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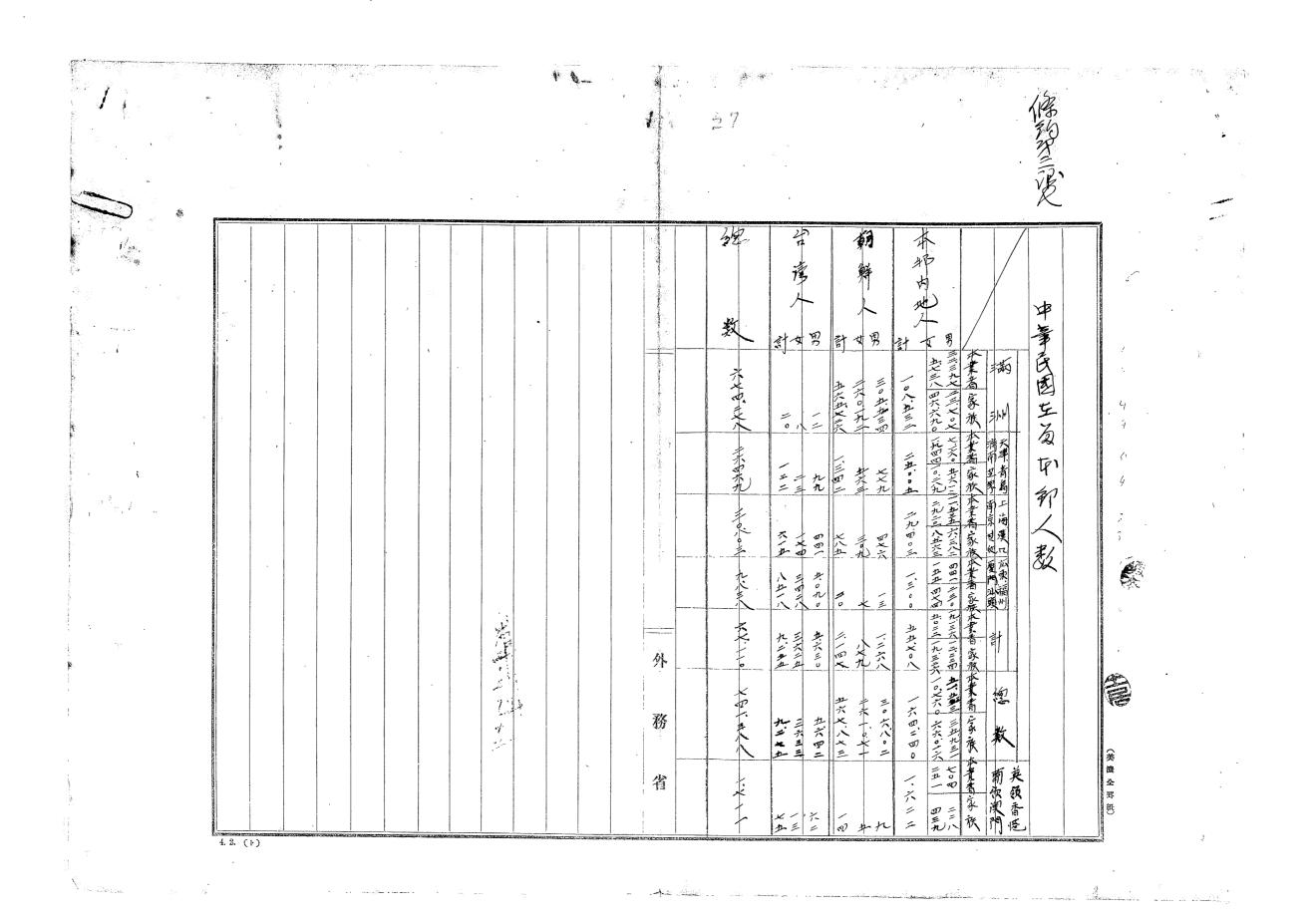
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Japanese	Female	5.738	46.690	1.944	10.289	2.923	8.563	155	474	5.022	19.326	10.760	66.016	251	439
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	Male	305	.534		779	476			13	1.268		306.802		9 .	
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	Total	565.726		1.342		785		20.		2.147		, 567.873		14	
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Formosans	Female	le 8		23		174	174 3,428		3.625		3.633		13		
	Total		20		122		615	8	.518	9.	. 255	•	9.275		75
Aggregate	total	674	278	26	.469	30	.803	9	.838	67	.110	74:	1.388	1.	711

與金拉賴害賠償請求一件(大平年九月世召惠官事中判決)

去逃走等ノケヤを変域旅り 業ラ 損害ヲ賠い 自 7 コ ステルナ 灰立 ノリョンテ藝妓様ノリヨリ郷テ 及ス りき 甲十二年

金返還請求権夫意教後者ナ 、八撲善賠償ト 対價 テ同 金 ルラ支持ハシ、 一、タル消費貸借ナリ イン甲=不當ノ所行アル・ 人シ甲=不當ノ所行アル・ のシル消費貸借ナリ

認 請求事件

上録二サ関を ノヲ法 = ナト ラシスシ ナ コ テ 7 VK 及門シ 右因於中リスナ八期ルテョョ原キ百 コシ年ヅ トツニョ 間收藝りり判場五其得妓向金決合士 七缀 = = } 於十り テ日 人真 五養 ナ本子出シ り件録ラテ 組為緣 ス済三座シレノ事ラ縁 ルニ從町ヅハ養者有组 シ組スル届

八有 自セ右ト上 五サ 一明間月同 レハテ真無か 無院三为子放为養馬上 判チョシ组 爪缘ナタノ obliging indemnification of damage to the same amount in case A acts unfairly. If the agreement is in its purport as mentioned first C may demand for payment of the money advanced to A regardless of the validity of her agreement to engage in the trade of a geisha, but if it is in its purport such one as mentioned next, it is invalid. Consequently, in order to ascertain whether C has the right to demand the payment of the money advanced to A or not, the purport of the agreement must first be determined.

