

第二十五条ニ照シテ有罪ノ事件ナレドモ、特ニ情狀（監督官吏ノ到来ハ既ニ第二百四十三号ニ於テ工場建設着手後ナリシ事、カムチャツカ河口ノ著シク陥流セシ事、千九百十四年度及十六年度ニ比較シテハ第二百四十三号漁区ハ全ク新奇ノ地ニ存シ同漁区ノ年貢計算書作成中タリシ事）ヲ酌量シ又貴下ガ官庁ノ利益ヲ保証スル目的ヲ以テ十一月二十一日附宣言書ニ陳述セシガ如ク千九百二十年年度ニ於テ紅鮭老千万尾ノ生産能力ヲ有スル孵化場ヲカムチャツカ河ニ建設シテ今後四ケ年間々々其ノ經營費老万五千円ヲ投ズルト共ニ極東露領水域内ニ學術の水産研究機關ヲ設立センガ為ニ特別資本造営ニ対シ十万円ヲ漁業庁ニ寄附セントスル其ノ誠意アル希望ヲ尊重シ敢テ左ノ決定ヲ与ヘントスルモノナリ

即チ恰モ自分ノ義務トシテ官庁ノ利益ヲ充分ニ保護セント

スル貴下ノ趣旨ニ基キ本庁ハ貴下選定地ニ建設セラレタル罐詰工場及其他ノ工場ハ之ヲカムチャツカ河口外ノ禁止区域ヲ犯スコトナク常ニ他ノ隣接漁区ヨリ規定ノ距離ヲ保チテ漁撈ヲナスヲ条件トシテ租借期終了迄存立スル事ヲ許可シ又工場及千九百十九年ニ製造セル罐詰ノ一時的差押ハ之ヲ解除スベク而シテ八月四日附堤氏署印ハ若シ農務大臣ノ特任官ノ承諾ヲ必要トスル時ハ既ニ効力無キモノト看做スベシ

西歷千九百十九年十二月十日

露領極東漁業庁長官 ラオロフ

同庁 事務局長 ペーロフ

漁業者

大日本帝国臣民 堤 清六殿

事項九 「オーストラリア」ニ於テ本邦移民渡航制限一件

二七九 一月三十日

在シドニー清水總領事ヨリ
内田外務大臣宛

濠洲永住本邦人ニ語學試験免除証書發給方ニ

関シ統報ノ件

機密公第三号

(三月一日接受)

大正八年一月三十日

在シドニー

總領事 清水精三郎(印)

外務大臣子爵 内田 康哉殿

本件ニ関シテハ客年八月十九日付機密公第一二二号拙信ヲ以テ報告致置候処クインスランド州政府当局ハ引續キ頑トシテ其態度ヲ改メズ殆ンド当惑致候得共幸ニ其後同州首相当地出張會見懇談ノ機会ヲ得漸ク此程ニ至リ主義上ニ於テ満足ナル解決ヲ見ルニ立至リ候ニ付左ニ其顚末報告可致候前報記載ノ通り客年八月十四日付公文ヲ以テ長文ノ照會書ヲ發シ其再考ヲ求メタルニ二ヶ月以上ヲ経何等回答ニ接セサルヲ以テ別紙第一及二号ノ通り再応督促シタルモ十二月

九 「オーストラリア」ニ於テ本邦移民渡航制限一件 二七九

中旬迄回答無之手ヲ余シ居リ候内同州首相「ライアン」氏

当市出張致候ニ付同月十六日會見ヲ求メ長時間懇談ノ末漸ク同氏ヲ承服セシメ帰庁ノ上ハ篤ト再調ノ上正義ノ命スル所ニ基キ処分スヘキ旨約言ヲ得タルニ第三号公文ノ通り又候首相代理ヨリ拒絶ノ文通接到致候ニ付更ニ第四号ノ通り首相宛公文ヲ發シ越テ同月末同首相ハ英國出張ノ途次重ネテ当地ニ來着セルニ依リ直チニ會見ヲ求メ候処本月二日ニ至リ隨行ノ檢事総長ヲシテ代ツテ面會セシメ前月三十一日在当地首相ヨリ首相代理ニ宛テ問題案件ノ許可方ヲ日本總領事ニ口約セル旨發電シタル由ニテ問題ハ既ニ落着セル旨陳述セシメタリ(別紙第七号参考)

尋イテ別紙第八号ノ通り本月二十五日付公文ニ接シ許可ノ事實ニ関シテハ尚多少ノ曲折ヲ免カレザルヘキモ主義上ニ於テハ既ニ決定シタル次第ニ有之又一面關係当事者ヘハ至急重ネテ語學試験免除証書交付方請求可致旨通達致置候別紙相添右及稟申候 敬具

註 日本外交文書大正七年第一冊一三八文書

(別紙)

語学試験免除證書発給方ニ関シ清水総領事及「ク」州政府当局
間往復文書写第一号乃至第九号
第一号写

(Copy)

HIS IMPERIAL JAPANESE MAJESTY'S
CONSULATE-GENERAL.

SYDNEY, 1st November, 1918.

Sir,

re Kingoro Sakashita.

Referring to your letter addressed to me dated 26th
August last, I have the honour to ask when I may
expect a reply, informing me of the result of your
promised consideration.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) S. SHIMIZU.

Consul-General.

The Chief Secretary,

BRISBANE.

第一号写

(Copy)

HIS IMPERIAL JAPANESE MAJESTY'S
CONSULATE-GENERAL.

Sydney, 3rd December, 1918.

Sir,

I have the honour to enclose herewith copy of a
letter which I addressed to you on the 1st ultimo, but
of which I have not yet received an acknowledgment.

May I ask if you will kindly give it your attention
at your earliest convenience.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) S. SHIMIZU.

Consul-General.

The Chief Secretary,

BRISBANE.

第三号写

(Copy)

QUEENSLAND.

PREMIER'S DEPARTMENT.

BRISBANE, 18th December, 1918.

Sir,

Acknowledging the receipt of your letter of the 3rd
instant (with inclosure) further regarding the case of
Kingoro Sakashita, I have the honour to inform you
that after careful consideration it has been decided that
the request made in the matter cannot be complied with.

I have the honour to be,

Sir,

Your most obedient Servant,

(Sgd.) EDWARD G. THEODORE.

Acting Premier.

H. I. Japanese Majesty's Consul General,

SYDNEY.

第四号写

(Copy)

HIS IMPERIAL JAPANESE MAJESTY'S
CONSULATE-GENERAL.

Sydney, 21st December, 1918.

Sir,

When I had the honour to interview you at the
Carlton Hotel, Sydney, on the 17th instant, and discussed
the matter pending between your office and this Con-
sulate-General concerning my request for an Exemption
Certificate to be granted to Kingoro Sakashita, a Japa-
nese resident at Ripple Creek, North Queensland, to
enable him to obtain a transfer of a leasehold property
from another Japanese subject, you were good enough
to indicate to me that you thoroughly recognized the
merits of the case, and you promised that, upon your
return to Brisbane, you would look into the matter
with the object of seeing that justice should be done.

I have received a letter dated the 18th instant from
your Department upon this subject, signed by the Hon.

Edward G. Theodore, Acting Premier, stating that “after careful consideration it has been decided that the request made in the matter cannot be complied with.”

From the date of this letter, it seems probable that it was written and despatched before your return to Brisbane, and that therefore your kind promise to reconsider the matter still holds good. I shall be glad to learn that such is the case, and to hear from you at your convenience, informing me of the result.

With heartiest greetings for Christmas and New Year,

Yours faithfully,
(Sgd.) S. SHIMIZU.
Consul-General.

The Honourable
T. J. Ryan,
Premier of Queensland,
BRISBANE.

第五号写

COPY OF TELEGRAM.

.....

To Japanese Consul General,
17 Castlereagh St., SYDNEY.
CASE OF KINGORO SAKASHITA RECEIVING
FURTHER CONSIDERATION IN VIEW OF YOUR
LETTER OF TWENTYFIRST.

THEODORE ACTING PREMIER.
23rd December, 1918.

