

justice of the peace in and for the said county of Cape Breton, to answer unto the said charge and to be further dealt with according to law.

“Given under my hand and seal this sixth day of September, in the year 1907, at Sydney, in the county aforesaid.”

They were brought before the magistrate and remanded.

In consequence of the absence of names, they were discharged upon habeas corpus by a Judge of this Court, or at least, one of them was, resulting in the discharge of all.

They were then severally arrested upon informations made by this defendant and a warrant issued in the following terms:—

“Canada,

“Province of Nova Scotia,

“County of Cape Breton, SS.

“To all or any of the constables and other peace officers in the said county of Cape Breton:

“Whereas Sam Chak, at present of the city of Sydney, in the said county of Cape Breton, has this day been charged before the undersigned, Angus G. McLean, a stipendiary magistrate in and for the county of Cape Breton, in the province of Nova Scotia, in the Dominion of Canada, for that he, the said Sam Chak, then being a person of Chinese origin, on the 27th day of August, in the year of our Lord 1907, at Gabarus, in the said county of Cape Breton, in the Dominion of Canada, did unlawfully violate the provisions of sec. 7 of ch. 95 of the Revised Statutes of Canada, 1906, to wit, he then being a person of Chinese origin, did enter the Dominion of Canada without paying the tax required by the said section.

“These are, therefore, to command you in His Majesty’s name forthwith, to apprehend the said Sam Chak and bring him before me to answer unto the said charge, and to be further dealt with according to law.

“Given under my hand and seal this 13th day of September, in the year 1907, at the said city of Sydney, in the county of Cape Breton, aforesaid.”

Upon this information, after a preliminary investigation, they were committed for trial. They elected to be tried before the County Court Judge under the provisions of the Code relating to Speedy Trials, and were severally convicted and directed to pay a fine of \$100 each, which was