Case of Demand for Confirmation of the Invadity of Adoption of Daughter.

(Judgment delived by the Third Division of Civil Matters on September 2, 1922.)

Gist of Judgment.

when the person concerned has no real intention to be adopted as a daughter, though she has done an expressed act by signing her name and stamping her seal on a document reporting to the Government authorities that she has been adopted as a daughter, her case comes within the purview of the case mentioned under Item 1 of Article DCCCLI of the Civil Code, which refers to a person having no intention of being adopted as a son or a daughter or marrying. For this reason, the adoption of the person concerned as a

daughter is invalid. According to the facts recognized in the original judgment, respondent borrowed 100 yen from appellant. Tori promising that respondent Shizu should be trained as a geisha and later engage in the trade of a geisha for eight years after March, 1917, at the house of appellant Tori at Konya machi in the city of Kurume and pay back her debt with the profits she would make by engaging in the trade of a gaisha. As a means for securing the fulfilment of the above mentioned agreement during the term referred to, it was arranged that a report should be presented to the Government authorities that respondent Shizu was adopted by appellant Tori as a daughter and the fact was reported under date March 20 of the same year. It is obvious from these facts that neither Tori nor Shizu had any real intention of adoption. Accordingly, judgment delivered by the original Court, that the case of adoption in question is, according to Item 1 of Article DCCCLI of the Civil Code is invalid, is right.

daughter

Case of Demand for Payment of Debt and Damage.

(Judgment delivered by the Second Division of Civil Matters on September 29, 1931)

Gist of Judgment.

C as C's income the profits arising from the trade of a geisha which A will pursue during the term of agreement (ten year) in their entirety, and in case A retires from the trade or conceals herself, damage shall be indemnified to C from the date of agreement, is one that puts too heavy a responsibility upon the shoulders of A and B, and aims at obliging A to engage in the trade of a geisha for the said term of ten years. Such an agreement, therefore, may be said to restrict the freedom of A to a marked degree. Hence an agreement to engage in the trade of a geisha with such contents as have been above mentioned is, according to Article XC of the Civil Code, invalid and an agreement guaranteeing it is also invalid.

(Reference: Article CX of the Civil Code reads: "A legal act aimed at a matter that goes contrary to the public order or good morals is invalid."

II. At the time an agreement such as has been above mentioned was made, if A and B received money in advance from C, a question arises whether the money was advanced as a loan pure and simple, or whether, through the agreement is nominally one for a loan, is in its real purport one implying payment made in return for the trade of a geisha to be pursued and

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新嘉坡方面へ渡航スル醜業婦取締方ニ干スル件

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十九日附送第六號外務大臣ョリ在新嘉按領事代理宛

在新嘉坡帝國領事館ニ於テハ海峽殖民地外國人登錄條例上民政部長及拓殖局長官ニ通牒)大正八年四月十六日外務次官ョリ警視總監、各地方長官、

關東

籍 規 可成務易迅速ニ旅祭下付方御取計相成度旨北米合衆國。布哇。加奈陀其ノ他(中略)、大正九年一月二十日通商局長ョリ警職業從事ノ虞アル者ニ對シ渡航取締方ノ件

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方 長

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- 左記種類ノモノハ主義制度上排斥スルモノニシテ且本人等ノ生存