第六号写

COPY OF TELEGRAM.
.....
To Acting Premier,
BRISBANE.
YOUR WIRE RE SAKASHITA RECEIVED WITH
MANY THANKS.

JAPANESE CONSUL GENERAL.
24th December, 1918.

第七号写

(Copy)

HIS IMPERIAL JAPANESE MAJESTY'S
CONSULATE-GENERAL.

Sydney, 10th January, 1919.

Dear Sir,

I wish to confirm my wire to you of the 24th ultimo, in the following terms:—

“Your wire re Sakashita received with many thanks. Japanese Consul-General.”

With reference to this matter, on the 2nd instant Mr. Webb, your Crown Solicitor, on behalf of the Honourable the Premier of Queensland, handed to me a copy of a wire from the latter to yourself despatched on the 31st December, in the following terms:

“Am informing Japanese Consul-General that in view of the very special circumstances in this case a certificate will be given limited to the particular least.”

I was given to understand then that in the course of a few days I should be officially informed to the

same effect.

I shall be glad, therefore, if you will kindly let me have an official letter, confirming the foregoing.

Yours faithfully,
(Sgd.) S. SHIMIZU.
Consul-General.

The Honourable
The Acting Premier,
BRISBANE.

第八号写

(Copy)
DEPARTMENT OF JUSTICE.
BRISBANE, 25th January, 1919.

Sir,

With reference to your letter of 10th instant, addressed to the Honourable The Acting Premier, regarding the application by Kingoro Sakashita for a Certificate of Exemption under “The Leases to Aliens Restriction Act of 1912,” I have the honour, by direction, to inform

you that the Clerk of Petty Sessions at Ingham who was telegraphed by me to obtain particulars for the completion of the Certificate, states that Kingoro Sakashita ceased negotiations for the lease when he was advised that the Certificate had been refused. Kingoro Sakashita has since been working for wages, but as it has been decided that the Certificate will be granted, negotiations might be renewed by him. Further inquiries are being made in the matter by the Clerk of Petty Sessions at Ingham, the result of which will be communicate to you.

Yours obediently,

(Sgd.) G. A. CARTER.
Under Secretary.

H. I. Japanese Majesty's Consul-General,
SYDNEY.

NEW SOUTH WALES.

第九号号

(Copy)

HIS IMPERIAL JAPANESE MAJESTY'S

CONSULATE-GENERAL.

Sydney, 28th January, 1919.

Sir,
re Kingoro Sakashita.

I have the honour to acknowledge receipt of your letter of the 25th instant, the contents of which have been duly noted.

I have reason to believe that Sakashita's application will be renewed.

Sir,

Your obedient servant,
(Sgd.) S. SHIMIZU.
Consul-General.

The Under Secretary,
Department of Justice,
BRISBANE.

二六〇 六月二十七日

在シドニー清水総領事ヨリ
内田外務大臣宛

クウィンスランド州ニ於テ糖業ニ従事スル有
色労働者排斥ニ関スル件

- 附属書一 六月五日在シドニー清水総領事ヨリ内務及属
領省次官宛往電号
二 六月十日連邦首相代理ヨリ在シドニー清水総
領事宛来電号
三 六月二十一日クウィンスランド州首相ヨリ同
州首相代理宛往電号

機密公第一五号 (七月二十八日接受)

大正八年六月二十七日

在「シドニー」

総領事 清水 精三郎(印)

外務大臣子爵 内田 康哉殿

同州ニ於テ製糖業ニ従事スル労働者ハ濠洲人ノ外伊太利
人、露西亜人、日本人、支那人、印度人等多数ノ人種ヲ包
含致居濠洲人全体伊露人ノ或者ハ Australian Workers
Union (略称A・W・U)ト称スル絶大ナル労働組合ニ属シ
労働時間其他条件労働率等ノ改善ヲ求ムル急劇ニシテ其強
制手段トシテ頻リニ罷工ヲ行ヒ傭主側ハ殆ンド之ニ堪ヘサ
ルノ実状アリ又伊露人ノ少数有色人ノ全部ハ組合ニ加入セ

ス労働効率モ左迄劣ラサルニ依リ自然傭主ノ眷顧ヲ受クル
ノ傾向アリ是ヲ以テA・W・Uハ何トカシテ有色労働者ヲ同
業ヨリ駆逐セント企テ居リタルガA・W・Uノ傭主ニ対スル
請求ニ関シ客月中ヨリ「ブリスベン」市ニ開廷セル労働争
議仲裁々判所ニ訴ヘ出タルA・W・Uノ要求中「白人労働
者ニ被傭優先権ヲ与ヘ白人労働者ノ応募者ナキ場合ノ外有
色人ヲ傭ヒ得サル旨ノ一条ヲ裁定条款ニ加フルコト」ノ一
項アリ双方ヨリ弁護士ヲ出シ証拠人ヲ召喚シ審問中本月十
二日裁判長ハ「本官ハ甘蔗刈取ニ関シ有色人種ノ傭役ヲ全
然禁止セントス」ト声言シタル趣ニ有之候故果シテ実施セ
ラルルニ至レバ砂糖糖業労働中最モ収利ノ多キ部分ヲ有色人
ヨリ奪却スルコト可相成候

右ニ関シテハ去五月中係判事ハ「ケーンズ」ニテ有色人使
傭禁止ノ意嚮ヲ洩シタル趣聞知致候ニ付本月五日第一号写
ノ通り「ホーム」及「テリトリー」省次官宛及電報候処十
日ニ至リ代理首相ヨリ第二号写ノ通り回答有之候然ルニ本
月十二日ニ至リテハ前記ノ通り法廷ニ於テ裁判長ノ声言有
之候義ナルカ同洲首相「ライアン」氏ハ英国ヨリ帰洲ノ途
次本月十八日当市ニ来ラレ候ニ付会见ヲ申込廿一日面会事

情ヲ詳述シ日本労働者適法ノ營業權ニ対シ相当ノ保護ヲ求
メ候処同氏ハ久シク不在ニテ事情不明ナリトテ代理首相宛
別紙第三号ノ通り電報セラレ其回電ヲ待チ更ニ会談可致打
合ニテ相分レ候処同氏ハ急用ニテ二十二日「メルボルン」
ニ向ケ出發セラレ候ニ付歸市ヲ待チ会见ノ積リニ有之候尚
又傭主側ニ於テハ有色人ノ傭続ヲ熱望致居候義ハ本官ノ承
知致居ル義ニ付最大傭主タル市内「コロニアル」製糖会社
重役ニ打合せ同会社ニテハ法律家ヲシテ前記仲裁々判所ノ
規定カ果シテ適法ナルヤ否ヲ審査セシメ若シ不適法ナリト
ノ見据付カハ右規定ノ發表ヲ無視シテ傭続シ更ニ法廷ニテ
争フノ準備ヲナスヘキ意嚮ヲ洩シ居候
右ノ成行不敢取及具報候 敬具

(附屬書一)

第一号写

六月五日清水総領事ヨリ内務及属領省次官宛往電

(Copy)

TELEGRAM.

To

Secretary,

Home and Territories.

MELBOURNE.

I am informed that before Arbitration Court sit-
ting at Brisbane Australian Workers Union asks for
preference for white labor in employment in sugar in-
dustry thus excluding Japanese labourers and also Judge
intimated at Cairns in May that he would advise sugar
growers to employ white gangs only Japanese labourers
have been furnished with exemption certificates under
Sugar Cultivation Acts and Regulations protecting their
rights to continue their employment shall be obliged
if you will use best endeavours to conserve interests of
long resident Japanese labourers case comes before judge
next Monday.

Shimizu.

5/6/19.

(附屬書11)

第二号写

六月十日連邦首相代理ヨリ清水総領事宛来電

(Copy.)

URGENT TELEGRAM.

Brisbane.

To

Consul General for Japan,

Sydney.

Have received your telegram fifth addressed Home
and Territories Department stop Apparently matter
under control Arbitration Court of State of Queensland
stop I have directed the attention of the Queensland
Government to your representations.

Watt,

Acting Prime Minister,

Melbourne.

10/6/19.

(附屬書三)

第三号写

六月二十一日州首相ヨリ州首相代理宛往電

Copy of telegram from the Premier of Queensland,
in sydney, to the Acting Premier, Brisbane.

