

On default by master in payment of penalties, &c., vessel may be seized and sold.

Proceeds of sale how dealt with.

Chinese transhipped from one vessel to another.

Penalties, &c., how recoverable.

the payment of the amount of such penalty or penalties and costs as may be adjudged to be paid, and such other sums as he shall be liable to pay under the provisions of this Act. Provided that if default be made in payment of any penalty incurred by such master in terms of any conviction adjudging the payment thereof, or if default shall be made by such master in payment of any other sum or sums which he shall be liable to pay under the provisions of this Act, it shall be lawful for such officer to seize such vessel, and for him and any other person duly authorised or empowered in that behalf to take all such proceedings for the purpose of procuring the condemnation and sale of such vessel as are provided by law in case of condemnation or forfeiture of a vessel for a breach of the Customs laws of the said Colony. Provided that the proceeds of sale of any such vessel shall be paid to the Colonial Treasurer of the Colony for the public use thereof; and after payment of the amount of such penalty or penalties and of all sums which such master shall be liable to pay under the provisions of this Act, and of all costs and expenses incurred in and about such sale and the proceedings leading thereto by virtue of this section, the balance shall be placed by the Colonial Treasurer to a trust account and be held in trust for the owners of or other persons lawfully entitled to the vessel so condemned and sold.

17. Any vessel on board which Chinese shall be transhipped from another vessel and be brought to any port or place in this Colony shall be deemed to be a vessel bringing Chinese into the said Colony from parts beyond the Colony, and shall be subject to the provisions of this Act, and all Chinese so transhipped and brought to such port or place shall be deemed to be Chinese arriving from parts beyond Western Australia.

18. All sums of money payable under this Act and all penalties imposed by this Act may be sued for, prosecuted, and recovered before two or more justices of the peace in petty sessions, in accordance with the provisions of the Ordinances and Acts regulating proceedings on summary conviction, in the name of some officer of Customs or other person thereunto authorised by the Governor.

No. 21.

NEW ZEALAND.

1881, No. 47.

An Act to regulate the Immigration of Chinese. [*Reserved for the signification of Her Majesty's pleasure.*]

BE it enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. The short title of this Act is "The Chinese Immigrants Act, 1881."

Interpretation.

2. In this Act, if not inconsistent with the context,—

"Chinese" means any person born of Chinese parents, and any native of China or its dependencies, or of any island in the China seas, born of Chinese parents:

"Vessel" means any ship or other sea-going vessel of whatsoever kind or description:

"Master" means the person, other than a pilot, for the time being in actual command of any such vessel.

Number of Chinese ships may carry.

3. If any vessel shall arrive in any port in New Zealand, having on board a greater number of Chinese passengers than in the proportion of one to every ten tons of the tonnage of such vessel, according to the registry thereof if British, and if not, then according to the measurement prescribed by any Act for the time being in force regulating the measurement of British ships, the owner, charterer, or master of such vessel shall be liable, on conviction, to a penalty not exceeding ten pounds for each Chinese passenger so carried in excess.

Penalty.

Master on arrival to give list of Chinese passengers on board.

4. The master of every vessel having Chinese on board shall, immediately on his arrival in any port of the colony, deliver to the collector or other principal officer of Customs a list of such Chinese, specifying the name, the place of birth, the apparent age, and the former place of residence of each such Chinese. For any default in complying with this provision such master shall be liable to a penalty not exceeding two hundred pounds.

Ten pounds to be paid for each Chinese arriving by vessel.

5. Before making any entry at the Customs, and before any Chinese shall be permitted to land, the master shall pay to such collector or other principal officer ten pounds for every such Chinese; and no entry shall be deemed to have been legally made, or to have any legal effect, until such payment shall have been made.

Not to apply to crew of vessel.

The sum of ten pounds aforesaid shall not be payable by or in respect of any Chinese who is one of the crew of any vessel, unless he lands with the intention of remaining in the Colony.