

so amended as to declare that these sections do not apply to companies incorporated by or under the authority of parliament. It is understood, therefore, that the statute has been amended according to the alternative suggestion of the undersigned, and it will, in that event, be unnecessary for Your Excellency's government to take any further action in the matter. The undersigned recommends, however, that the administrator of the government of British Columbia be requested to forward to Your Excellency's government a certificate copy of the amending Act as soon as convenient, and within the time limited for disallowance.

Respectfully submitted,

DAVID MILLS,  
*Minister of Justice.*

*Mr. Chamberlain to Lord Minto.*

DOWNING STREET, 23rd August, 1901.

MY LORD,—With reference to your despatch, No. 199, of the 11th ultimo, in confirmation of my telegram of the 22nd instaut, I have the honour to transmit to you for the information of your ministers, a copy of correspondence with the Foreign Office relating to certain measures, prejudicially affecting Japanese subjects, enacted by the legislature of British Columbia, and objected to by the Japanese government.

I have, &c.,

J. CHAMBERLAIN.

*The Colonial Office to the Foreign Office.*

DOWNING STREET, 8th August, 1901.

SIR,—With reference to the letter from this department of the 25th ultimo, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Lansdowne, the accompanying despatch from the Governor General of Canada respecting the British Columbia legislation to which the Japanese government has objected.

2. From the printed inclosure, a copy of which was previously sent to your department, of 12th July, 1899, Lord Lansdowne will observe that of the legislation passed in 1898 affecting Japanese, two Acts of a general character (chapters 28 and 44) were disallowed, but other Acts containing similar clauses were allowed to remain in operation for the reason stated in the marked passage on page 31 of the print, viz.: That these Acts being mainly concerned with the incorporation of companies, and having already come into operation, great inconvenience and hardship would have been caused to the companies if they had been disallowed.

3. With regard to 1899 legislation, which is referred to in the Foreign Office letter of 24th April, 1899, and connected correspondence, Lord Lansdowne will see that the Dominion government disallowed chapter 39 (relating to liquor licenses), section 36, of which prohibited the grant of a license to any Indian, Chinese or Japanese; chapter 44 (the Midway-Penticton Railway Subsidy Act), which was objected to, not by the employment of Chinese or Japanese labourers on the railways in question; and chapter 50 (the Placer Mining Act Amendment Act), which was objected to, not by the Japanese government, but by the United States government; but certain Acts of a limited character, similar to the 1898 Acts referred to above, were left in operation for the same reason as was given in those cases, and for the further reason that the clauses in question were *ultra vires* under section 91 (25) of 30 Vic., chapter 3, an opinion which seems to be borne out by the judgment of the Privy Council on the appeal of the Union Colliery Company of British Columbia, Limited, vs. Bryden and