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政府

上ハ當該官憲二夫々御手配アリタシニがテ嚴重取締ラレ旅祭ヲ下付セサルコトト致シタク本作御採用

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三合送第七〇五號

大正十年五月三日

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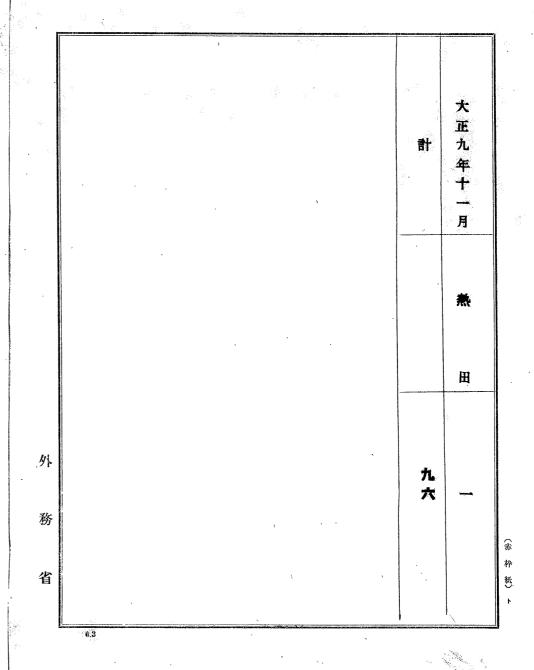
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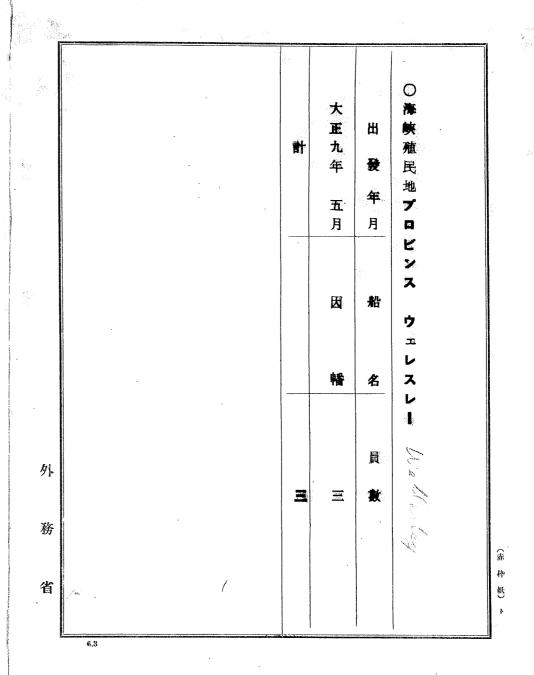
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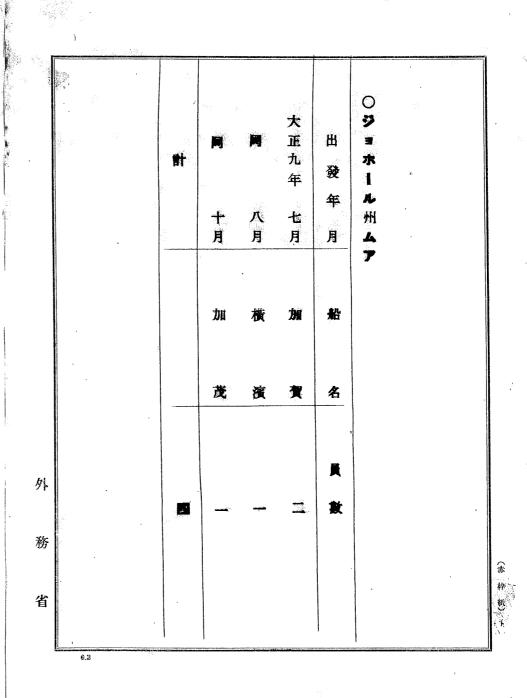
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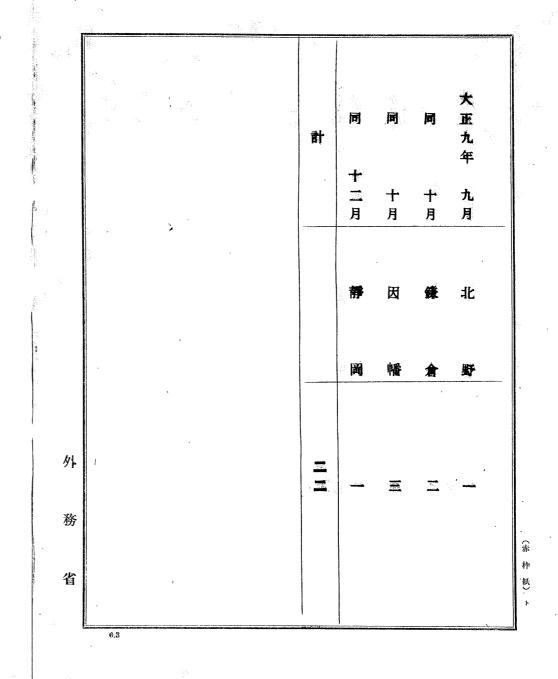
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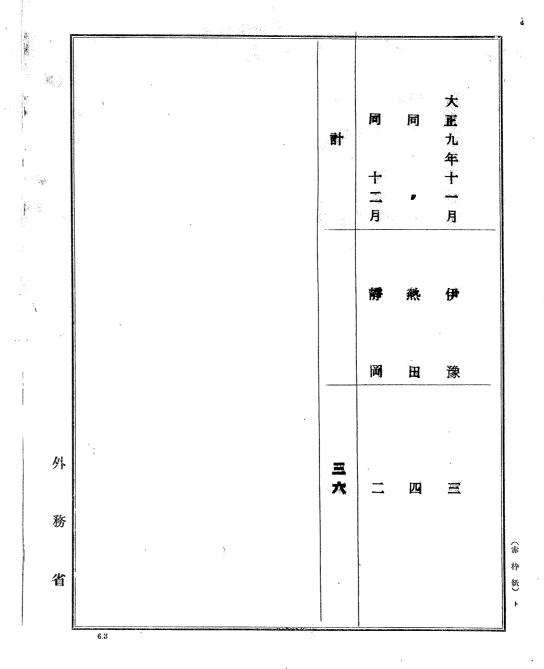


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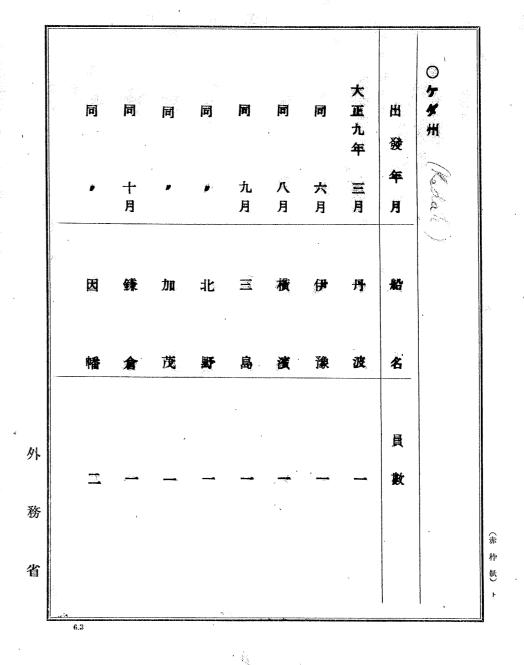


