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9-10 GEORGE V.

CHAP. 25.

An Act to amend The Immigration Act.

[Assented to 6th June, 1919.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1910, c. 27;
1911, c. 12;
1914, c. 2;
1918, c. 3;
1919, c. 26.

1. Paragraph (a) of section two of *The Immigration Act*, chapter twenty-seven of the statutes of 1910, is repealed, and the following is substituted therefor:—

Definitions.

“(a) ‘Minister’ means the Minister of Immigration and Colonization and ‘Deputy Minister’ means the Deputy Minister of Immigration and Colonization.”

“Minister.”

2. (1) Paragraph (d) of section two of the said Act, as enacted by chapter twelve of the statutes of 1911, is repealed and the following is substituted therefor:—

“(d) ‘domicile’ means the place in which a person has his home, or in which he resides, or to which he returns as his place of permanent abode, and does not mean the place where he resides for a mere special or temporary purpose;

“Domicile.”

(i) Canadian domicile can only be acquired, for the purposes of this Act, by a person having his domicile for at least five years in Canada after having been landed therein within the meaning of this Act;

Canadian domicile, how acquired.

Provided that the time spent by a person while confined in or an inmate of any penitentiary, gaol, reformatory, prison or asylum for the insane in Canada shall not be counted in the period of residence in Canada which is necessary in order to acquire Canadian domicile, and provided further that no person who belongs to the prohibited or undesirable classes within the meaning of section forty-one of this Act shall be capable of acquiring Canadian domicile.

(ii) Canadian domicile is lost, for the purposes of this Act, by a person voluntarily residing out of Canada not for a mere special or temporary purpose but

Conditions under which Canadian domicile may be lost.

with the present intention of making his permanent home out of Canada, or by any person belonging to the prohibited or undesirable classes within the meaning of section forty-one of this Act;

- (iii) Notwithstanding anything contained in the preceding subparagraph (ii), when any citizen of Canada who is a British subject by naturalization, or any British subject not born in Canada having Canadian domicile, shall have resided for one year outside of Canada, he shall be presumed to have lost Canadian domicile and shall cease to be a Canadian citizen for the purposes of this Act, and his usual place of residence shall be deemed to be his place of domicile during said year.

Domicile preserved by certificate of intention to retain Canadian domicile.

Provided, however, that such presumption may be rebutted by production of the certificate of any British diplomatic or consular officer, in such form as may be prescribed by the Minister, that such person appeared before him before the expiration of said period of one year and satisfied such officer of his reasonable intention to retain his Canadian domicile. In the case of a person who is a naturalized British subject, such certificate shall be endorsed upon the certificate of naturalization of such person. The effect of such certificate shall be to extend said period for a further term of one year, and it may be further extended from year to year in the same manner so long as the officer giving the certificate is satisfied of the *bona fides* of the application for extension in each case, provided that the total period for which extension may be granted shall not exceed five years."

Non-immigrant, classes.

(2) Subparagraph (vi) of paragraph (g) of section two of the said Act is repealed and the following is substituted therefor:—

Professional.

"(vi) Members of dramatic, artistic, athletic or spectacular organizations entering Canada temporarily for the purpose of giving public performances or exhibitions of an entertaining or instructive nature and actors, artists, lecturers, priests and ministers of religion, authors, lawyers, physicians, professors of colleges and commercial travellers entering Canada for the temporary exercise of their respective callings."

(3) Paragraph (t) of section two is hereby repealed and the following is substituted therefor:—

"Transportation company."

"(t) 'transportation company' means and includes the Dominion Government, any Provincial Government, any municipality, any corporate body or organized firm or person carrying or providing for the transit of passengers, whether by ship, railway, bridge, highway, or otherwise, and any two or more such transportation companies co-operating in the business of carrying passengers."

3. (1) Subsection one of section three of the said Act is amended by inserting the words "enter or" between the words "to" and "land" in the third line thereof.

Prohibited classes.

(2) Paragraph (a) of section three is hereby amended by striking out the words "within five years previous" in the second and third lines of said paragraph and inserting in lieu thereof the words "at any time previously."

Persons mentally defective.

(3) Paragraph (b) of section three is hereby amended by inserting the following words between the word "afflicted" and the word "with" in the first line thereof:—"with tuberculosis in any form or."

Diseased persons.

(4) Paragraph (d) of section three is repealed and the following is substituted therefor,—

Criminals.

"(d) Persons who have been convicted of, or admit having committed, any crime involving moral turpitude."