Sec. 95.

Acting Premier

九 「オーストラリア」ニ於テ本邦移民渡航制限一件 二八一

Japanese Consul General called and is anxious to
know whether proposed Arbitration award is likely to
prevent Japanese workers holding exemption certificates
from getting employment in the sugar industry stop he
protests against their being deprived of the right to
obtain a livelihood which is implied in the granting of
the certificate stop please advise me of the position.

Ryan

Premier.

21/6/19

二八一 七月十五日

在シドニー清水総領事ヨリ
内田外務大臣宛

クウィンスランド州ニ於テ糖業ニ従事スル有

色人排斥ニ関シ続報ノ件

機密公第一九号

(九月十日接受)

大正八年七月十五日

在シムニー

総領事 清水精三郎(印)

二六九

外務大臣子爵 内田 康哉殿

本件ニ就テハ客月二十七日附機密公第十五号拙信ヲ以テ及報告其内クウィンズランド州首相「メルボルン」ヨリノ帰市ヲ待チ重ネテ会見ノ予定ナル旨記載致置候処同首相ハ「メルボルン」ヨリ急用「ブリスベーン」ニ直行ノ趣ニテ当市ニテ再ヒ会見ノ機会ヲ得ザリシニ依リ同月二十八日別紙第一号写初段記載ノ電報ヲ発シ置候然ル処本月二日附官報ニ掲載セラレタル仲裁裁判所裁定書ヲ検閲スルニ有色人ノ傭役ニ関シ第一号写第二段ニ記載セル条項有之即(イ)甘蔗刈取(ロ)七十五エーカー以上ヲ耕作セル甘蔗畑ノ耕作ニ就テハ弥々有色人ノ傭役ヲ禁止シタル義ニ有之候ニ付即第一号写ノ公文ヲ以テ「クウィンズランド」首相宛重ネテ抗議致之ト同時ニ別紙第二号写ノ公文ニ第一号写ヲ添ヘテ聯邦代理首相ニ提出シ州政府不当ノ処置救済方尽力ヲ請求シタル義ニ有之候然ルニ双方共今以テ何等回答シ来リ不申候右ニ関シ「クウィンズランド」州首相「ライアン」氏ト会見ノ模様ニ徴スルニ本官ノ抗議主張ヲ全然是認セルガ如ク何等先方ノ立場ヲ弁疏セント試ムルコトナク只州内ノ政況及党派のノ關係上ヨリ出ヅル義ナレバ余ノ苦心ハ偏ニ諒察ヲ乞

関スル部分ハ別紙第三号写ノ通りニテ帰休兵ノ復業ニ多大ノ關係アルコトヲ絮説致居候ニ付御参考ノ為メ差進申候扱又前記仲裁裁判所ハ有色人労働禁止ノ権限ヲ有スルヤ否ヤ若シ之ヲ有スルトスルモ砂糖耕作法ニ依リ免除証書ヲ得タル有色人即チ砂糖糖業傭役ニ関シ既得權ヲ有スル者ノ傭役ヲ禁止スルハ越權ニアラザルヤ否ヤニ関シ「ブリスベーン」市有力ナル弁護士ノ鑑定要領ハ別紙第四号写ノ通りニテ両点共当該法廷ハ其權限アリト認定セル由ニテ傭主側ニ於テモ甚ダ失望シ右禁制ニ反抗スルノ手掛カリ無之趣ニ有之候別紙相添今日迄ノ顚末及稟報候 敬具

(別紙)

第一号写

七月七日附清水総領事ヨリ「ク」州首相宛書翰

HIS IMPERIAL JAPANESE MAJESTY'S

CONSULATE-GENERAL.

Sydney, 7th July, 1919.

Sir,

I have the honour to confirm my urgent telegram to you of the 28th ultimo, in the following terms:—

九 「オーストラリア」ニ於テ本邦移民渡航制限一件 二八一

フト言フニ過ギズ又本件ハ性質上全ク州權ノ範圍ニ屬シ加フルニ条約關係絶無ナルヲ以テ本件ニ関シ聯邦政府ハ法規上ニ於テ何等關係無之且シ德義上ヨリスルモ両政府間ノ關係ハ相互ニ嫉視(目下聯邦政府ハ「ナショナル」党ニ屬シ「クウィンズランド」政府ハ過激派労働党ニ屬スルヲ以テ殊ニ然リ)シ居ルヲ以テ聯邦政府ヨリ多大ノ援助ヲ期待シ難キ事情ニ有之候

右ノ次第ニテ両政府共弁解ノ理由ナク再三ノ抗議ニ對シ回答ヲモナシ来ラザルハ不都合ノ次第ナレトモ無条約ノ悲サ正義人道ニ訴フルノ外根拠ヲ得難ク遺憾ノ至リニ有之候右ノ禁制ニ依リ影響ヲ受クル本邦人数ハ表面上ニハ大正三年中糖業従事ノ為メニ特ニ書取試験免除証ヲ得タル三百五十五人(大正三年五月十二日附機密公第四号及同年七月二十四日公第七五号拙信參看)ノ中未帰国者三百数十人ニ過ギザル筈ナレドモ事實上ニ於テハ右免除証書ヲ有セズシテ密カニ従業シ居リシ者モ二、三百人ハ可有之哉ニ被存候而カシテ前記禁制以外即七十五エーカー以下ノ小畑耕作及製糖所傭役ハ差当リ故障無之候

扱又仲裁裁判所裁定理由書ノ中、外人労働及有色人労働ニ

“Premier,
Brisbane.

“Am sorry not to have seen you again in Sydney stop respectfully request you to give my protest serious consideration and protect long resident Japanese from unjust molestation by preserving their rights to their employment.

Japanese Consul-General,”

to which I have not yet received a reply.

Since sending you the above wire, I have obtained a copy of the Queensland Government Gazette dated the 2nd instant, and find that the award of the Court of Industrial Arbitration of Queensland contains the following clauses:—

“Employment of Coloured Labour.

3. (a) No coloured labour shall be employed or (if employed at the date of this award) be continued in employment at cane cutting.

(b) No coloured labour shall be employed or

(if employed at the date of this award) be continued in employment in or in connection with the cultivation of sugar-cane on land which has been ploughed on any farm on which more than 75 acres are planted with cane. For the purposes of this sub-clause, two or more farms held by the same person shall be regarded as one farm : Provided that this subclause shall not take effect until the first day of January, 1920.

(c) Nothing in this clause shall prevent the owner of a sugar-cane farm from employing his own countrymen on such farm."

In this connection, I much regret to have to repeat my strong official protest against the above portion of the award, as an unjust deprivation of the rights of my nationals who have been long resident in Queensland, and who hold Certificates of Exemption entitling them to work in any branch of the sugar industry, the value of which has been in some cases totally destroyed by

the award.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) S. SHIMIZU.

Consul-General.

The Honourable

The Premier of Queensland,

BRISBANE.

第一号号

七月八日附清水総領事ヨリ聯邦代理首相宛書翰

HIS IMPERIAL JAPANESE MAJESTY'S

CONSULATE-GENERAL.

Sydney.

8th July, 1919.

Dear Sir,

Following upon my letter of the 28th ultimo, upon the subject of the effect upon Japanese labourers engaged in the sugar industry of an application for prefe-

rence made to the Court of Industrial Arbitration of Queensland, I beg to enclose, for your information, copy of a letter which I have deemed it my duty to address to the Honourable the Premier of Queensland, and in doing this I desire to earnestly request you to use your best endeavours to avert the injustice which must necessarily and inevitably be the consequence of this award.

Yours faithfully,

(Sgd.) S. SHIMIZU.

Consul-General.

The Honourable

The Acting Prime Minister,

MELBOURNE.

第三号号

大正六年六月一日及八月十七日官報ニ公表セラレタル仲裁裁判所裁定理由書ノ中、外国人及有色人労働ニ関スル部分

COPY of REMARKS by MR JUSTICE T. W. McCRAWLEY, PRESIDENT of the COURT OF INDUSTRIAL ARBITRATION IN QUEENSLAND, IN

THE MATTER of an APPLICATION by the AUSTRALIAN WORKERS' UNION to vary the AWARD relating to SUGAR-FIELD AND SUGAR-MILL WORKERS and COOKS engaged in the SUGAR INDUSTRY, published in the GOVERNMENT GAZETTE of 1st June and 17th August 1917.