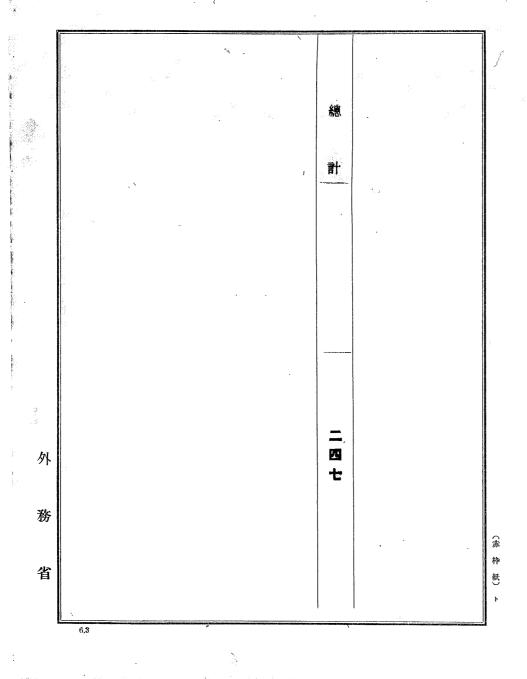
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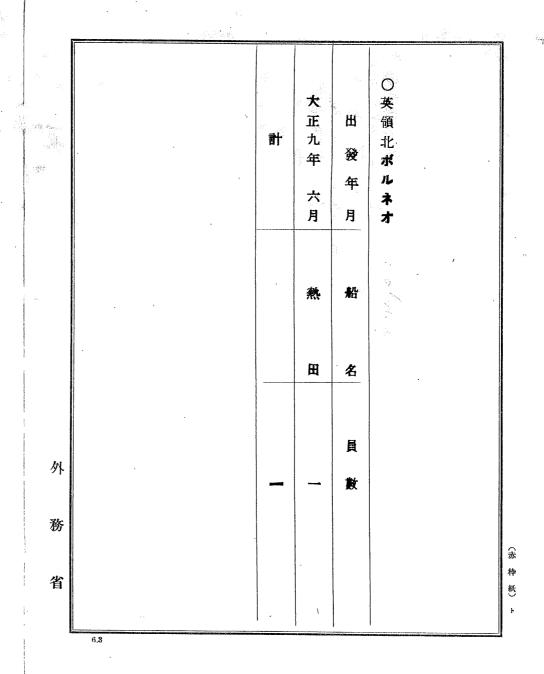
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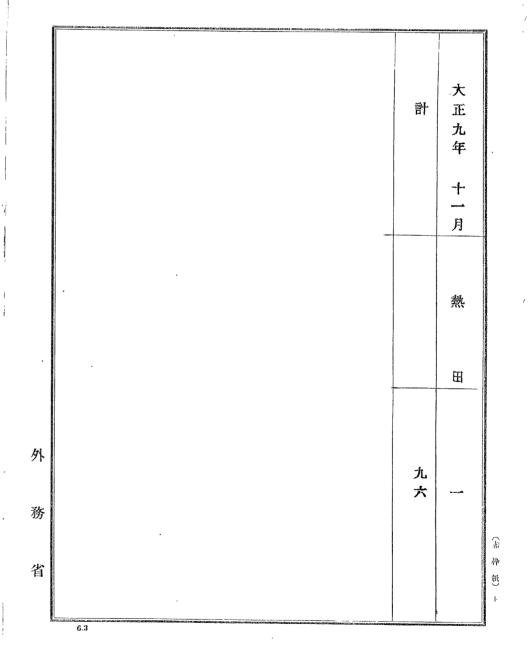
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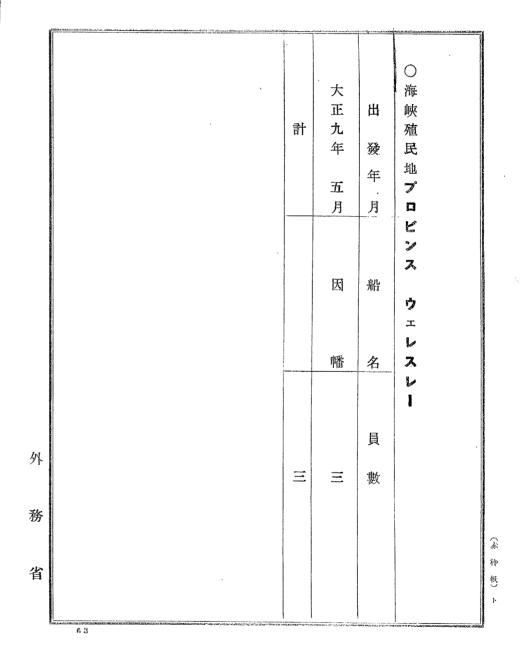
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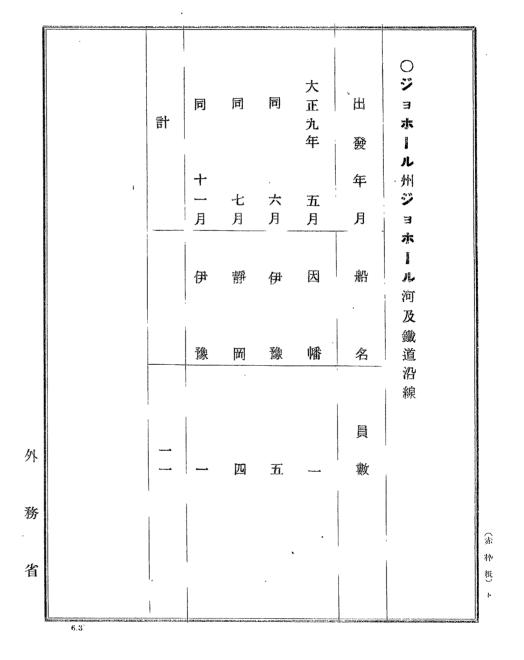
