

try may clearly and thoroughly understand what was the attitude of the Conservative government of the day with respect to the control of immigration from Japan to Canada. I may say by way of preface, that I am a little at a loss to state to the House the official status of Mr. Wilkinson who is referred to in this order in council. The despatch to which it is an answer has not been brought down by the government, for the reason as stated by the Prime Minister, that it is of a confidential character. It is clear, however, that Mr. Wilkinson was an official of either the colonial office or the foreign office, and that he had made representations to the government of Great Britain with regard to this matter which were considered of moment, and which were forwarded to the government of Canada in the year 1895. I may say that this order in council was not brought down with the papers which accompanied the Japanese treaty when that treaty was laid upon the table of the House last session. I looked over the files of that return; I found allusion to this order in council, and the Prime Minister was good enough to send me a copy on Saturday last when for the first time I had an opportunity of perusing it. The order in council is in the following terms :

ORDER IN COUNCIL.

August 3, 1895.

The committee of the Privy Council have had under consideration a circular despatch, hereto attached, dated May 7, 1895, from the Most Honourable the Marquess of Ripon, transmitting copies of two despatches from Her Majesty's minister at Tokio, Japan, on the subject of the emigration of Japanese labourers to the British Colonies; and also an article from the 'Japan Daily Mail' newspaper, with reference to the trade between Japan and Australia.

The Minister of Interior to whom the despatch and its enclosures were referred, states that the only portion of the reference which is of vital consequence to Canada, is that which relates to the former mentioned subject.

The minister observes from the memorandum of Mr. Wilkinson of January 10, that in the treaty lately concluded between Japan and the United States, there is the following proviso: 'It is, however, understood that the stipulations contained in this and the preceding article do not in any way affect the laws, ordinances and regulations with regard to trade, immigration of labourers, police and public security which are in force, or may hereafter be enacted in either of the two countries.' The corresponding clause in the treaty between Great Britain and Japan merely reads:—'Subject always to the laws, ordinances and regulations of each country.'

The minister agrees with Mr. Wilkinson's observations that this proviso 'could scarcely be appealed to as justifying either exclusion or restriction, without laying ourselves open to the charge of bad faith.'

The minister is further of the opinion that Mr. Wilkinson is justified in the conclusion

that 'it might well happen that the government of the colonies would find themselves forced to take measures to restrict, suspend or even prohibit the immigration.'

The minister submits that, in the interests of the Dominion of Canada, there should be a proviso in the treaty of Great Britain with Japan similar to that contained in the treaty between that country and the United States, and he recommends that, when the adhesion of Canada is being given to the treaty, an express stipulation of this kind should be made, and that some further definition should be required of the term 'labourer' so that it will definitely include artisans.

The committee advise that Your Excellency be moved to forward a certified copy of this minute to the Right Honourable Her Majesty's principal Secretary of State for the colonies.

All which is respectfully submitted for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

Now, up to that time, so far as I have been able to understand by an examination of the reports of the debates of this parliament, there had been very little agitation indeed in the province of British Columbia or elsewhere in the Dominion of Canada with regard to the regulation, restriction, or prohibition of the entry of Japanese labourers into Canada, and it seems to me that the order in council which I have just read shows a very considerable degree of foresight on the part of the Conservative statesmen of that day in looking forward to the conditions which actually have prevailed in this country, to a greater or lesser extent, from 1900 up to the present time. On the 6th of August, 1895, that order in council was forwarded to His Majesty's principal Secretary of State for the Colonies by a despatch under the hand of the deputy Governor General, Sir Henry Strong.

The next step to which I desire to call attention is that on the 18th of October in the same year, 1895, the British ambassador at Tokio transmitted to the Japanese government the purport of that order in council, and declared to them in the memo. which he delivered :

The Canadian government in adhering to this treaty would desire a stipulation with respect to Japanese immigration similar to that inserted in the treaty between Japan and the United States, and that they desire a further definition of the word 'labourer' by adding thereto the words 'including artisans.'

And on the 7th of February, 1896, the Japanese government acceded to that request except so far as the word 'artisan' was concerned. I will read that portion which relates to this particular subject, of the despatch of the British ambassador at Tokio to the Marquis of Salisbury, then Foreign Minister for Great Britain. The despatch is under date February 7, 1906, at Tokio and it contains the following :—