ニ電報アリタル趣ニ有之候ニ付他ノ製糖所ニ従
業セルモノニモ同様發給ノ報ニ接スヘキコトノ期待致居候
本件ハ客年八月以来ノ懸案ニシテ元来其立法ノ目的カ可成
丈有色人種ヲ糖業ヨリ驅逐スルニアリテ存シ之ニ加フルニ
労働党ハ毎次圧迫ヲ政府ニ加ヘテ飽マテ立法ノ目的ヲ貫徹
センコトヲ期シタル形跡アリテ政府ハ我在留者ノ既得権ヲ

出張ノ途ニ上ルニ会シ「ブリスベン」及「シドニー」間同
行ニ至ルマテノ情況ニ就テハ客月十二日付機密公第四号ヲ
以テ具報申進置候処同月十五日「メルボルン」滞在中ナル
「バーンス」氏ヨリ「明十六日貴地通過帰任ノ筈貴下ヨリ
提出セラレタル事件ハ帰着ノ上來ル十九日閣議ニテ審議シ
其結果ハ電信ニテ通報スヘシ」トノ電報(附屬第一号)有
之翌十六日聯邦政府外務次官ヨリハ「外務大臣ハ日本人ノ
「クインスランド」州糖業ノ従事ニ関シ貴信ニテ提起セラ
レタル事件ヲ審査ノ末「クインスランド」州首相代理「バー
ンス」氏ト熟議ヲ遂ケ且ツ同州政府ニ於テ本件ヲ再考セラ
レタキ旨ノ公文ヲ發シタリ」トノ来電有之(附屬第二号)同
日「バーンス」氏ノ当市來着ヲ待チ会见致候処同氏ハ「メ
ルボルン」ニテ聯邦政府当局者ト審議ヲ了シタレハ更ニ閣
議ヲ経テ貴下ノ希望ヲ満足セシムルニ至ルヘシ云々申出ラ
レタルニ付本官ハ謝意ヲ表シ閣議決定後ハ直ニ電報ニテ通
信セラレタキ旨ヲ請フテ相別レ申候越ヘテ同月十九日ニ至
リ該州首相代理ヨリ「千九百十三年ノ甘蔗栽培法ニ依リ日
本人ニ免除証書發給ノ件ニ関シ本件ヲ再考スヘキ旨農務大
臣ニ請求スルコトニ閣議決定セリ」トノ来電(附屬第三

モ蹂躪セント企テ幾多ノ曲折ヲ経タリシコトナルカ結局前
記ノ結果ヲ見ルニ至リタルハ本官ノ喜フ所ニ有之候
別紙相添右及報告候 敬具

(附屬書一)

第一号

五月十五日「ク」州首相代理ヨリ在「シドニー」日

本総領事宛来電写

(Copy)

TELEGRAM.

15th May, 1914.

Japanese Consul-General,

164 Pitt Street,

Sydney.

Am passing through Sydney on Saturday matters
submitted by you will be placed before Cabinet Tues-
day after which I shall communicate with you by te-
legram.

Barnes

(附屬書二)

第二号

五月十六日濠州連邦外務次官ヨリ在「シドニー」日

本総領事宛来電写

(Copy)

URGENT TELEGRAM.

16th May, 1914.

Consul-General for Japan,

Sydney.

Minister has considered question raised by your letter concerning employment of Japanese in Queensland Sugar Industry. He has had conferences with Mr. Barnes and has addressed communication to him for consideration by his Government.

ATLEE HUNT,
MELBOURNE.

(附屬書三)

第三号

五月十九日「ク」州首相代理ヨリ在「シドニー」日

本総領事宛來電写

(Copy)

URGENT TELEGRAM.

19th May, 1913.

His Imperial Japanese Majesty's Consul-General,

Sydney.

With reference to the question of granting exemption to Japanese under the Sugar Cultivation Act of

「クインスランド」州ニ於テ糖業ニ従事スル
有色人種排斥ニ関スル件

公第七五号

(九月二十三日接受)

大正三年七月二十四日

在「シドニー」

総領事 清水 精三郎 (印)

外務大臣男爵 加藤高明殿

本件ニ関シ「クインスランド」州政府ハ本官ノ抗議ニ基キ製糖所内ニ労働セルモノモ甘蔗耕作ニ従事スルモノ同様書取試験免除証書発給ノ詮議ヲナスヘキコトニ其態度ヲ改ムルニ至リ日本人ノ出願者ニシテ一旦拒絶セラレタル者ヨリ更ニ願書ヲ提出セシムルコト、相成タル迄ノ状況ニ就テハ去六月九日付公第六一一号ヲ以テ具報致置候処其後同州政府ハ順次免除証書ヲ発給セル趣諸製糖会社ヨリモ情報有之本邦人中集団ヲナセル地方ヨリハ免除証書ノ受領ヲ報告シ来ルト共ニ当館ノ措置ニ対シ深厚ノ謝意ヲ申出ツル者モ不少尤モ再出願ニ対シ重ネテ拒絶セラレタル者モ往々有之由ニテ右等ノ申出ヲ調査スルニ概シテ願書提出以前料理洗濯等ノ業ニ転職シタルカ又ハ製糖所々属薪切業ニ従事シ製糖

1913, Cabinet has decided to request Minister for Agriculture to reconsider the matter.

W. H. BARNES

Acting Premier, Brisbane.

(附屬書四)

第四号

五月二十六日「ク」州首相代理ヨリ在「シドニー」

日本総領事宛來電写

(Copy)

Telegram from W. H. Barnes, Acting Premier,
Brisbane, Addressed to Japanese Consul-General,

Sydney.

26/5/14.