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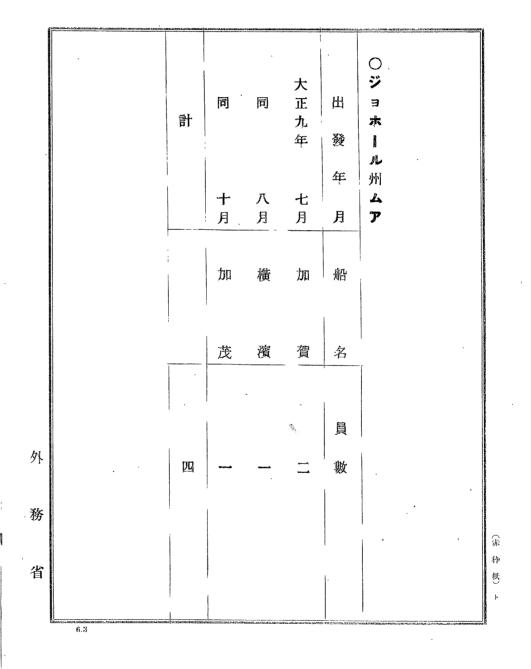
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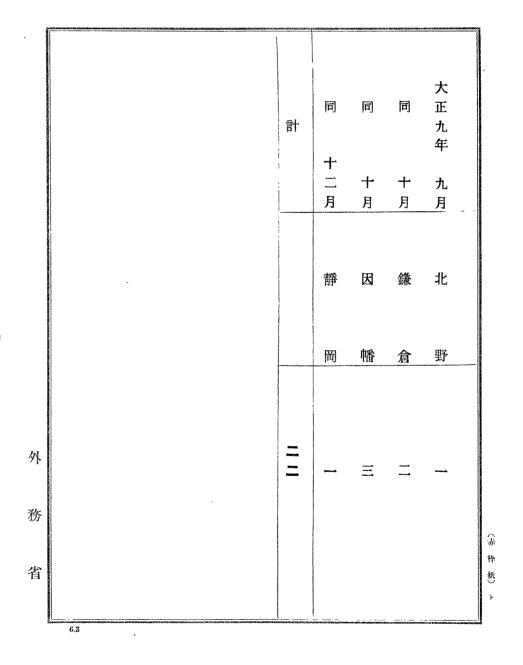
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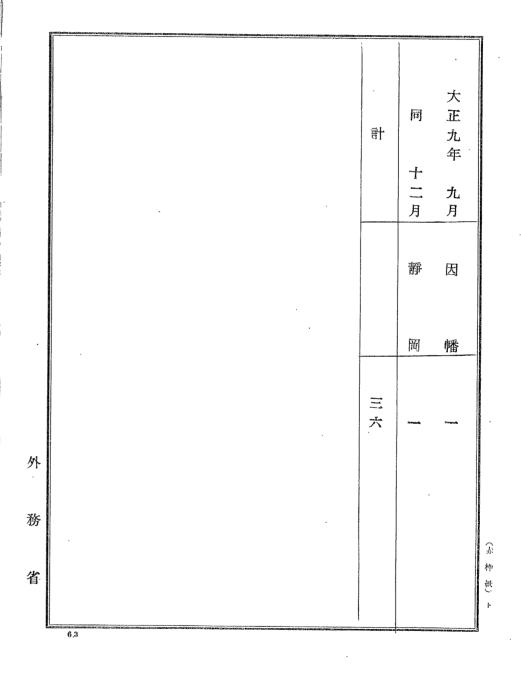
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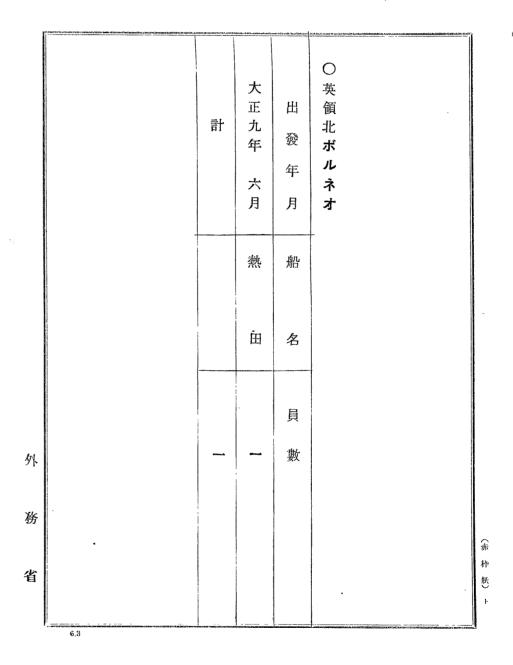
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TABLE No.I.