ALIENS.

Some reference was made in the course of the inquiry to the number of aliens—I am not now referring to coloured labour—employed in the industry. In the North a large proportion of growers and cutters are Italians, Greeks, Spaniards, etc. These foreigners are owners of a considerable portion of the land. They are willing to pay high prices for land and the landowner is always perfectly willing to sell to the highest bidder. These foreigners live more cheaply than the average Australian, hence they can pay higher prices. Some attempt has been made to cast a slur on the Australian

for allowing the foreigner to get possession of the land ; but the explanation is simple, he is not willing to reward the landowner sufficiently. As the result of this trafficking in land, there are many persons living in the towns on the proceeds of the labours of these foreigners and of others who have bought in at high prices. If this land is to be retained for persons of British decent, legislation is necessary to accomplish the result. These foreigners have in some districts almost entirely supplanted the British born field worker and cutter. It is said that he is more reliable—that the British worker has not given the British grower a fair deal. During the war period a great many of the British cutters enlisted and of those who remained many were not slow in taking advantage of the shortage of labour to enforce their demands, but so far as I can ascertain the foreigners were no different in this respect. Now that normal conditions are returning the growers' associations should use their endeavours to see that British

growers give preference to British cutters. As the foreigners are members of the Australian Workers Union, no move in that direction is likely to be made by the Union.

COLOURED LABOUR.

It is impossible to ascertain the exact number of coloured labourers in the canefields, but it is established by the police reports that more than a thousand were last year employed on the industry in North Queensland. There were more than 600 in the Cairns District alone—sufficient to harvest the whole of the cane grown in that district. With one exception every witness who was questioned in the Court on the subject expressed his antipathy to the employment of coloured labour. The United Cane Growers' Association and Australian Sugar Producers' Association both expressed themselves as desirous of seeing the industry white. Pritchard detailed the steps his Association has taken in the matter (see Australian Sugar Journal 1912 p. 545, 1914 pp. 777,

787, 803; 1915 p. 345). Questioned as to the reason for employing these aliens, Mr. Warner, Manager of Munro Estates, (successful sugar growers on a large holding in the Cairns District) said he regarded them as more dependable, but this is not the opinion of the Australian Sugar Producers' Association (see Mr. Crawford's speech, Australian Sugar Journal 1915, p. 345) I am satisfied that for some reason preference is given by a number of the larger employers to coloured aliens. The suggestion is made that they are not paid the full award rates. This was not established ; but on the other hand it was shown that the provisions of the Award requiring coloured labourers to be paid in the presence of an official has been habitually disregarded by the growers. It was also alleged that they worked longer hours, and one or two instances of this were detailed. Evidence was also given that an Indian, Kadar Bux, in February 1918 paid a deposit of £10 on a cane cutting contract with John Reid of Babinda. The Industrial Inspector in

reporting the matter said :—“This practice is reported to be common amongst the Indians and other aliens in this district, and is looked upon as buying work, as there is no proof that the money is ever returned”. (Ex 33). Dr. Maxwell, in a report addressed to the Minister for Customs in 1910 said that if white and coloured sugars were placed on the same basis there would be a rush to secure aliens, of any colour or kind, and from anywhere. He added—“Only the limit to the number of aliens in Australia or that may get into Australia, will be the limit to the number that it will be attempted to get back into the sugar industry. Many and honourable producers will employ the alien for cheapness. Others, in addition to the reason of cheapness, will take the alien because they don't like the white man ; and because they can more easily control the alien, and deprive him of those consideration which the white man calls his rights but which the alien may lose for want of a facile recourse to the law of the land.”

Whatever may be the explanation, the practice of employing coloured men was very general in the Cairns district and has been the occasion of much industrial unrest, and, unless altered is bound sooner or later to lead to a serious industrial upheaval focussing the attention of Australia on the extent to which coloured labour is still employed in the industry. The position is accentuated this year by the presence of numerous returned soldiers who require to be restored to civil life. The places of those who enlisted out of this industry were taken by other white men and by coloured men. The employers express a desire to provide employment for these returned soldiers and other returned men. A witness Captain Kelly, giving evidence on behalf of the Returned Soldiers Association at Cairns, expressed the opinion that a coloured labourer should not be employed while a returned soldier is out of employment. Public opinion upon the subject will probably compel the employment of returned soldiers, but the danger—a dan-

ger inimical to industrial peace is that the white labourer will be displaced to make room for his returned soldier brother, while the coloured labourer, for whom some of these growers have such an affection, will be retained; an official of a Mackay Mill of The Colonial Sugar Refining Company said that so far as he was concerned old alien employees would be retained in preference to returned soldiers. For the cane cutting operations there is ample white labour obtainable—the vacancies for cutting gangs could be filled twice over—and no hardship will be entailed on the growers by requiring them to employ white labour.

It is very important that a white population should be induced to settle in North Queensland and this is the object of what is known as the “White Australia” policy which has long since passed from the domain of party politics. It is in connection with sugar growing and agriculture generally that the North is likely to be permanently peopled by white men. The men who

employ coloured labour in preference to white labour stand in the way of this ideal of a White Australia. Many of these men are large growers who have become prosperous on the proceeds of a tariff framed for the especial purpose of having sugar grown by white labour. Indeed it is in the most prosperous area that the coloured man predominates. Whether the opposition of these employers is merely due to pecuniary reasons, or whether it is racial—for many white men have an unnatural preference to coloured men—may be difficult to predicate, but it may be necessary to supplement my award by legislation that will make it unprofitable for any grower to employ other than white labour. The Award fixes rates of pay which are appropriate to a married white man with a family; they are excessive for men who in almost every instance have no wives and families in Australia and who live on a much cheaper scale than does the white man.

I have made provisions which will preserve the
九 「オーストラリア」ニ於テ本邦移民渡航制限一件 117

work of cane cutting, and also field work on ploughed land in the larger farms for white men.

I may add that while at Cairns I advised growers not to employ coloured gangs in harvesting operations. On 12th June, Mr. Martyn stated he had received a telegram Mr. Quilty, a Union Official at Cairns, to the effect that growers were employing coloured gangs, the growers at Hambleton being specifically mentioned in this connection; Mr. Pritchard has since brought to my notice a telegram from a representative of his Association denying the allegation in Mr. Quilty's telegram.

第四号

「シ」州有力弁護士ノ鑑定要領

In my opinion this very wide definition of industrial matters is comprehensive enough to give the Industrial Court jurisdiction to prohibit the employment of coloured alien cane cutters.

I see no escape from this conclusion, and in my view the fact that any coloured aliens have obtained

certificates under The Sugar Cultivation Act of 1913 does not oust the jurisdiction of the Court to make such a provision in any of its awards.

The question whether treaty arrangements may oust the jurisdiction is more difficult, but I feel satisfied on the whole that the terms of any treaty will not be wide enough to interfere with or modify the provisions of our Industrial Arbitration Act.

(Cf. Halsbury Vol. 23 p.308 par. 644 and Vol. 6p. 440-442.)