Supplementing my telegram eighteenth instant after conference with Minister for Agriculture now suggest that you get your subjects who have resided for ten years and over in Queensland and who have been engaged in sugar industry in the mills to make fresh application for permits.

三三三 七月二十四日 在シドニー清水総領事ヨリ
加藤外務大臣宛

業ノ圈外ニ脱シタル等ノ事由ニ基キ拒絶セラレタル次第ニ有之候元來本件ニ関シ当館抗争ノ要点ハ多年間糖業ニ従事シ来レルモノヨリ一片ノ立法ニ依リ其生業ヲ奪フコトノ不当ナルヲ訴フルニアリテ存シ一旦他業ニ転シタル者ニ復業ノ權利ヲ獲得セシメントスルカ如キハ到底情勢ノ許ス所ニアラス偶々糖業不振ノ為メ生計上余儀ナク転業シタル者ノ如キハ各自其事情ヲ具シテ免除証書ヲ発給ヲ歎願スルノ外致方無之(此ノ如キモノ再願スルニ於テハ適當ノ考量ヲ加フヘキ旨同州政府ノ声明ヲ得タルコトハ去五月四日付公第一五一号信付属写第十九号参看)義ニ付右様各自ヘ通達致置候

右等特殊ノ者ニ関シテハ其詮議長引キ候向モ可有之候得共普通出願者ニ対スル詮議ハ最早終結ノ筈ニ付同州政府ニ照会シ日本人ニ発給シタル免除証書数取調候処本月二十一日付書翰ヲ以テ左記ノ通り通報致来候即チ

地方名

発給数

アイア

九一

ケーンズ

八三

ダグラス

一三

インガム

六八

イニスフエール

四五

マッケー

五三

ダウンスヴキール

二

合計

三五五

「クインスランド」州糖業地方在留者ハ広漠ナル前記ノ諸地方ニ散在シ其内日本人会ノ設アルハ「ケインズ」及「マツケー」ノ二地ニ止リ其他ノ地方ニハ団体的ノ組織ナキカ故ニ免除証書出願者ノ統計調査ハ当館ニ於テ有ラユル手段ヲ尽シタルニ拘ラス其精数ヲ得難ケレトモ同地方在留者ノ総数四百人ヲ超ユルコト多カラサル見込ニテ其内ニハ小商人洗濯業者等ヲモ含ミ居ルノ事実ニ顧ミ且ツ各自ヨリ当館ニ愁訴シ来レル者ノ実数ニ依リテ案スルニ免除証書ヲ出願シテ拒絶セラレタル者ノ数ハ約四十人ト見テ大差ナカルヘク是等ハ何レモ一旦他業ニ転シタルモノナレハ本件ノ解決ハ日本人ノ関スル限り意外ノ好成绩ヲ得タル次第ニ有之候序ヲ以テ右等在留民ノ状態ヲ述フレハ其現状言フニ忍ヒサルモノアリ即チ彼等ノ大多数ハ单身放縦ノ行動ヲ敢テシ酒色ニ溺レ賭博ニ耽リ日給八志乃至拾志(四五円)ヲ得ルニ

拘ハラス貯蓄ノ念ニ乏シクシテ概ネ之ヲ浪費シ言行賤劣ニシテ喧嘩争鬭ノ振舞多ク警察官ヲ煩ハスコト決シテ珍ラシカラスシテ当国人ノ嫌厭スル所トナル間々本邦有識ノ旅行者ナド其有様ヲ見兼ネ説諭ヲ加フルモ却テ反抗ヲ招キ迷惑シタル実例サヘ有之当館ヨリ発スル諭告ノ如キモ格別ノ実効ヲ奏セサルモノ、如ク遺憾ノ至リナリ

右及具報候 敬具

事項一四 「ペルー」移民雜纂

- 一 森岡移民合名会社取扱關係
- 二 東洋移民合資会社取扱關係

一 森岡移民合名会社取扱關係

三一四 一月十六日

安楽警視總監ヨリ
坂田通商局長宛

「ペルー」国行契約移民多数逃亡ニ付森岡移

民会社ニ嚴重戒告及同社ヨリ提出ノ始末書進

達ノ件

進第三九号ノ二

(一月十七日接受)

大正三年一月十六日

警視總監 安 楽 兼 道 (印)

外務省通商局長 坂田重次郎殿

客年十二月二十七日附通送第七二四四号ヲ以テ秘露国行契約移民逃亡始末ニ関スル御申越ノ件了承森岡移民会社ニ対シ将来ノ取扱上ニ就キ嚴重戒告致置候処別紙始末書差出候

一四 「ペルー」移民雜纂(一) 三一四

ニツキ及進達候也

註 日本外交文書大正二年第二冊一五七文書
(別紙)

秘露契約移民逃亡ニ関スル始末書

弊社取扱秘露国行契約移民ニシテ大正二年六月安洋丸便(八月二日「カリヤオ」着)「カニエテ」耕地行参百六拾名及八月紀洋丸便(十月二日「カリヤオ」着)「カニエテ」耕地行百六拾四名「パラモンガ」耕地行四拾七名中「カニエテ」耕地行移民多数逃亡ノ件ニ関シ御示達ノ趣敬承仕候近來再々撰択方ニ関シ御示達相成弊社ニ於テモ右撰択方ニ関シ各地方代理人ニ嚴重ニ注意致居リ漸次改良ノ緒ニ就キ居リ候際管テナキ多数ノ強行逃亡者ヲ出シ候ハ該移民ノ大部分ヲ鹿児島県ニ採リ候ト右募集代理人ノ採用日淺ク事務不熟練ナリシ等ノ關係モ有之候得共撰択不充分ナリシコト重ナル原因ヲナシ候コト恐縮ノ至リニ存上候

四五九