In the case of the Chinese treaties, they were forced by us at the point of the bayonet on China, to obtain a right for us to enter China, and in return for a similar permission to us, full permission was given for the Chinese to trade and reside in British dominions everywhere.

In the treaties of 1858 and 1860, made at the solicitation of Great Britain, the Emperor of China was induced to give permission to his subjects to go and trade and reside "in British Colonies," and to enter into "engagements with British subjects for that purpose."

These obligations are binding here and in other parts of the Dominion, under section 132 of the British North America Act, and no Province, or the Dominion itself, can lawfully pass laws interfering with that right without a previous revision of the treaties by the high contracting parties to them for that purpose. Treaties with foreign nations are above all ordinary municipal law, for obvious international reasons, for without such a provision there can be no permanent security, which is the life of all commercial intercourse. The same provisions that apply to Chinese may be made to apply also to Americans, Frenchmen, Germans, or any other foreigners. Such treaties are the especial care of the Dominion, and where local legislation clashes with that especial province of the Dominion, the legislation of the Province must give way, as laid down in *Leprohon* v. *the City of Ottawa*, 40. Q. B., Ont., 478; *Reg.* v. *Chandler, Hannay's* New Brunswick Reports, 548; *Dow* v. *Black*, L. R. 6 P. C. 272; *L'Union St. Jaques* v. *Belisle*, L. R. 6 P. C. 31, and numerous other Canadian authorities, besides the British North America Act itself. Now applying the principles and tests I have described to the Act before us, what do we find? The Act is found associated with another Act now disallowed, the express object of which is to prevent the Chinese altogether from coming to this country, and the principle "*noscitur a sociis*" is kept up by the preamble of the present Act, which describes the Chinese in terms which, I venture to think, have never before in any other country found a place in an Act of Parliament.

In the definition of the persons affected by the Act no distinction is made of ambassadors, merchants, consuls, artists, professors or travellers, or sex, whether under disability or not, or at such a distance from a collector as to make it difficult or impossible to obtain a license. Every person of Chinese origin, whether naturalized in Hong Kong or America, or any other State with which we are at amity, so long as they are of Chinese origin, 14 years of age,—every one without distinction—must take out a license. For the purpose of argument I have treated the license fee as a tax; but it is in fact a license—a license to remain in British Columbia unmolested for a year. When the legislature wanted to create a tax, they knew what words to use for the purpose, for in the sister Act passed on the same day, which was disallowed, they called the impost there enacted a "tax," not a license. However difficult or impossible for any Chinese to find a district collector, if such Chinese