

MECALF'S REPORT SENT TO CONGRESS

It Deals With Vexed Question of Japanese Children in California Schools.

NUMBER EXCEEDINGLY SMALL

School Board's Action Largely Influenced by Activity of Exclusion League.

Assaults on Japanese Work of Hoodlums—Sentiment of State in Favor of Fair Treatment.

Washington, Dec. 18.—The president today transmitted to Congress the report of Secy. Metcalf on the situation affecting the Japanese in San Francisco. The special message and report follows:

MESSAGE OF TRANSMISSION.

To the Senate and House of Representatives: I enclose herewith for your information the final report made to me personally by Secy. Metcalf on the situation affecting the Japanese in San Francisco. The report deals with three matters of controversy—first, the exclusion of the Japanese children from the public schools of San Francisco; second, the boycotting of Japanese restaurants, and third, acts of violence committed against the Japanese.

NUMBER VERY SMALL

As to the first matter, I call your special attention to the very small number of Japanese children who attend school, to the testimony as to their good character, cleanliness, and good behavior, to the fact that, owing to their being scattered throughout the city, the enforcement of the law against their being sent to school is impossible, and means that they can not be kept out of the schools. I call your attention to the fact that the exclusion of the Japanese children from the public schools is a matter of comity between the United States and Japan, and that the United States will not permit them to attend the schools.

ANTI-JAPANESE VIOLENCE.

The question as to the violence against the Japanese is most admirably put by Secy. Metcalf, and I have nothing to add to his statement. I am extremely confident that, as Secy. Metcalf says, the overwhelming sentiment of the state of California is for law and order and for the protection of the Japanese in their persons and property. Both the recent disturbances in San Francisco and the assault on the Japanese children in the city, I authorized and directed the major of San Francisco to investigate, and I call your attention to the fact that the major has reported that the Japanese children were not molested, and that the Japanese children were not molested.

METCALF'S REPORT.

November 26, 1906.

I have the honor to submit the following: In my previous report I said nothing as to the reasons leading up to the action of the school board in passing the resolution of Oct. 11, and the effect of such action upon Japanese children, parents of the city of San Francisco, desiring to attend the public schools of that city. A report on this matter will not be made, therefore, and after consulting the local public sentiment concerning the recent disturbances with regard to the Japanese, an account will be given, first, of the boycott maintained by the Cooks and Waiters' union against Japanese restaurants doing business in that city, and second, of the several cases of assault or injury inflicted upon the persons or property of Japanese residents.

BOARD RESOLUTIONS.

Resolved, That the board of education is determined in its efforts to effect the establishment of separate schools for Chinese and Japanese pupils, not only for the purpose of relieving the congestion at present prevailing in the schools, but also for the higher reason that our children should not be placed in any position where their faithful impressions may be affected by association with pupils of the Mongolian race.

EXCLUSION LEAGUE.

The action of the board in the past and resolutions of May 6, 1905, Oct. 11, 1905, was undoubtedly largely influenced by the activity of the Japanese and Korean Exclusion League, an organization formed for the purpose of securing the enactment by the Congress of the United States of a law extending the provisions of the exclusion act to the Japanese and Koreans. The league claims a membership

RELIABLE WITNESSES

"UPPER MAIN" Property North of McCormick's Bank to Change Hands.

A BIG BUILDING LIKELY.

Wm. H. McIntyre Buys 50 Feet of the Peery Estate and Will Join McCormick and Hills in Building.

Property owners and many others interested in business north of First South street, who had begun to wonder whether all the real estate activity was to be confined to the lower end of the city's main thoroughfare, were pleased to learn yesterday of several pending deals which indicate that the owners of realty in the district known as "upper main," are fully alive to the needs and demands of their neighborhood and to the re-awakening in Salt Lake's business interests.

JAPANESE PUPILS.

On the day when the order of Oct. 11 went into effect, viz. Oct. 15, there were attending the public schools of the city of San Francisco 33 Japanese pupils. These pupils were distributed among 22 schools, as follows: First grade, 16; second, 22; and 24 years of age, 16. The total number of Japanese pupils attending the public schools of San Francisco, the first grade being the lowest and the eighth the highest—grades for the eighth grade going into the high school. Of this total of 93 pupils, 68 were born in Japan and 25 in the United States.

AGES OF PUPILS.