(5) Paragraph (g) of section three is amended by striking out the words "or persons likely to become a public charge."

Beggars and vagrants.

(6) Section three of the said Act is further amended by adding the following paragraphs thereto:—

"(j) Persons who in the opinion of the Board of Inquiry or the officer in charge at any port of entry are likely to become a public charge;

Public charges.

"(k) Persons of constitutional psychopathic inferiority;

Psychopathic inferiority.

"(l) Persons with chronic alcoholism;

Chronic alcoholism.

"(m) Persons not included within any of the foregoing prohibited classes, who upon examination by a medical officer are certified as being mentally or physically defective to such a degree as to affect their ability to earn a living;

Mentally or physically defective.

"(n) Persons who believe in or advocate the overthrow by force or violence of the Government of Canada or of constituted law and authority, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property;

Advocates of force or violence against organized government.

"(o) Persons who are members of or affiliated with any organization entertaining or teaching disbelief in or opposition to organized government, or advocating or teaching the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of Canada or of any other organized government, because of his or their official character, or advocating or teaching the unlawful destruction of property;

Members of societies opposed to organized government, or advocates of unlawful assault or killing.

"(p) Enemy aliens or persons who have been alien enemies and who were or may be interned on or after the eleventh day of November, one thousand nine hundred and eighteen, in any part of His Majesty's dominions or by any of His Majesty's allies;

Enemy aliens.

Spies.	“(q) Persons guilty of espionage with respect to His Majesty or any of His Majesty’s allies;
Conspirators.	“(r) Persons who have been found guilty of high treason or treason for an offence in connection with the war, or of conspiring against His Majesty, or of assisting His Majesty’s enemies during the war, or of any similar offence against any of His Majesty’s allies;
Deported conspirators.	“(s) Persons who at any time within a period of ten years from the first day of August, one thousand nine hundred and fourteen, were or may be deported from any part of His Majesty’s dominions or from any allied country on account of treason or of conspiring against His Majesty, or of any similar offence in connection with the war against any of the allies of His Majesty, or because such persons were or may be regarded as hostile or dangerous to the allied cause during the war;
Illiterates.	“(t) On and after the first day of July, one thousand nine hundred and nineteen, in addition to the foregoing ‘prohibited classes,’ the following persons shall also be prohibited from entering or landing in Canada:—Persons over fifteen years of age, physically capable of reading, who cannot read the English or the French language or some other language or dialect: Provided that any admissible person or any person heretofore or hereafter legally admitted, or any citizen of Canada, may bring in or send for his father or grandfather, over fifty-five years of age, his wife, his mother, his grandmother or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not and such relative shall be permitted to enter. For the purpose of ascertaining whether aliens can read, the immigration officer shall use slips of uniform size prepared by direction of the Minister, each containing not less than thirty and not more than forty words in ordinary use printed in plainly legible type in the language or dialect the person may designate as the one in which he desires the examination to be made, and he shall be required to read the words printed on the slip in such language or dialect. The provisions of this paragraph shall not apply to Canadian citizens and persons who have Canadian domicile, to persons in transit through Canada, or to such persons or classes of persons as may from time to time be approved by the Minister.”
Exceptions.	
Test of illiteracy.	

4. Section five of the said Act is repealed and the following is substituted therefor:—

“5. Commissioners of Immigration and such other officers, with such designations or titles as are deemed

Appointment
of officers.

necessary, may be appointed for carrying out the provisions of this Act."

5. Section six of the said Act is repealed and the following is substituted therefor:—

"**6.** The Minister may establish and maintain immigration offices and agencies at such places within and outside of Canada as from time to time he deems proper." Immigration officers.

6. Section ten of said Act is amended by adding thereto the following subsection:—

"(2) Every immigration officer shall have authority to administer oaths and take evidence under oath or by affirmation in all matters arising under this Act." Oaths and evidence.

7. Section thirteen of the said Act is repealed and the following is substituted therefor:—

"**13.** The Minister may nominate at any port of entry any number of officers not exceeding five, any three of whom may act as a Board of Inquiry for the summary determination of all cases of immigrants, passengers or other persons, seeking to enter or land in Canada or detained for any cause under this Act." Board of Inquiry.

8. Section twenty-two of the said Act is amended by adding the following subsection thereto:—

"(2) The Minister may authorize any immigration officer to exercise the powers and discharge the duties of a Board of Inquiry and such officer so authorized may exercise such powers and discharge such duties at any place in Canada other than a port of entry." Officer to exercise powers of Board.