Investigation into the number of women who returned home giving up the Trade of Prostitutions in 1920.

	Month of Departure.	Steamer.	Number of	Persons.	Total.	* 10 3
	Feburary	Takoma	1			
	đo	Kage	1			4
	March	Tamba	2			
	April	Kasado	6			
	đo	Kitano	1			
	May	Imba	5			
	đo	Awa	6		,	
,	đo	Kamo	2			
0	June	Atsuta	15			
Shingapole	July	Shizuoka	33			
inge	đo	Kag a	5			
Sh	August	Yokohama	2			
	đo	Tamba	1			
	September	Mishima	5			•
	đo	Sado	2			
	đo	Kitano	1			
	October	Imba	1			
	đo	Kamo	5			
	November	Ιÿο	1			
	đo	Atsuta	1	To	tal 96	

In regard to the matter in question, I have the honour to inform you that the Acting Consul-General at Vladivostok has written me as noted in the annexed paper. Please acquaint yourself with particulars therefrom and in regard to the matter of granting passports to persons proposing to proceed to that direction, deal with it at your discretion by taking into consideration his suggestions.

Annexed Paper

In view of the great number of Japanese subjects (including Koreans) who desire to cross over hereto after the restoration of friendly relations between Japan and Russia, I consider it a matter of urgent necessity to deal with such persons in the way suggested as follows:

The Soviet Government authorities are of course ready to welcome the coming of our reliable capitalists and technical experts who are willing to extend a helping hand to them, but for the reason of their principle and system are averse to the entry into their country of persons of the under-mentioned descriptions. Moreover, it is impossible for such persons to find means of living here... and their presence here is considered detrimental to our interest. According it is very desirable that the Government will hereafter exercise a very strict control over them and grant them no passports. Should this suggestion of mine meet with your approval, please take the trouble of making due arrangements

with the Government authorities concerned:

- 1. Omitted
- 2. Women of ill fame and persons connected with them (including both those having experiences and those coming for the first time)
- 3. to 8. Omitted.

of the same year. The text of the request omitted) (The preceding paragraph omitted) I have noted your report that lately there is a tendency towards gradual increase in the number of women applying for passports to the direction of Russian territory. It can not be concluded that this is solely due to much trouble and time needed in having passports granted at home. No passports are granted at home to those who take passage to foreign countries for the purpose of engaging in prostitution. Consequently it is considered probable that among those women referred to there are some who cross over to China without carrying passports and later apply for passports to one of the Imperial Consulates there. Emigration of women of ill fame to foreign countries is an extremely undesirable matter, which it is the desire of the Government to check as much as possible. Accordingly, as you suggest, I ask you hereafter not to grant passports to such women proposing to proceed to Russian territory who are considered likely to engage in prostitution.

Concerning Matter to be Attended to In Granting

Passports to People Proposing to Take

Passage to the Direction of Vla
divostock.

(Communique sent by the Vice-Minister of Foreign Affairs to the Inspector-General of the Metropolitan Police Board, the Governor of Hokkaido and the local Governors under date September 13, 1922, and also to the Director of Overseas Affairs under date the 16th of the same month)

I have

I have received information from the Consul-General at Vladivostock to the effect that among the Japanese who have crossed over to the direction of that port there are some who have done so without any definite object and unable to obtain means of living are in extreme distress..... and that in view of this fact, expecially at the present juncture when confusion prevails there due to withdrawal of Japanese residents, it is necessary to take stricter measures of control over the passage of would-be travellers thereto. I need not tell you that when the past careers and social standing as well as the object of journey of persons applying for passports thereto are legitimate and clear, the local governments should take the implest possible procedure in their favour in granting their applications, but on the other hand in case the several matters just referred to cannot be satisfactorily established, please have due investigation made into them and if there is room for suspicion that such persons have no definite object in undertaking the proposed journey or are connected with shameful callings refuse to grant their applications.

Concerning the Way of Control relative to the Grant of Passports to Siberia.

(Communique sent by the Acting Director of Commercial Affairs to the Inspector-General of the Metropolitan Police Board, the Governor of Hokkaido and the local Governors)

In regard

Concerning the Control of Women of Ill Fame Taking

Passage to the Direction of Singapore.

(Communique sent by the Director of the Bureau of Commercial Affairs to the Inspector-General of the Metropolitan Police Board, the Governor of Hokkaido, and the local Governors under date September 1, 1925 and also to the Director of the Bureau of Overseas Affairs under date the 11th of the same month.)

How to deal with Japanese women engaged in prostitution at Singapore and vicinity has been and is a subject over which our Consular authorities at that port have been and are very much concerned and on several occasions I had the honour of writing to you concerning the control of such women. I have lately received a report on the subject from our Consul-General at that port, a copy of which I annex hereto. In regard to this matter, I think that unless the Government authorities at home exercise a very strict control over the foreign passage of those women above referred to, all efforts put forth by our foreign diplomatic establishments to suppress the evil will be of little avail. Accordingly I venture to ask you that by appreciating what I have just said, you will take steps to have the character and conduct of a woman proposing to proceed to the locality in question and applying for a passport investigated into with special care and grant none to her if it is feared that she will engage in prostitution or turn into a prostitute.

Annexed

Annexed copy

(Report sent by the Consul-General at Singapore to the Minister of Foreign Affairs under date August 8, 1925)

In order to check a woman, who proposes to engage in prostitution or is likely to turn into a prostitute, from coming, returning or being called for here, we have hitherto been issuing certificates for calling for or certificates for returning to such women only, who, upon careful investigation into various matters made in conjunction with the Japanese Associations in the places under our jurisdiction, have been considered all right. In this connection, I regret to have to say that it appears lately the control of the local governments regarding the passage of women coming here has somewhat relaxed. For evidence I may point out the presence here of a fairly large number of women, who were refused certificates for calling for or certificates for returning but were granted passports without difficulty, came and are engaged in secret prostitution here. In the circumstance, especially in view of the fact that the question of the return of Japanese prostitutes has begun to be discussed, I venture to hope passports will hereafter be granted to decent women only when women propose to take passage hereto.