The ages of the pupils attending the public schools on the day when the order went into effect ranged from 7 to 20 years. A list of pupils attending the schools, which lists gives the name of each pupil, name of school, age of pupils, grade, date of birth, and sex, is hereto attached and marked "Exhibit A." It will be observed that those born in the United States occupy about the same position in the different grades as American children of the same age, while those born in Japan are very much older. It will be noted that the Japanese students were distributed among the grades as follows:

Table with 4 columns: Grade, Japanese Native born, No. of Pupils, No. of Pupils Born in U.S.

The number of schools in San Francisco prior to April 18 was 76. Of this number 28 primary or grammar schools and 2 high schools were destroyed by earthquake, leaving 48 schools. Since April 18, 27 temporary structures have been erected, making the total number of schools erected in the present time 75. A map showing the location of the public schools in San Francisco attended by Japanese pupils up to the time of the earthquake is attached hereto and is herewith submitted, and marked "Exhibit B" (p. 17). The portion of the map marked off with red ink indicates the burned section of San Francisco.

THE ORIENTAL SCHOOL.

The oriental school, the school set apart for the Chinese, Japanese, and Koreans, is situated in the city of San Francisco. There is only one Japanese student attending this school at the present time, and there are no Japanese children attending any of the other public schools. I visited the oriental school in company with the Japanese consul and found it to compare favorably with many of the new temporary structures erected in the city. The course of instruction is exactly the same as at the other public schools, and competent teachers are assigned for duty in this school. Nearly all of the pupils attending this school have to be taught the English language.

An examination of the map attached hereto will show clearly that it is not possible to absolutely prohibit children residing in the remote sections of the city to attend the oriental school. The conditions in San Francisco are such, owing to the great conflagration, that it would not be possible even for grown children living at remote distances to attend this school. If the action of the board, and the action of the state legislature passed in joint resolution, that action be taken by treaty or otherwise to limit and diminish the future immigration of Japanese laborers into the United States.

SENTIMENT OF STATE.

I found the sentiment in the state very strong against Japanese young men attending the primary grades. Many of the people were outspoken in their condemnation of this course, saying that it was an insult to the Japanese and supported by the state. They are also admitted to, and gladly welcomed at, Stanford university, San Francisco, so far as Japanese children are concerned, which has been discriminated against Japanese children. I talked with a number of prominent labor men and they all said that they had no objection to the Japanese children attending the primary grades; that they wanted Japanese children now in the United States to have the same school privileges as children of other nations; but that they were unalterably opposed to Japanese young men attending the primary grades.

SAN FRANCISCO PRESS.

The press of San Francisco pretty generally approves the action of the board of education. Of the attitude of the more violent and radical newspapers it is unnecessary to speak further than to say that they are the usual "Mongrel hordes," and that the same reasons which dictated the exclusion of the Chinese called

clisco declined to rescind its resolution of Oct. 11, claiming that, in doing so, it would be giving aid and comfort to the Japanese, and Korean children, the provisions of section 1662 of the political code became mandatory.

JAP RESTAURANTS.

A boycott was maintained in San Francisco from Oct. 3 to Oct. 24 by members of the Cooks and Waiters' union against Japanese restaurants doing business in that city. Nearly all the Japanese restaurant proprietors, however, disclaimed any knowledge of any formal action being taken for boycotting these Japanese restaurants. They admitted, however, that there was a decided sentiment in the unions against patronizing Japanese restaurants, and that that sentiment was fostered by speeches in union meetings and by personal action of the different members, with the object of not only preventing Japanese restaurateurs from patronizing these restaurants, but also of preventing Japanese restaurateurs from patronizing these restaurants.

FEELING IN LABOR CIRCLES.

Perhaps a better idea of the feeling in labor organizations against the Japanese restaurants and the methods that they are using to prevent patronizing these restaurants can be gained by reading the following extract from the minutes of the meeting of the executive board of the Japanese and Korean Exclusion League, as reported in the San Francisco Chronicle of June 25, 1906:

"TO SEND PROTEST TO LABOR UNIONS—EXCLUSION LEAGUE COMPLAINS THAT WHITE MEN EAT IN JAPANESE RESTAURANTS."