二八二 七月二十六日 在シドニー清水総領事ヨリ
内田外務大臣宛

濠洲ニ於ケル對抗運動ニ関スル件

附記 通商局第三課調査

濠洲ニ於ケル排日経過概要

機密公第一一〇号 (九月二日接受)

大正八年七月廿六日

在シドニー

総領事 清水精三郎(印)

候

将タ又晚餐会講演ノ方ハ種々ノ事情ニテ不得已延引致候ヘ
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細書ヲ附シ王木官補ニ引継可申候

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申候ヘ共幸ニ熱心誠実ニシテ且ツ最モ適任ナル人ヲ得タル
ハ頗ル仕合ノ義ニシテ其効果ノ見ルヘキモノアルコトハ本
官ノ信シテ疑ハザル所ニ有之候別紙相添ヘ此段及稟申候

敬具

追テ「ペンブリッジ」氏ハ濠洲内及英米両国諸名士ト
直接文通排日對抗運動ニ努力致居候其標本トシテ聯邦
代理首相「ワット」氏及合衆国上院議員「フエラン」
氏宛書翰写相添ヘ供高覧候

註一 Oliver Bainbridge 氏ノ講演録ハ省略ス Our Ally, Ja-

pan ナル題名ノ該講演録ノ内容目次ヲ示サバ左ノ通リ

1. Our Ally, Japan

2. The History of Japan

外務大臣子爵 内田 康哉殿

排日對抗運動ニ関スル件

本件ニ関シテハ拙電第三十六号第七十一号及第八十五号等
ヲ以テ及具申其都度御承認ノ上前後三回ノ御送金相仰ギ候
ニ付 Oliver Bainbridge 氏ト熟議ノ上各所ニ講演会ヲ開カ
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各新聞主筆其他ノ名士約百人ヅツ晚餐会ニ招待食後講演ヲ
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pire Literature Society ニ於テ引受ケ其会員及州内各学校
等ニ配付スルコトトシ其他ハ「ペンブリッジ」氏自身一々
自署ノ書翰ヲ添ヘ濠洲内諸政府ノ重立者聯邦及各州上下両
院議員各新聞社其他知名ノ人ニ配付シ更ニ「ペンブリッジ」
氏ノ希望ニテ英米両国上下両院議員及重立テル新聞雜誌等
ノ主筆ニモ贈呈スルコトノ計画ヲ立テ講演等ハ第一前記
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3. Japanese Women

4. Marriage

5. Japanese Children

6. Education

7. The Emperor

8. The Origin of the Japanese

9. Religion

10. The Tea House

11. Japanese Cities

2 別紙明細書省略

(別紙)

(一) 六月二日附ペンブリッジ氏ヨリ聯邦代理首相ワット氏宛
書翰写

(二) 六月二十四日附ペンブリッジ氏ヨリ米国上院議員フエラ
氏宛書翰写

(1)

June 2nd, 1919.

The Hon. W. A. Watt,

Acting Prime Minister,

Parliament House,

MELBOURNE.

Permit me to offer you my humble and respectful

congratulations upon the model of wisdom which you have bestowed on Australian statesmen while saving Australia from being charged with ingratitude which is the basest of all crimes.

The War has clearly demonstrated that Japan has always spoken to us from a heart too great to be false. She has been scrupulously loyal to all her engagements with Great Britain and has shown that all the arts that have been employed by Germany's Agents have not been able to affect her judgment and integrity. Her courage in refusing to shape her opinions after Germany's dictation kindled courage in others who were in a state of hesitancy. Japan and Great Britain both realize that they have assumed an imperative trust, a continuous obligation, from which no grief, no loss can absolve them. In this unity of purpose I see the end of Germany in the Pacific which the Panama Canal has made the strategic centre of the world.

We owe it to the loyal and effective co-operation

of Japan upon the seas that the Anzacs from Australasia were transported in unmolested security to the European battlefields on which they have performed deeds of daring that defy any convenient theory of averages. I am sure the Japanese Navy took great pride in escorting the Australians who have shown that they are a fighting, forward, aggressive, dauntless race, powerful of body, eager of mind, enthusiastic, and penetrated with a chivalry that would have done honor to the best periods of British history.

Among the many beneficent changes which may be expected to follow from this hideous tragedy which has just ended, one of the first in order of time, and by no means the last in order of importance, is a change in the feeling of certain citizens of the British Empire towards Japan. The co-operation of the Japanese Navy during the war, which has been cordial, complete, and uninterrupted from the very outset, should shake the alarmists out of some of their prejudices and shame

them into facing the realities of the situation. Emerson used to compliment Britishers on possessing a keen eye for facts. Facts of a certain sort we are doubtless quick to mark and measure; but some of the very biggest facts have shown a strange knack of escaping us. British expansion was surely a reality obvious and imposing enough; yet how slow we were to discover it! We conquered and colonised half the world, as Seeley said, in a fit of absence of mind. We were long equally blind to the cognate fact of Anglo-American kinship. And how very few among us have had any true eye for the great Japanese Fact? Yet it is no subtle or elusive phenomenon. It stands, written in colossal characters, across the map of the modern world. The Japanese Empire is the home of 53 millions of human beings. These figures mean somewhat. To the distorted vision of the traditional alarmist their only import seems to be menace. They mean endless potencies and purposes of international robbery; they represent the accumulated might of despot-

ism, superstition, barbarism, which fills the heart of the world with dread. But fear is a bad field-glass; and in any case a mere frontier view does not go beyond the edge of the subject. To the simplest believer in human evolution this Japanese expansion has far other and deeper significance. We have learned of late, with commendable self-complacency, to apply the formula of "the survival of the fittest" to the unrivalled progress of the English-speaking world. That the English-speaking man holds under his sway one-third of the earth's dry land and all its seas, we take as proof conclusive of our super-eminent fitness. Have we no logic of this kind left for the Japanese? It is indeed time that a truer estimate of the place and rôle assigned to the Japanese people entered the alarmist Britisher's mind. They do conspicuously wake up when one or other of the big facts they have long ignored comes and hits them, as it were, right between the eyes. The Diamond Jubilee roused them to a sudden and startling consciousness of their

world-empire. The Spanish War burst upon them with an undreamed-of apocalypse of English-speaking unity. And now it may be hoped that the coming of peace will rend as with lightning stroke the darkness of the "Yellow Peril" in which they have been stumbling, and show them in the great Japanese Power no friend such as recent alarmist vapourings suggest, but a friend and a brother.

I have the honor to be,

Sir,

Your obedient servant,

(Sgd.) OLIVER BAINBRIDGE.

P. S. It is my intention to give a dinner to Members of Parliament and other public men in Melbourne and Sydney and tell them what I know of Japan and the value of the Anglo-Japanese Alliance.

P. S. (2) I am writing an illustrated work entitled "Britain in the Southern Seas" with the object of assisting in the development of the boundless resources of

Australia, New Zealand, Tasmania, Papua, the Solomons and other islands which are destined through their geographical position, to play an important part in the history of the British Empire.

P. S. (3) I have a letter of introduction which I shall present to you when I reach Melbourne about three weeks hence.

(1)

Copy of letter sent to Senator Phelan. June 24, 1919.

There is a report in yesterday's Sydney Morning Herald which says that you urged the Senate to cancel the agreement between the United States and Japan, and that you anticipated that America's next war would be in the Pacific owing to the Japanese, who would attempt the silent conquest of the Western Hemisphere. I cannot be believe these statements attributed to you are correct, for it would be a political and diplomatic blunder to cancel the agreement between America and Japan, and as for Japan aspiring to conquer the Western

Hemisphere, it is as absurd as it is untrue. A careful analysis of Japan's aspirations will show that she is very wisely devoting her attention to Manchuria and other territories near at hand which will claim her undivided attention for a considerable time to come.

I have studied the history of Japan very carefully and I cannot find one occasion upon which her integrity has been questioned by the British, Canadian, American or any other Government.

The East, in which Japan is destined to play an important part, has always been a fertile source of intrigue, and today it presents a political phenomenon which American and British statesmen must grapple and conquer, for the time is at hand when the aspirations of the peoples of the East can neither be ignored with impunity nor repressed without danger.

I have never been able to understand why men are elected to the Parliaments of the world who, with a few notable exceptions, have made no attempt to produce in

themselves that condition of intellect which would enable them to look at things from the standpoint of other and widely-differing peoples. Their impressions on international questions may be quite honest, but the confusion that has arisen in the East from vague and loose notions cannot be gauged by any known measures of human computation. The impressions which they have of the East are not their possessions in any true sense of the word. They have not searched for them, dug for them, formed them for themselves. No hard and faithful mental labor of their own has earned them, established them, verified them. They have received them as easily and passively as the earth receives the rain, which is again drawn away from it by the first rays of the sun. They change with changing influences, and are parted with as lightly as they are received. Certainly such opinions are not entitled to our respect. When they are announced they carry no weight with them; nor does any amount of asseveration add to their value.