Concerning Grant of Passports to Japanese Women
Intending to Engage in Prostitution

(Answer given by the Minister of Foreign Affairs under date April 10, 1912, to request for instruction made by the Consul-General at Harbin under date March 15

of

the Governors of Nagasaki, Yamaguchi, Saga, Fukuoka, Kanagawa, Oita, Shiga, Kumamoto, Hiroshima, Hyogo, Ehime, Miyazaki, Kochi, Chiba, Wakayama, Okayama, Shizuoka, Aichi, Osaka, Kagawa and Kagoshima Prefectures under date My 3, 1921.

A copy of the communique was sent by the Vice-Minister of Foreign Affairs to the Vice-Minister of Home Affairs)

Japanese women who were engaged in prostitution at Singapore and vicinity, who voluntarily abandoned their calling after December, last year, and returned home, are as mentioned in the annexed return and the acting Consul-General there reports that the rest are expected to follow suit before June of the current year. Accordingly you are requested to take such measures as will enable such women to find some secure means of livelihood by extending to them due control and protection, so that they may not go abroad again to resume their old calling -----(Vide Table No. 1.)

Concerning the Return Home of Women of Ill Fame at Singapore

(Instruction issued by the Minister of Foreign Affairs to the Acting Consul General at Singapore under date July 23, 1921)

Having noted the contents of the report you sent me by official report No. 151 dated December 29 of last year on the progress of abandonment of their calling by women of ill fame in the Locality under your jurisdiction, I communicated the matter to the local governments concerned asking them to extend to such women due protection and enable them to obtain security of living, calling at the same time their attention to the control to be exercised over them so that they might not go abroad again to resume their old calling. On the other hand I took steps to communite to the Department of Home Affairs to the same effect. I am now in receipt of a communique, a copy of which I hereto annex, from the Department referred to. You are asked to take note of the matter mentioned in it and forward such a report as has been suggested by the Department every time a woman of ill fame abandons her trade and leaves for home

413 -

Annexed Communique

(Sent to the Wice-Minister of Foreign Affairs from the Vice-Minister of Home Affairs under date July 19, 1921)

In regard to the matter mentioned in the headline, I have the honour to say that I received from you communique No. 3 under date May 3 and that my Department desires to take such measures for the women returning home so as to enable them to obtain security of living. May I, therefore, ask you to take the trouble of supplying me with information concerning the undermentioned matters before they arrive home?

- 1. Date of departure.
- 2. Place of departure
- 3. Vessel on which the person returning home takes passage
- 4. Expected date of arrival
- 5. Place of landing
- 6. Permanent domicile, name and age of the person returning home

the

you are requested to bear this matter in mind and deal with the matter of granting passports to that locality in such manner as is suggested...... (annexed copy omitted) Concerning Control of Persons Going Abroad Who are Likely to Engage in Prostitution.

(Communique sent by the Director of Commercial Affairs to the Inspector-General of the Metropolitan Police Board the local Governors and the Director of the Bureau of Overseas Affairs under date January 1, 1920)

By communique No. 3 dated the 16th ultimo, I had the honour to ask you to grant in as simple and prompt a way as possible passports to those proposing to travel to the U.S.A., Hawaii, Canada and other countries. As I expressed myself in the concluding part of the communique referred to, no such favour shall of course be extended to criminals, homeless people and women of ill fame and I trust that you are always on the alaert to exercise strict control over foreign travels by such persons. Nevertheless, in view of a request made by wire by the Acting Consul at Singapore, a copy of which is hereto annexed (omitted), I must ask you to appreciate its contents and exercise specially strict control over women of ill fame and person connected with them proposing to take passage to foreign countries

Concerning the Return Home of Women of Ill Fame at Singapore.

(Communique sent by the Director of Commercial Affairs to the Inspector-General of the Metropolitan Police Board and

recently taking passage to that direction, one as given in the annexed copy was given him. Accordingly in dealing hereafter with applications for passports presented by women proposing to take, passage to that locality, who are not in possession of certificates issued by the Consular authorities, you are asked to investigate and ascertain whether or not they are going there for the purpose of engaging in a shameful calling and grant passports to only those who pursue legitimate work. In a case in which women are called for to that locality by virtue of certificates of residence issued by the Imperial Consulate there, you are also asked to grant passports to such women only when fact agrees with the object of journey mentioned in the above-mentioned certificates and everything declared is recognized to be true...... (The annexed copy contains the instruction mentioned above which was sent to the Acting Consul at Singapore by the Minister of Foreign Affairs under date August 19, 1912)

the Imperial Consulate at Singapore.

(Communique sent by the Vice-Minister of Foreign Affairs to the Inspector-General of the Metropolitan Police Board, the local Governors, the Director of the Civil Administration Department of Kwantung and the Director of the Bureau of Overseas Affairs under date April 16, 1919)

Hitherto

Hitherto the Imperial Consulate at Singapore was accustomed to issue certificates of nationality to such Japanese, who had not taken the procedure of having their names registered as provided for in the Act for Registration of Foreign Residents in the Straits Settlements and who desired to leave that locality. Furthermore, since January of the current year it has become necessary for all passengers travelling via Hongkong to carry passports or certificates of nationality on their person. In these circumstances, it is expected that the Imperial Consulate at Singapore will have to issue certificates of nationality in greater number than higherto. Such certificates of nationality are issued without discrimination to all Japanese leaving that locality, but the Consulate, in consideration of effective control of women of ill fame and persons connected them, has arranged to issue certificates of residence in addition for those who propose to go back there again or call for people at home after making a specially strict investigation into their past careers and social standing. In this connection it is desired by the Consular authorities, as may be seen from the annexed copy of their note, in case persons who are not in possession of the abovementioned certificates of residence, apply for passports to that locality by presenting to the local government authorities certificates of nationality only, no special facility be given them for simple reason that they possess them. Accordingly,

you

Answer.

