

elementary book on international law, all the standard authorities on international law lay it down as beyond question that a consul has no diplomatic status, he has no apparent authority to enter into an engagement of this kind. I could not get an answer from the Postmaster General as to whether the Japanese government held itself bound by all the engagements made by Mr. Nossé on its behalf. My hon. friend contended that Japan was bound. He asserted that the official status of the consul general was sufficient to give credit to these assurances. He put forward, in one part of his speech at least, the reason that these assurances were given upon paper bearing the impress of the imperial government of Japan. Well, that would be a far reaching argument if it were carried to its legitimate conclusion, and I presume my hon. friend the Postmaster General would not be disposed to lay too much stress upon it. But if this government were entitled to accept the assurances of Mr. Nossé, as the Postmaster General declares, then in respect of the doubt which has been raised as to the adherence by the Japanese government to the consent which it gave in 1896, I would like to point out that Mr. Nossé, in 1903, made a very important statement to the government of this country, a statement which would have justified the government in concluding that the government of Japan would maintain that consent and would adhere to that treaty with the stipulation I have already quoted. On the 30th of March, 1903, Mr. Nossé addressed a communication to the Prime Minister. This communication was not brought down in the papers laid upon the table of the House in 1906; it is included however in the further return which has been laid upon the table of the House during the present session. The communication in question reads as follows:

March 30, 1903.

Rt. Hon. Sir Wilfrid Laurier,
Premier and President of the Council,
Ottawa.

In answer to my cablegram to the imperial Japanese government advising them to continue the policy of restricting their people immigrating in any large number into British Columbia, I have received a cable instruction to the effect that I have to give your government the renewed assurances that the Japanese government are not desirous of forcing their people into British Columbia against the wish of the province, and that they are willing to enter into an agreement with your government by which they may bind themselves, if their present policy of rigid restriction is not deemed satisfactory to your government.

T. NOSSE,
Consul General of Japan.

If that means any thing it means that the government of Japan, in March, 1903, would have been perfectly willing to have Canada accede to this treaty upon that pro-

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viso and stipulation to which Japan did give its assent in October, 1896. With a communication expressed in such forcible terms, and of so recent a date, it does seem remarkable that the government, in 1905, saw fit to plunge this country into the difficulty with which it is now confronted, and so to alter the condition of affairs that we cannot maintain over immigration to this country that control which is eminently necessary in the public interest.

Now I come more particularly to the results of the mission to Japan of my hon. friend the Postmaster General. The real object of his mission was to induce Japan to exercise that control over immigration into Canada which we should be able to exercise ourselves. It is one of the attributes of the sovereign power of any State to restrict, or even altogether prohibit, the entrance of aliens within its territory. If we had preserved that right by the stipulation insisted upon by the Conservative government in August, 1895, there would have been no difficulty. We did not reserve that right; therefore, having passed over to the Japanese government that control which should have been exercised by ourselves, it became necessary for my hon. friend the Postmaster General to go to the Japanese government and to ask them to exercise some control and some regulation. That in short is the actual position of affairs which confronted this government when the Postmaster General embarked on his mission to Japan. I am bound to say that the Japanese government seems to have exercised a perfect courtesy and a most wonderful forbearance in agreeing not to insist, for the time being, upon its full treaty rights, which undoubtedly had been granted to Japan by the treaty of 1896, bringing into force the treaty of 1894. What has my hon. friend the Postmaster General brought back? He has brought back, outside the information which he is not at liberty to disclose to this House and to which I will not again refer, a letter from the Minister of Foreign Affairs of Japan, Viscount Hayashi. That letter has been read to this House, and appears on the pages of 'Hansard.' It is a very polite letter, it is couched in the most courteous terms. Let us see what there really is in it so far as the interests of this country need safeguarding. In the first place let me read the letter, because it is well that the attention of the House should again be directed to its exact terms:

Tokio, December 23, 1907.

Monsieur le Ministre,—

In reply to your note of even date, I have the honour to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the imperial government to insist upon