In no department of life is zeal without knowledge more dangerous than in politics. If we trace out the insults offered to the Japanese by Western statesmen we will find they were due to unpardonable ignorance. How few there are who recognise fairly how much the Japanese have done and are still doing, how much they have had to tolerate, what difficulties they have overcome, and with what disadvantages they are still contending. The humane instincts of American and British statesmen should urge them to try and arrive at a reasonable appreciation of the actual situation of the Japanese by a careful study of the stages through which they have passed. The Japanese question is in reality a number of questions, all of which must be considered in their correct relation to one another.

I will send you a copy of my lecture entitled "Our Ally, Japan" in the course of the next two weeks.

Yours truly,

(Sgd.) OLIVER BAINBRIDGE.

(附記)

外務省通商局第三課作成調査
濠洲ニ於ケル排日経過概要

(大正八年十月印刷)

濠洲ニ一ノ主義アリ、一部資本家ヲ除キ政党ヲ問ハス宗教ニ論ナク之ヲ奉シ之ヲ擁護ス、「白人濠洲主義」是ナリ、該主義ハ単ニ有色人種ノ濠洲入国ヲ禁止スルノミナラス、既ニ濠洲内ニ居住スル有色人ヲ悉ク排除シ濠洲ヲシテ全然白人ノ天地タラシメントスルモノニシテ從來ノ排日運動ハ要スルニ此主義ノ発動ニ外ナラス本邦人ノ入国ハ聯邦移民民制限法ニヨリテ事実上禁止セラレ居住本邦人ノ排除ハ砂糖耕作条例及有色人真珠貝採取禁止通告ニヨリ実行セラレタルカ最近ノ「クキンスランド」州労働争議仲裁々判所ノ裁定ハ同州内ニ於ケル本邦人ニ対シ更ニ一大打撃ヲ与フルコトナルヘシ、以下項ヲ分チ白人濠洲主義ノ本邦人ニ対シ発動シタル経過ノ大要ヲ記述スヘシ

一 聯邦移民制限法ノ制定

一九〇一年(明治三十四年)七月濠洲聯邦ノ成ルニ及ヒ聯邦議會ハ移民制限法ヲ議定シ翌年一月一日ヨリ之ヲ実施セリ本法ハ一定ノ除外例ニ属スルモノヲ除ク外濠洲ニ入国

セントスル者ハ歐洲語五十語ノ書取試験ニ合格セサルヘカラサルコトト為シタルヲ以テ其実施以後本邦移民ノ新渡航ハ事実上不可能トナレリ本法ノ除外例ニ属スル者ノ中ニ濠洲出국ノ際税関長ヨリ居住証明書ノ發給ヲ受ケ之ヲ以テ再渡航スル者及是等ノ再渡航者カ本國ヨリ新ニ帶同スル父母妻子ヲ含ミタルモ本法実施後二ケ年ヲ出デザルニ聯邦政府ハ一ツノ布告ヲ發シテ右除外例ノ一部ヲ停止シ是等同行ノ父母妻子モ書取試験ニ合格スルニ非ザレバ入国ヲ拒絶スルコトトセリ是ニ於テ在来居住ノ本邦人カ本國ヨリ其家族ヲ招致スルコトモ亦不可能トナレリ勿論本法ハ書取試験ヲ以テ入国ノ条件トシ表面何等人種の差別ノ規定ヲ存セサルモ其主タル対象カ亜細亞人就中日本人ニアリシコトハ其制定ノ沿革ニ徴シ容易ニ之ヲ推知シ得ヘク又現ニ白人ニ対シテハ書取試験ヲ課スルコトナクシテ其ノ入国ヲ許シ居レリ一八九六年濠洲各州ノ首相會議ニ於テ支那人排斥法(各州概ネ夙クヨリ支那人排斥法ヲ有セリ)ヲ其他諸有色人種ニ及ホス法案ヲ各州議會ニ提出スルコトヲ決議シ之ニ基キ「ニュウサウス、ウェールズ」「サウス、オーストラリア」「タスマニア」ノ諸州ハ相前後シテ亜細亞人若クハ有色人

化排斥法ヲ議定シタルヲ以テ之ニ対シ我邦ハ在英大使ヲ通シ英國政府ニ抗議ヲ提出シ其人種の差別ヲ設クルノ不当ヲ鳴ラセリ其ノ結果是等諸法案ハ何レモ英國女皇ノ裁可ヲ得ル能ハスシテ遂ニ立消トナレルカ其不裁可ノ理由トスル所ハ単ニ異色異人種タルノ故ヲ以テ一切ノ亜細亞人若クハ有色人ヲ排斥スルカ如キハ其中ニ均シク英國臣民タル印度人アリ又友邦(日本)ノ人民アルニ顧ミテ忍ビザルモノアリト云フニアリ即チ不裁可ノ主タル動機ガ我邦ニ対スル英國ノ遠慮ニ出デタルハ明カナリ如斯人種の差別ヲ標榜スル法案ハ我邦ノ抗議ヲ招キ從テ英國政府ノ同意ヲ得ルニ困難ナルヲ以テ西濠洲議會ハ翌一八九七年ニ至リ「ナタール」ノ移民法ニ倣ヒ人種の標準ニ代フルニ語学試験ヲ以テスル移民制限法ヲ議定シ難ナク英國女皇ノ裁可ヲ得タリ聯邦ノ移民制限法ハ之ニ則リ編成セラレタルモノニシテ法文ノ表面ヨリ人種の區別ヲ除キ之ニ対シ我邦ヲシテ抗議ノ余地ナカラシメタルモノナリ元來濠洲在留ノ有色人種ハ支那人及南太平洋諸島土人(カナカ人)ヲ主トシ日本人、印度人、之ニ亜ゲルガ支那人ニ対シテハ本法制定以前ヨリ既ニ各州概ネ支那人排斥法ヲ有シ又「カナカ」人ニ対シテハ本法制定

ニ先タチ聯邦議會カ別ニ「カナカ」人移住禁止法ヲ制定シ之ニ依リ其目指ス人種ノ排斥ヲ遂行シ得タルニ拘ラス殊更ニ教育試験ヲ標準トスル一般ノ制限法ヲ制定スルハ主トシテ本邦人ニ対スル關係ニ出デタルモノト看得ヘキナリ這間ノ消息ハ聯邦議會ニ於テ本制限法案討議ノ際檢事總長「デイーキン」氏ノ為シタル演説ニ殆ント尽サレタル觀アリ故ニ左ニ之ヲ引用セン同氏ハ政府反對党カ本案ノ白人濠洲主義ヲ保障スルニ不充分不徹底ナルヲ攻撃シ教育試験ノ規定ニ代フルニ人種の標準（亜細亞人若クハ有色人）ノ規定ヲ以テスヘシト主張セルニ對シ立法ノ旨趣ヲ弁明シテ曰ク

聯邦政府政綱ノ一ツタル白人濠洲主義ハ之ヲ解明スレハ濠洲ハ一人種ニ依リ組織セザルベカラズトスルニアリ即チ濠洲ノ歐洲の性格ヲ明確ニ維持スルニアルヲ以テ一面有色人種ノ入國ヲ拒絕スルト共ニ他面ニ於テ在來居住ノ有色人種ヲ成可速ニ濠洲ノ地ヨリ減退セシメサルヘカラス、然ルニ本案カ有色人種ニ對シ絶對の入國禁止ノ方法ヲトラザリシハ一八九七年英國ニ於テ濠洲各州ノ首相會議ヲ開キタル際、英國政府ノ意向ハ濠洲ガ宗教、風習又ハ文

カ運用ニ於テ其期待スル実効ヲ収メンコトヲ期シタルモノナリ本法實施以來歐洲諸國ヨリ來ル白人移民ニ對シテハ殆ント之ヲ適用セズ本邦人其他ノ亜細亞人ニ對シ殊ニ嚴密ニ之ヲ適用スト云フ如キハ固ヨリ其予定ノ行動タルニ過ギサルナリ

