

solvable situations and complications flow from crude and class legislation, and not from a judicial decision which has exposed its fruitlessness.

Further the law passed by Congress provides that where a foreigner shall have come from a trans-Atlantic port he must be taken back to the identical place of embarkation, and that where he shall have landed from a trans-Pacific port he must be returned to the identical port in that ocean from which he shipped. What then is to be the fate of the traveller who starts from Asia, doubles the Horn and enters the Republic somewhere on the Atlantic sea-board, or, vice versa, of one who sailing from one of the Kingdoms of Europe, lengthens his journey and passes through the Golden Gate? It occurs to the writer that as with the Swiss either individual could resist expulsion with good prospect of success.

The possible complication growing out of our neighbour's legislation which strikes one as the most serious of any is furnished by a clause in the section which enumerates the different classes that are excluded from her bounds, and who, having effected an entrance will be summarily expelled. It reads: "Any person who has been convicted of any offence involving moral turpitude" shall not be received, or, coming in, shall be deported. Now passing by the difficulty of determining the question thus presented, notice how airily the extradition treaty with ourselves is driven through by this provision. The expression "accused person" in the statute based upon the treaty includes a person condemned. But under this gratuitous law, a person condemned, so long as the offence for which he is to undergo punishment involves moral turpitude, may, should he have taken refuge in the United States, be forced back to the country whose law he has broken, at the will and pleasure of one signatory to a compact, who, jointly with another, pledged itself that no criminal should be transferred, unless an extraditable offence had been committed, and extradition be demanded.

The writer feels unable to close this discussion without referring to the singular position occupied by the Commonwealth of Australia with regard to their Alien Labour Acts, if the judgment of the Supreme Court of New Zealand in *Gleech's case*,