

is "found without a license he is liable to a fine of \$40." At every turn he is confronted with an exceptional duty, and an exceptional penalty, and the loss of his goods and chattels, and of personal liberty.

It is impossible but that such an imposition so enforced, in addition to all the general taxes to which he is subject, should make this country too hot for him to live in; and just in proportion as he is so persecuted out of the country, in that degree does this enactment interfere with trade and commerce and that control over aliens exclusively given to the Dominion. And not only is he thus attacked, but unheard of provisions are introduced. Every employé of Chinese labour, whether English, American, or what not, is made liable to severe and incessant liability of a penal kind, for what? Some act, a default of his own? No; an act or default of a stranger, a man whose language he knows not, and for every infraction of the Act by the Chinese under his employ. The palpable object of such a provision, or set of provisions, is to render the employment of Chinese so distasteful and annoying to the employer that he must cease to employ them. Now, to pass a law providing that employment shall not be given to a special class of men, except it be productive of so much danger, annoyance, and loss to the employer, is just another way of saying that no intercourse shall be had with that class. With penalties and prosecutions always before you, far in excess of any advantage to be derived from that intercourse or trade, what is that but equivalent to saying that such intercourse or trade or labour must cease altogether? What is that but interfering with aliens, trade, and commerce?

If a man employ a Chinaman who should happen to be delinquent in his tax, and he happens to occupy a cottage or room of his employer, with his master's goods in it, under section 10 they are liable to seizure and sale. In every prosecution under the Act the legal presumption of innocence until conviction is reversed; in every case the *onus probandi*, though in a Statute highly penal, is shifted from the informant on to the shoulders of the accused, and he a foreigner not knowing one word of the law, or even the language of the accuser. In other words, every Chinese is guilty until proved innocent—a provision which fills one conversant with such subjects with alarm; for if such a law can be tolerated as against Chinese, the precedent is set, and in time of any popular outcry can easily be acted on for putting any other foreigners, or even special classes among ourselves, as coloured people, or French, Italians, Americans, or Germans, under equally the same law. That certainly is interfering with aliens.

The proposition that it is a Provincial tax for revenue purposes, supposing it to be so intended under the provisions of the Act, is so manifestly calculated to defeat that object, by diminishing the numbers of the members of the persons to be affected by it, that it is difficult to regard it in that light, or in any other light than an indi-