本法施行後我政府ト聯邦政府ト協定ノ結果本邦商人、学生及旅行者ニ就テハ本法ノ適用ヲ受クルコトナク限時（十二箇月滞在）入國ヲ許可セラルヘキコトナレルモ之レ本邦人ノ移住トハ殆ント没交渉ノコトナリ

二 北「クキンスランド」甘蔗耕地ニ於ケル 本邦労働者ノ排斥

濠洲ノ糖業ハ一九〇三年以前ハ大部分有色人種ノ占有セシ所ニシテ殊ニ移住民制限法實施當時ニハ本法労働者ハ「クキンスランド」北部地方ノ糖業ニ於テ動カスヘカラサル地步ヲ占メ居リタリ然ルニ聯邦政府ハ糖業ニ従事スル有色人ヲ排除シ白人ヲ以テ之ニ代フル目論見ニテ一九〇三年砂糖補助金条例ヲ制定シ白人労働ノ生産ニ係ル甘蔗ニ對シ奨励金ヲ交付スルコトトシタリ該法實施ノ結果排斥ノ目的ハ略ホ達セラレ十年後ニハ有色人ニ依テ生産セラルル数量ハ全

ヲ異ニスル異人種ノ流入ヲ防遏シ之ヲ排除セントスルハ固ヨリ同意スル所ナルモ之ヲ為スニハ一方ニ英國臣民タル印度人アリ又他方ニハ友邦タル日本アルコトヲ顧慮セザルベカラザルカ故ニ其排斥方法ハ人種若クハ膚色ノ異同ニ依ルコトナク他ノ方法ニ依ルヲ要スト云フニアリシヲ以テ本案ハ其方針ニ從ヒ起草セラレタルモノニシテ教育試験ノ方法ハ其実績ヲ挙グルニ十全ナリトハ云ヒ難キモ他國ノ感情ヲ損傷セサル範圍ニ於テ白人主義ノ貫徹ヲ期セントセハ斯ル方法ニ出ヅル外ナキナリ若シ人種の區別ニ依ランカ文明國民ノ一ツタル日本人ノ反感ヲ買ヒ延テハ其目的ヲ達スル能ハザルニ至ル虞アリ然レトモ日本人ハ企業心ニ富ミ不倦ノ氣力ヲ有シ加フルニ生活ノ程度低クシテ我競争者トシテ亜細亞人種中最モ危険ナルモノナレバ極力之ヲ濠洲ヨリ排斥セザルベカラズ即チ日本人ノ排斥ハ人種ノ性質不良ナルカ故ニアラズシテ却テ其良好ナル点ニ存スルナリ畢竟スルニ本案カ実効ヲ収ムルト否トハ法文ノ規定ヨリモ寧ロ其ノ運用ニアリ故ニ之カ運用ハ挙ケテ行政權ニ委セラレンコトヲ望ム云々

ト即チ本法ノ制定ハ表面人種の差別ヲ標榜スルヲ避ケ之レ

産額ノ僅カニ百分ノ六トナレルヲ以テ聯邦政府ハ一九一二年十二月砂糖補助金廢止條例ヲ制定シ補助金制度ヲ廢止スルコトニ決定シタルモ其ノ結果糖業ニ再ヒ有色人種ノ侵入シ來ルコトヲ虞レ一時該法ノ實施ヲ延期シ其間ニ「クキンスランド」州（濠洲砂糖産額ノ九割以上ハ同州ノ産出ニ係ル）ヲシテ有色人ノ再侵入ヲ防遏スルニ足ル有効ナル法律、砂糖耕作條例（Sugar Cultivation Act. 1913.）ヲ制定セシメ一九一三年七月該條例ノ實施ト同時ニ補助金廢止條例ヲ實施スルコトト為セリ此砂糖耕作條例ノ内容ハ

- (一) 何人ト雖モ農務大臣ノ指定シタル國語ノ書取試験ニ合格シタル者ニ非ザレバ糖業ニ従事スルヲ得ザルコト
- (二) 現ニ土地ヲ占有シテ糖業ニ従事セルモノニシテ書取試験ニ合格スルコト能ハザリシ者ニ對シテハ相当ノ補償ヲ与フルコト

(三) 州知事ハ書取試験ヲ課スルノ必要ナシト認メタルモノヲ本法ノ適用ヨリ除外スル規定ヲ設ケ得ルコト
等ナリ本條例ハ聯邦移住民制限法ノ旨趣ヲ糖業ニ応用シタルモノニシテ該制限法ト同シク人種の區別ヲ置カザルモ同年十月州知事ハ本條例施行細則ヲ發布シ歐米人ニシテ白人

系ニ属スル者ヲ其適用ヨリ除外シタルヲ以テ本条例ハ其実
有色人種ニ対シテノミ施行セラルルモノトナレリ尤モ同細
則ニ依レハ

- (イ) 英国トノ間ニ最惠国約款アル条約ヲ有スル国ノ人民
- (ロ) 永ク濠洲又ハ「クキンスランド」州ニ居住セル者
- (ハ) 「ク」州内ニ居住スル適法ノ妻又ハ家族ヲ有スルモ
ノ

(ニ) 其他農務大臣ニ於テ斟酌スヘキ状況アリト認メタル
モノ等ハ其ノ適用免除ヲ出願スルコトヲ得トアルニ依
リ有色人種ト雖モ是等各項ノ何レカニ依リ免除ヲ受ク
ルトキハ糖業ニ従事シ得ル次第ナリ然ルニ当時「ク」
州在住ノ本邦人約四百人ハ聯邦移住民制限法実施以前
即チ十数年前ノ入国者ニシテ前記(ロ)項ニ該当スヘキモ
ノナルヲ以テ彼等ハ州政府ニ対シ免除証書ノ下付ヲ出
願シタルモ其ノ多クハ拒絶セラレタリ濠洲聯邦ハ日英
通商航海条約ニ加入シ居ラザルヲ以テ本邦人カ(イ)項ノ
特典ニ浴スル能ハザルハ已ムヲ得ズトスルモ(ロ)項該当
者ニ対シ免除証書ノ下付ヲ拒絶セルハ理由ナキコト勿
論ナルカ當時在シドニー帝國総領事ノ此点ニ関スル抗

ノ外有色労働者ヲ備ハサルコトノ一項ヲ裁定條款ニ加フヘ
シトノ一節アリ五月中ヨリ「ブリスベーン」市ニ開廷セル
同仲裁裁判所ニ於テ本件審問中裁判長ハ甘蔗刈取ニ就テハ
有色人ノ雇用ヲ全然禁止スル考ナリト声明セルガ果シテ其
後発表セラレタル同仲裁裁判所裁定書ニハ

(一) 甘蔗刈取

(ニ) 七十五英加以上ノ甘蔗畑ノ耕作(但シ一人ニテ二以
上ノ畑ヲ所持スル場合ハ其町歩ヲ合算スルモノトス)
ニ就テハ有色人ノ雇用ヲ禁止スル条項アリ之カ実行ハ明年
(一九二〇年)一月一日ヨリナルモ其曉ニハ有色人ハ糖業
中最モ収利多キ刈取ノ労働ヲ奪ハルト共ニ七十五英加以
上ノ大畑ニ就業スルヲ得ザルコトナルヘシ此禁制ニ依リ
影響ヲ受クル邦人数ハ一九一三年砂糖耕作条例施行ノ際書
取試験免除証書ヲ受ケテ耕作ニ従事スル三百五十余人及外
ニ無免許ニテ密ニ従業スル二百人ヲ加ヘ合計五百数十人ナ
リ右禁制ハ戦後ニ於ケル帰還兵ノ復業問題ト關聯シテ起レ
ルモノノ由ニテ之ニ対シ帝國総領事ハ州政府及聯邦政府ニ
抗議ノ書面ヲ送リタルモ其何レヨリモ未タ満足ナル回答ニ
接セズ有色人殊ニ本邦人ノ排斥ハ濠洲ノ国是トモ称スヘキ

議ニ対シ州当局ハ施行細則ニ規定セル免除各項ノ適用
ニ就テハ

- (イ) 一九一三年中甘蔗耕作ニ従事シタルモノニアラザレ
バ免除証書ヲ交付セザルコト
- (ロ) 同年中ノ従業者ニテモ耕地労働者ト製造所労働者ト
ヲ區別シ後者ニ対シテハ免除証ヲ与ヘザルコト

