

eral the information that the time for adhering to the treaty had been extended for one year, that is to the 25th of August, 1897.

On the 8th of October, 1896, the British ambassador, in a report to Lord Salisbury, declared that the Japanese government had last come to an understanding with him respecting the exact terms of the protocol which reserved to the self-governing colonies acceding to this treaty a right of control over immigration. I will refer to that report and to the protocol itself, because they are of importance in coming to an understanding of the position which this government afterwards took. The dispatch is dated the 8th of October, 1896, and contains the following language:

I have the honour to inclose copy of a draft protocol which, in pursuance of an understanding arrived at with Count Okuma on the 2nd instant, I placed to-day in His Excellency's hands. It provides for the reservation of the right to legislate with regard to trade, immigration of labourers and artisans, police and public security to all the colonies and foreign possessions of the Crown mentioned in article XIX. of the new treaty, except Newfoundland and Natal which have already signified their unconditional adhesion and is reciprocal in form. It is framed on the model of the last paragraph of article II. of the new treaty between the United States and Japan.

The last sentence of the British ambassador's report in referring to his communication to the Foreign Minister of Japan is as follows:

As, however, no legislation seemed to be in immediate contemplation in either Canada or Australia, it would appear that what the governments of those colonies desired was to have the power of legislation in reserve so as to be able, in case of need, to satisfy public opinion.

And a draft protocol was then agreed upon between the British ambassador and the Japanese government as embodying the terms, provisions and stipulations to which the government of Japan would consent. That protocol is in the following terms, and is inclosure No. 1 in the despatch from which I have already read some extracts.

#### Draft protocol.

The undersigned duly authorized, &c., have agreed that the stipulations contained in the first and third articles of the Treaty of Commerce and Navigation between Great Britain and Japan, signed in London on the 16th July, 1894, shall not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of labourers and artisans, police and public security which are in force or may hereafter be enacted in either of the colonies and foreign possessions of Her Britannic Majesty enumerated in article XIX. of the said treaty, with the exception of Newfoundland and Natal, or in Japan.

In witness thereof

Done at Tokio,

1896.

It will be observed that by this protocol the terms of which were thus settled and assented to by the British ambassador and the Japanese government, Japan formally consented not only to the restriction already embodied in the treaty between Japan and the United States, but also to the original demand of Canada made in August, 1895, that the word 'labourers,' used in the United States treaty should be broadened by adding thereto the words 'and artisans.'

On the 23rd January, 1897, the matter again came before the consideration of this government, and by an order in council of that date the government affirmed the same reasons as before for refusing to accede to the treaty. And it will be observed in this connection that up to the time the Conservative government went out of power Japan—although it had acceded to the stipulation embodied in the treaty with the United States—had not acceded to the additional words, 'and artisans,' required by the order in council of 1895. It is, however, apparent that the Japanese government, in October 1896, accepted in full the view put forward by the Canadian government in August, 1895, and therefore the treaty could have been acceded by Canada at that time upon the exact terms laid down by the Conservative administration in its order in council of the 3rd August, 1895.

On the 30th July, 1897, the question of Japanese immigration into British Columbia had apparently become a somewhat serious one, because on that date the British Columbia government and legislature sent a memorial to the Governor General in which they respectfully requested that if the Dominion government should decide to become a party to the treaty with Japan, they would secure such stipulations as would prevent the unrestricted immigration of Japanese into Canada. And in the year 1900, there was a petition of more than 2,000 residents of British Columbia to His Excellency the Governor General, in which it was set out that between the 1st January, 1900, and the 30th April, 1900, 4,669 Japanese had landed in Victoria and Vancouver and the province was being flooded with them.

So the matter stood until the 7th June, 1905, nearly ten years afterwards, when, by an order in council passed by the present administration, it was declared that the previous obstacles to the accession of Canada to the treaty had been removed and His Excellency the Governor General was moved to ascertain whether or not the Japanese government was prepared to admit Canada to participation in the treaty. The Colonial Secretary had before him the attitude of the Canadian government in 1895. He had before him the express declaration made by Canada in 1895 that Canada would not accede to this treaty except with stipulations which would enable