(The preceding paragraph omitted) In regard to the matter you mention, I have the honour to say that it is advisable, as you think, to require applicants, if possible to present documents proving that they have been called for, but in case owing to pressure of time for departure or any other reason, such documents can not be presented, I think you are justified in granting passports to them after you have caused thorough investigation conducted into the past careers and social standing of the applicants and other persons concerned and have come to the conclusion that they are above suspicion of ever taking up shameful callings. You are accordingly asked to deal with their cases in the way here suggested......

Concerning Control of Women of Ill Fame Taking

Passage to the Straits Settlements.

(Answer given by the Minister of Foreign Affairs under date August 19, 1912, to instruction asked for by the Acting Consul at Singapore under date June 12, 1912. A copy of the answer was sent by the Director of Commercial Affairs to each local Governor under date August 19, 1912. Letter of the Acting Consul asking for instruction ommitted)

I

I have carefully noted the contents of communique No. 107 dated June 12 of the current year, in which you give a full statement concerning the control of women of ill fame taking passage to the direction of Singapore and ask for instruction thereabout. Hereafter whenever Japanese residents in your locality apply for certificates of residence, you are asked to examine and consider carefully the past careers and social standing of the applicants as well as the nature of business in which they are engaged, and in case you find there is reason to believe that they intend to use them for calling for women of ill fame, to reject their applications. You are also asked to cause applicants for certificates to enter in their applications a clear statement of the object of calling for persons from home and when the certificates are granted to enter therein a remark that they have been granted in response to applications for such and such objects. I may add that the purport of this instruction has been communicated to each local Governor

Concerning Control of Women of Ill Fame Taking

Passage to the Direction of Singapore.

(Communique sent to local Governors from the Director of

Commercial Affairs under date August 19, 1912)

Instruction having been asked for by the Acting Consul at Singapore with regard to the control of women of ill fame $\underline{ \text{recently}}$

into their circumstances and refuse to grant certificates to all those who are doubtful. Lately, however, it has been found that not a few persons who have been denied the abovementioned certificates have gone back or called for women to join them or gone back accompanied by women. Upon investigation into circumstances in which they have been granted passports, it has been found out that most of them have not been in possession of Consular certificates, and even possessed of them, adequate investigation into their past careers and social standing has not been made. Accordingly, whenever in the future women proposing to take passage to the directions above referred to apply for passports, you are asked to make thorough investigation into their past careers and social standing no matter they are going back there again or going there in company of other people, and as for those who are not in possession of consular certificates, or though possessed of them, admit doubt that they will engage in prostitution or procuration or are likely to turn into such women, to consult with this office.

Concerning Women Taking Passage to the Directions of Hongkong, the Malay Peninsula and Russian Siberia.

(Questionaire submitted by the Governor of Fukuoka Prefecture under date August 6, 1925 and answer given thereto by the Director of Commercial Affairs under date September 29 of the same year)

Questionaire.

Questionaire.

With regard to the control to be exercised over women taking passage to one of the territories mentioned in the head-line, I have the honour to say that I have frequently received notifications from you. I beg to inform you that recently cases have frequently appeared in which young women, either employees of commercial firms or sick nurses in service of hospitals, have taken passage to the above mentioned territories travelling alone or accompanied by other people. In consideration of the welfare of such women after arrival in their destination, we have been granting passports to them after requiring them to present letters calling for them from the heads of the commercial firms or hospitals in which they will be employed. It sometimes happens, however, that due to pressure of time for departure or convenience of their travelling companious, they are unable to present such papers as have just been referred to. In such cases, if the applicants and their travelling companions are found to be sound in regard to their past careers and social standing and are above suspicion that they will engage in prostitution, may we grant them passports even though the fact that they have really been given employment as claimed can not be adequately ascertained? Though granting of passports to persons proposing to take passage to the above-mentioned territories is left to the discretion of the local administrative authorities, in deference to notifications you have previously sent us that

strict

Concerning Control of Women of Ill Fame Taking
Passage to Foreign Countries.

Concerning control of Women of Ill farme Crossing to Directions of South China and the South Seas.

(Communique issued by the Director of the Bureau of Commercial Affairs to the Inspector-General of the Metropolitan Board and the Local Governors under date March 6, 1928).

Thanks to the strict control enforced by the Government authorities at home and the efforts put forth by our foreign diplomatic establishments, Japanese women engaged in prostitution in the directions of Hongkong, straits Settlements, Dutch East Indies, French Indo-China, Siam, British India and the Philippines have been gradually decreasing in number. Nevertheless it is a fact that there are still persons who make it their business to send women to those territories to engage in the shameful calling by resorting to some cunning methods or other and even securing for them legitimate passports under various names, thereby causing trouble at no infrequent intervals. No effective control is possible over matter of this sort without the cooperation of the Government authorities at home with our foreign diplomatic establishments. Now, whenever Japanese living in the above-mentioned territories propose to return home and go back there again or to call for members of their families to join them, our foreign diplomatic establishments in those territories conduct strict investigations

into