

This correspondence shows that this treaty was first passed in 1894—passed not by this parliament, or this government, but by the imperial government. The language of the treaty is not our language but the language of the imperial government. A good deal has been said in reference to the clause giving the subjects of Japan full right of residence in this country. But a similar clause is included in every commercial treaty made by Great Britain, and every commercial treaty made by the United States. Hon. gentlemen seem to argue that this Dominion of Canada could get a friendly treaty with Japan that would not include the ordinary clause included in every commercial treaty entered into between civilized nations. I shall not weary the House with citations, but I may say that you will find the same clause in the treaties in force between the United States and Austria-Hungary, between the United States and Hayti, between the United States and Honduras—between the United States and every country with which the United States has a commercial treaty. Is it arguable that any country will enter into a friendly commercial arrangement only to be met at the door with a hostile clause declaring in effect: Your nation can trade with us, but your people are not to have the ordinary rights that a citizen should have in a country with which you are going to carry on friendly trade. The proposition is not arguable. The treaty came to us as it was drafted and approved by the imperial government. The leader of the opposition refers to an order in council passed by the late Conservative government, pointing out the objections to the ratification by this country of the treaty. The objection was the natural one that we did not want to bind ourselves in connection with the immigration of the Japanese.

An order in council to that effect was passed, and I draw attention to the fact that it is apparent that no correspondence leading up to this order in council was left by the late government for its predecessors, because it was not filed and brought down. I am not quarreling with that at all because naturally it would be of a confidential character, and therefore was not left in the office. Then what happened? Queensland said, we will not agree to the ratification of this treaty unless there is a stipulation that this clause should not interfere with our right to regulate emigration. Japan said, We will agree to that. But they also said, If you are going to get a clause of that kind inserted, instead of this treaty continuing for twenty years, it should continue for only six months. It was distinctly stated that the reason Japan reduced the duration of the treaty from twelve years to six months was that if Queensland ever attempted to pass any emigration laws hostile to the Japanese, a notice would

Mr. D. ROSS.

be immediately given for the abrogation of the treaty. But the authorities in Great Britain at that time were evidently extremely anxious to induce the various self-governing colonies to ratify the treaty, and arrangements were made under which Japan agreed to give the same exception to all self-governing colonies that signified their willingness to ratify this treaty, in other words, a protocol was added to the treaty.

Now the leader of the opposition says that that was the time to secure the ratification of this treaty. Well, let us see whether it was or not. As pointed out by the hon. the Minister of Trade and Commerce in a minute to council there were certain objections to the treaty because of the application of the favoured nation clause. At that time, as I understand it, this government had adopted a policy of a preferential tariff with Great Britain. Under the favoured nation clause, Germany, Belgium, Japan, and any other country having treaty arrangements with Great Britain, were entitled to the same preference that we were giving to Great Britain. As it was the policy of this government not to extend that preference to other than British countries, our government did not ratify this treaty, and asked for the denunciation of the Belgian and German treaties. That is the reason set forth in this minute to council. The other objection to the treaty was covered by the protocol which Japan voluntarily agreed to, so there was no necessity at that time of considering that objection to the treaty. Then what happened? On account of this barrier to the ratification of the treaty, the treaty was not ratified until the time expired in which it could be ratified. Then we come to the year 1903, I think, when there was considerable correspondence between this government and Mr. Nossé, the Japanese consul, in reference to legislation which this government contemplated enacting to restrict oriental immigration, in consequence of the report which this government had received from the commission appointed to investigate oriental immigration into the province of British Columbia. This commission reported in favour of a \$500 poll tax on Chinese, and that policy was adopted. The commission also reported that in view of the fact that Japan had voluntarily agreed to restrict emigration to Canada, no legislation should be enacted against the Japanese, and the commission's report was adopted in that regard also. Now it is important to keep this in mind, because it shows that the position of the government then was identical with the position of the government when this treaty was ratified by the House, and the position of the government then was not criticised or objected to by hon. gentlemen opposite on the ground that it did not legislate against the Japanese.