

gathered after that date, and the government may be presumed to have known all the facts when they ratified the treaty. The treaty had been held up for several years after 1895. The Conservative ministry of 1895 deemed it of sufficient importance to not ratify the treaty because it contained what they considered to be a very dangerous clause with regard to these very immigrants from Japan. The hon. gentleman (Mr. Duncan Ross) has ignored the stand which the Conservative ministry took at that date, but if he will read the order in council of August 3, 1895, he will find that the Minister of the Interior took a very serious view of this immigration from Japan.

The order in council says.

The Minister of the Interior to whom the despatch and its inclosures 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 stipulation 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 governments 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 'laburer' 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.

The government must have foreseen at that time that this very matter of immi-
Mr. COCKSHUTT.

gration was one that was going to give trouble between Canada and Japan if it were not carefully guarded in the stipulation made at that time. In the light of that, and in the light of subsequent despatches, this government, in adopting the treaty last year, practically ignored all the representations which had been made and which they certainly had in their possession long before the hon. leader of the opposition saw the papers. If these papers were available, as the hon. member says, it was only for a very brief space of time, and the hon. leader of the opposition probably had not time to study them as they should have been studied before the treaty was ratified. It is now perhaps too late to cry over spilt milk, and we must make up our minds that for the present at least we are against a bad proposition that has been put through this House in an unguarded moment. I am not going to shirk any responsibility that may rest upon me in regard to the passage of that treaty. It is true I was in the House at the time and heard the remarks made by the hon. member for New Westminster (Mr. Kennedy); and I must say that if we all had done our duty on that occasion as well as that hon. member, I believe that treaty, so far as the immigration clause was concerned, would not have been ratified. The hon. member for New Westminster stood practically alone in the House in pointing out the danger that we were incurring in passing such a treaty with a wide open door to immigration. It was explained to the House by ministers at that time—and we took their word, believing that they knew whereof they spoke—that the immigration from Japan was going to be of a very limited character, that it would be confined, I think, to five from each province, which in itself would not have been a danger. But by ratifying that treaty we practically tied our hands, and our hands are tied so long as that treaty is in force. Now, I am willing to admit that the Minister of Labour, in his late mission to Japan, has probably made the best of a poor case. I could not see what he was likely to accomplish by going, seeing that our hands were tied by a treaty which had only been ratified by this House in 1907. But if we had not the full light at that time, we have now the full light, not only in the documents laid on the table, but in the facts as they exist to-day. We had not the facts at that time; but to-day we find that instead of a few hundreds or scores of Japanese coming in yearly, we have been treated in the last few months to a flood of Japanese and many thousands of other Orientals. Many of these people were perhaps wanted in British Columbia by certain interests; but in the general interest of Canada I do not think they were wanted, and are not to-day. I am not here to depreciate the