ノ内規アリト云ヘリ然レトモ帝國総領事ノ再三ノ抗議ハ遂
ニ効ヲ奏シ州政府ハ農務大臣ヲシテ本件ヲ再考セシムルコ
トトシ其後一旦拒絶セラレタル者ノ大部分ハ証書ノ下付ヲ
受クルコトナレリ一九一五年四月ニ至リ州政府ハ前記施
行細則ニ追加規定ヲ設ケ既ニ発給済ノ免税証書ニ対シ理由
ヲ示サズ任意ニ取消シ得ル權利ヲ行政官ニ留保シタルモ之
レカ為メ本邦人中其既ニ得タル免除証書ヲ取消サレタルモ
ノナシ其後戦争中有色人排斥問題ハ多少曲折ハアリタルモ
本邦人ニ取り左シタル不利益ノ發展ヲ見ルニ至ラザリシカ
本年(一九一九年)ニ入り濠洲ニ於テ最モ有力ナル労働組
合トシテ知ラレタル 'Australian Workers' Union' カ雇主
ヲ相手ニ「ク」州労働争議仲裁裁判所ニ提出シタル要求中
白人労働者ニ被僱優先権ヲ与ヘ白人労働者応募者ナキ場合

モノナルモ從來ハ本邦ニ対スル気兼ヨリ「有色人」ナル文
字ヲ用キス書取試験等ノ方法ニ依リタルカ前記仲裁裁判所
裁定書ニハ明カニ「有色人」ナル文字ヲ用キ大胆ニ人種の
區別ニ依リテ本邦人ノ排斥ヲ為スニ至リタルハ注意ヲ值ス
ル事実ナリトス

三 西濠洲及木曜島ニ於テ真珠貝採取業ニ従

事スル本邦人ノ排斥

本邦移民ノ真珠採貝業ニ従事スルハ西濠洲「ブルーム」及
「クキンスランド」州木曜島ヲ主トス而シテ其多クハ我カ
紀州熊野ノ漁夫ニシテ潜水夫トシテ他邦人ノ及バザル独特
ノ技能ヲ有スト称セラルルモノナリ最初是等ノ漁夫ハ続々
濠洲木曜島ニ向テ渡航シ殆ンド同島ニ溢ルル勢ヲ示シタル
ヲ以テ白人同業者ハ邦人ノ為メニ其職業ヲ奪ハレンコトヲ
憂ヘ若クハ同地ニ於ケル真珠貝ノ取り尽クサルルニ至ラン
コトヲ恐レ玆ニ邦人ノ排斥ヲ始メタリ彼等ハ調査委員ヲ設
ケ邦人採貝ノ状況ヲ取調ヘタルカ其結果日本人ハ新タナル
来住ハ勿論現住者ニ至ル迄悉ク之ヲ排除セザルベカラズト
ノ極端ナル提案ヲナスモノヲ出セル程ニテ其排斥熱意外ニ
高カリシヲ以テ一八九七年(明治三〇年)六月我政府ハ自

ヲ進シテ本邦移民ノ木曜島渡航ヲ差止メタリ之ト共ニ「ク」州政府ニ於テモ翌一八九八年八月本邦人移入手続法ヲ制定シ本邦人ノ移入ハ凡テ州政府ノ許可ヲ要シ州政府カ許可ヲ与ヘタルトキハ其都度人員數ヲ在「タウンズヴィル」帝國領事館ニ通知スルコトトセリ同年十二月ニ至リ州政府ハ更ニ真珠及海鼠漁業法ヲ修正シ英國臣民ニアラザレバ「クキンスランド」州内ニ於テ真珠貝海鼠漁業船ヲ所有シ又ハ借船シテ独立ノ營業ヲナスコトヲ禁セリ是ニ於テ本邦人ハ同年以前ニ免許ヲ得タルモノノ外独立ノ該營業者タルヲ得ザルコトナレリ加之「ク」州政府ハ翌年更ラニ行政処分ニ依リ土人ノ雇用ヲ外國人ニ禁シタルヲ以テ本邦人中独立ノ採貝業者ハ土人労働者ヲ使役スルコトヲ得ザル為メ少カラザル打撃ヲ受ケタリ斯クノ如ク迫害ニ次グニ迫害ヲ以テセルカ千九百年十月「ク」州政府ト我政府トノ協商成リ一定數ノ人員(再渡航者ト通シテ每船二十五名以内、後五十名以内ト改ム)ヲ限リ本邦人ノ渡航ヲ許スコトナリ之ニ依リ數百名ノ新渡航ヲ見タルガ一九〇二年聯邦移民制限法ノ実施セラルルニ及ヒ採貝業ニ従事スル移民モ凡テ同法ノ制限ヲ受クルコトナリタルヲ以テ右協商ハ之レト同時ニ

廃止セラレタリ

然レトモ木曜島及西濠洲真珠採貝業ノ盛衰ハ全ク本邦人ニ俟ツ所多ク新来本邦人ノ絶対杜絶ハ是等地方ニ於ケル真珠業ノ廃絶ヲ来ス恐レアリシヲ以テ聯邦政府ハ移住民制限法ノ実施ト共ニ特ニ木曜島採貝業ノ為メ(一)解雇セル者ノ代員トシテ雇入ルル場合(二)新ニ増加シタル採貝船ニ雇入ルル場合ニ限リ本邦人雇入レノ特許ヲ与フルコトトセリ斯ル実状ナルニ拘ラズ白人同業者ノ本邦人排斥ハ毫モ衰ヘザルノミナラズ益其度ヲ高ムル趨勢ナルヲ以テ其後聯邦政府ハ遂ニ断然タル処置ニ出デ各地採貝業者ニ千九百十二年十二月以後採貝業ニ有色労働者(日本人)ヲ雇用スル契約ノ継続ヲ禁止スル旨ノ通告(公表セラレタルモノニ非ズ)ヲ発シ有色人ヲ一切採貝業ヨリ驅逐シ尽サントスルノ意ヲ示セリ是ニ於テ各地ノ白人採貝業者ハ之ニ応スル準備トシテ白人労働ノ養成ニ勉メ「ブルーム」ニ於テハ白人採貝業者相饌金シテ數隻ノ採貝練習艇ヲ仕立テ之ニ白人ノミノ練習者ヲ乗込マシメ採貝練習ヲナサシムル案ヲ立ツルト同時ニ一方倫敦ニ募集事務所ヲ設ケ英國人及北歐人ノ募集ニ勉メタリ其募集ニ成ル白人潜水夫(英國水兵中ヨリ選抜)十名ヲ先ツ「ブ

ルーム」近海ニテ試用シタルニ或ハ潜水痲痺病ニテ死亡シ或ハ就業ニ耐ヘズシテ他ニ転業スルモノヲ生シ全然失敗ニ終レリ次テ來着セル応募者モ亦同様ノ結果ヲ繰返スニ過キサルヲ以テ聯邦政府ハ調査委員ヲ設ケ採貝業ニ於ケル白人労働者ノ適否ニ就キ調査ヲ行ヒタルカ結局白人ハ採貝労働ニ不適当ニシテ到底有色人種ニ對抗スル能ハサルヘシトノ結論ニ到着セリ是ヲ以テ聯邦政府ハ曩ニ通告セル有色人ノ雇用禁止期限ヲ其後屢々延期シ今日ニテハ殆ント無期延期

ノ姿トナレリ採貝業ニ従事スル邦人ハ目下「ブルーム」ニ千二百余人、木曜島ニ六百余人、合計千八百余人ニシテ數年前ニ比シ頗ル減少セルガ之レ戦争ガ一時採貝營業ヲ不振ナラシメタル影響ニ依ルモノナリト云フ是等邦人ノ帰国其他ニ依リ之カ交替補充ヲ要スル為メ新嘉坡、香港又ハ本邦ヨリ年々新ニ二、三百人ノ邦人ノ渡航ヲ絶タズ是レ全ク採貝業ニ於テ邦人カ有スル独特ノ技能ニ基因スルモノナリ