"The executive board of the Japanese and Korean Exclusion League, at its meeting held Saturday evening, listened to complaints that many wage-earners, laborers, and mechanics patronize Japanese restaurants, while eating houses and saloons are being frequented by white men. It was decided to send a protest to the labor unions, and to urge them to prevent white men from patronizing these restaurants. It was also decided to send a protest to the labor unions, and to urge them to prevent white men from patronizing these restaurants."

The ownership of the real estate north of the bank known as the "Upper Main," has been taken in under foreclosure by Messrs Hills and Peery some years ago at something less than \$750 per foot front, at a time when there was general depression in real estate circles. The Peery estate receives from Mr. McIntyre approximately \$1,550 a foot frontage for its 50 feet, or over \$77,500.

A number of other important plans are on the tapis for "Upper Main," but they are not ready yet for announcement. The "News," however, is enabled to advise that the Peery estate has been floating on the street in the past few days in relation to Z. C. M. I. purchasing property in the neighborhood of "Lower Main." No such movement has been made nor is any such plan contemplated. The institution is fully satisfied with its present holdings, and believes the general activity in trade and real estate in San Francisco is enough for all sections of the street alike to share in.

The temper and tone of the more conservative newspapers, as better illustrated by an epitome of their argument practically is as follows: The public schools of California are a state and not a federal institution. The state has the power to exclude these schools entirely, and the federal government would have no right to lift its voice in protest. Upon the other hand, the state may extend the law to these schools to aliens upon such terms as it sees fit, and the federal government has no right to question its action in this regard. Primarily and essentially the public schools are established for the education of the citizens of the state. The state is interested in the education of its own citizens alone. It is not the business of the state to support an expensive institution to educate foreigners and aliens who would carry to their countries the fruits of such education. Therefore, it is the duty of the state to exclude from the public schools those who are in violation of the treaty with Japan in violation of the treaty with Japan.

INTERVIEW WITH RESTAURANT KEEPERS.

I personally interviewed the restaurant keepers and took down their statements. The first of these was a restaurant keeper at 177 Third street, stated that the boycott commenced on Oct. 3 and continued until Oct. 24; that on the first day of the boycott he was surrounded by a mob of about 50 men, who were throwing stones and breaking windows and fighting his customers. The restaurant keeper who was struck with the stone was the proprietor of the restaurant at 177 Third street, stated that the boycott commenced on Oct. 3 and continued until Oct. 24; that on the first day of the boycott he was surrounded by a mob of about 50 men, who were throwing stones and breaking windows and fighting his customers.

JAPANESE UNION.

It appears that the Japanese restaurant keepers of San Francisco have a union of their own, of which S. Imura is president. They made application to the Cooks and Waiters' union of San Francisco for admission to membership in that union, but their application was denied. After the boycott had been maintained for a few days the Japanese restaurant keepers held a meeting for the purpose of discussing the boycott and of devising some way of stopping it. They discussed first the matter of an injunction, and appointed a committee. This committee visited the Japanese-American association located in San Francisco and asked the association to consult a lawyer. The lawyer informed them that a test case would cost \$500, and that if the test case failed it would cost each restaurant keeper \$200 for each case tried.

TO PAY BOYCOTTERS.

Mr. Sugihara also said that there was an agreement to pay the boycotters. The agreement was that the boycotters should be paid for the time they were kept out of business. The agreement was that the boycotters should be paid for the time they were kept out of business. The agreement was that the boycotters should be paid for the time they were kept out of business.

CUSTOMERS STONED.

The windows of the Golden Gate restaurant, H. Sugiyama, proprietor, 256 Third street, were broken on Oct. 17 or 18. Mr. Sugiyama stated that when he was in the restaurant he was struck by three stones, and that his customers were all white people; that it was impossible for him to stand at the cash register near his window, as they broke his

ARTHUR BROWN'S FUNERAL TODAY

Held at the Family Residence On East South Temple Street.

REV. P. A. SIMPKIN IN CHARGE.

Feature of Services Was the Reading of Odd Fellows' Ritual—Nothing Done About the Will.

The funeral services over the remains of the deceased, Arthur Brown, were held this afternoon at 2:30 o'clock at the family residence on east South Temple street.

PROTECTING JAPANESE.

The chief of police assured me that every effort would be made by him to protect the Japanese restaurant proprietors in San Francisco, and that he would see that everything possible was done to protect Japanese subjects and prevent violations of law.

