

not accustomed to the combined role, in which a single officer was to enjoy dual status and privileges of two distinct kinds and qualities. In these cases, the receiving government refused to recognize the diplomatic officer's consular status or to grant him an exequatur; his consular powers therefore were unilateral and strictly limited to Canadian aspects. He was, moreover, generally excluded from the local Consular Corps, which normally retains its independence from the Diplomatic Corps. The consular duties granted to the diplomatic officer were therefore functional rather than constitutional, and only in rare instances did the diplomatic officer assert in local circles his rank and status of Consul.

As early as 1928, Harding of the Dominions Office had privately informed Dr. Skelton that:

It may be useful for you to know that the experience of the Foreign Office is that it is very undesirable to have on the diplomatic list persons who whilst nominally on the staff of the diplomatic mission, are engaged mainly or exclusively on duties of a consular nature. Foreign Office points out that if it is desired to bring an action in courts against such a person, plaintiff is likely to be much aggrieved in finding he is debarred from legal remedy by claim to diplomatic privileges in favour of a person whose status he believes to be really consular. Foreign Office suggests that it might be well to press for consular work to be done by a consular staff.⁽¹⁾

Dr. Skelton acknowledged this personal message by telegram, and said that in reply he was writing a letter; but his reply has not been located. In the event, the Japanese diplomatic officer in Ottawa who

⁽¹⁾ File 610-28C.