ASSAULTS ON JAPANESE.

Assaults have from time to time been made upon Japanese subjects resident in the city of San Francisco, and it is understood by the chief of police that upon receipt of a communication from the Japanese consul he at once instructed captains of police to make every effort to protect the Japanese subjects, and to see that they were not molested in any way.

STATEMENTS OF JAPANESE.

S. Inatsu, 121 Haight street. I am a student and a member of the Japanese Y. M. C. A. On Oct. 28, at 7:15 p. m., I was attacked on the corner of Haight and Washington streets by a mob of about 50 men, who were throwing stones and breaking windows and fighting my customers.

SUGIHARA CORROBORATED.

S. Imura, proprietor of the White Star restaurant, 256 Third street, corroborated the statements made by Sugihara and H. Sugiyama as to the breaking of windows and assaulting of customers. He stated that he was struck with a stone on Oct. 17 or 18, and that his customers were all white people; that it was impossible for him to stand at the cash register near his window, as they broke his

MONEY PAID.

Before leaving San Francisco the consul informed me that W. S. Stevenson was the man to whom the money was paid. One hundred dollars was paid by the consul to W. S. Stevenson, and the money was paid to the Japanese bank on Sutter street in San Francisco.

Half a dozen lines of type may be the link between you and something you want.

ORDERING TYPE.

The order being made payable to the order of W. S. Stevenson. The money was paid, S. Imura, G. Sugihara, and some members, so Imura said, of the bank, probably clerks. The balance of \$250 agreed upon was to have been paid on Monday, Oct. 29, but the man Stevenson did not call for the money, and I was informed that it had not been paid up to the time of my departure from San Francisco. The boycott stopped with the payment of the money.

CHILDREN ARE STILL HERE.

No arrangements have yet been made for bringing the children of Mrs. Bradley to Washington. The four little ones are now in Salt Lake in the care of Mrs. Bradley's sister, and it is probable that the sister with one of the children at least, will attend the trial.

DEFENSE NOT DEFINED.

Attorney Wells spent some time talking with Mrs. Bradley yesterday at the district jail, where she is confined. When questioned as to the outcome, Mr. Wells said this morning that no decision had yet been reached as to what the defense will be in Mrs. Bradley's trial.

PAY IS HELD UP.

The 25 special deputy sheriffs who were hired to guard the voting machines on election night will have to wait until County Commissioner Mackey returns from Wyoming and the commissioners have an opportunity to decide as to the necessity of their employment. It seems that County Clerk Eldredge deemed it advisable to have the machines guarded on election night so that they could not be tampered with before being moved to the city and county building. He consulted Commissioner Mackey about the matter and the latter was favorable to the idea as long as County Sheriff Emery to appoint 25 men to guard the machines.

THE COAL SITUATION.

Dealers declare that conditions have been greatly exaggerated. Prominent coal dealers regret the disposition of morning papers to exaggerate the coal situation, particularly as there is now a surplus of coal in private bins than there was at any time in the history of the Utah Fuel company. "I know of one instance very recently where a citizen kept telephoning for coal in a way that suggested he was on his last legs, and finally he was sent up a couple of tons. When the driver of the wagon reached that citizen's bin he found eight tons of coal there, and I am sorry he did not have sense enough to drive back to the yards without delivering that order, that the coal might have been given to parties in need of it. There are a good many such cases in Salt Lake."

WELSHON IS DISCHARGED.

Prosecution Failed to Make a Case of Illegal Registering. The preliminary hearing of Frank Welshon, charged with securing illegal votes, was heard this morning before Judge Diehl. The case was dismissed upon the recommendation of Atty. Gen. J. W. Lyon, who, with the chief witness for the state, E. L. Lyon and Verdie De Brotha refused to answer the questions put them lest they should incriminate themselves. Atty. Gen. J. W. Lyon represented Welshon and Atty. Newton acted for the two girls charged with illegal registering. They were expected to appear this morning and state the facts in the matter. Much time was wasted by the attorneys arguing over the answers which the witness should give. The attorneys for the defendant raised numerous objections and desired Judge to properly instruct the witness after several futile attempts on part of the prosecuting attorney to secure convincing evidence, the case was ordered dropped.

ONE OF THE ATTORNEYS WILL LOOK UP EVIDENCE IN SALT LAKE.

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