9. Subsection two of section twenty-seven of the said Act is repealed and the following is substituted therefor:—

"(2) The Governor in Council may make regulations for the inspection of immigrants in the country of their domicile or origin, or at any port of call *en route* or on board ship, but any such inspection shall not relieve any transportation company, owner, agent, consignee or master of a vessel of any of the obligations, fines, or penalties imposed by this Act." Inspection of immigrants.

10. Section twenty-eight of the said Act is repealed and the following is substituted therefor:—

"**28.** Medical officers appointed under this Act shall make a physical and mental examination of all immigrants, passengers, officers, members of crews or other persons seeking to enter or land in Canada from any ship or vessel, except in the case of Canadian citizens and persons who have Canadian domicile. Such examination shall be made in accordance with and subject to regulations prescribed by the Minister." Medical examination of passengers.

11. Section twenty-nine of the said Act is amended by adding thereto the following subsection:—

No clearance if Act not obeyed, but deposit may be allowed.

“(2) No vessel shall be granted clearance if the master, agent, owner, charterer or consignee violates or refuses or neglects to comply with any provision of this Act.

Provided, however, that clearance may be granted upon deposit with the immigration agent or officer in charge at a port of entry of a sum of money equal to the maximum fine or penalty which may be imposed for the violation of any of the provisions of this Act.”

Landing of passengers.

12. (1) Subsection one of section thirty-three of the said Act is amended by inserting the words “enter or” between the word “to” and the word “land” in the first line thereof.

Answers to questions.

(2) Subsection two of section thirty-three is amended by inserting the words “enter or” between the word “to” and the word “land” in the first line thereof.

Avoiding ports of entry.

(3) Subsection seven of section thirty-three is amended by striking out the words “one hundred dollars” in the eighth line thereof and inserting between the word “than” and the word “and” in the eighth line the words “two hundred dollars or to a term of imprisonment not exceeding three months or to both fine and imprisonment;” and by inserting the words “any person suspected of an offence under this section” between the word “and” at the end of the eighth line and the word “may” at the beginning of the ninth line.

(4) Subsection eight of section thirty-three is repealed and the following is substituted therefor:—

Penalty for bringing, landing, harbouring or concealing prohibited immigrants.

“(8) Any transportation company or person including the master, agent, owner, charterer or consignee of any vessel, who shall bring into or land in Canada by vessel or otherwise, or shall attempt by himself or through another to bring into or land in Canada by vessel or otherwise, or shall conceal or harbour or attempt to conceal or harbour or assist or abet another to conceal or harbour in any place including any building, vessel, railway car, conveyance or vehicle, any prohibited immigrant, passenger or other person, shall be guilty of an offence against this Act, and shall be liable upon summary conviction thereof to a fine not exceeding five hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding six months, or to both fine and imprisonment, for each and every prohibited immigrant, passenger or other person so brought into or landed in Canada or attempted to be brought into or landed in Canada or concealed or harboured or attempted to be concealed or harboured.”

Interference with officer.

(5) Subsection nine of section thirty-three is amended by adding thereto the following words:—

“ or to a term of imprisonment not exceeding six months or to both fine and imprisonment.”

(6) Section thirty-three is further amended by adding the following subsection thereto:—

“(13) An officer in charge at any port of entry may require a deposit of money, for such amount as such officer may prescribe as a guarantee that any person or organization admitted to Canada as belonging to any of the non-immigrant classes shall leave Canada within the time agreed upon at the time of entry, and the said money so deposited shall be refunded when the officer in charge is satisfied that such person or organization has left Canada. If, however, such person or organization does not leave Canada within the period agreed upon at the time of entry, the money so deposited shall be forfeited and become part of the Consolidated Revenue Fund of Canada: Provided that the time limit may be extended by an officer in charge with the approval of the Minister.”

Deposit of money as guarantee that non-immigrant will leave at time agreed upon.

13. Paragraph (c) of section thirty-eight of the said Act is repealed, and the following is substituted therefor:—

“(c) prohibit or limit in number for a stated period or permanently the landing in Canada, or the landing at any specified port or ports of entry in Canada, of immigrants belonging to any nationality or race or of immigrants of any specified class or occupation, by reason of any economic, industrial or other condition temporarily existing in Canada or because such immigrants are deemed unsuitable having regard to the climatic, industrial, social, educational, labour or other conditions or requirements of Canada or because such immigrants are deemed undesirable owing to their peculiar customs, habits, modes of life and methods of holding property, and because of their probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their entry.”

Landing of certain classes of immigrants may be prohibited.

14. Section forty of the said Act, as enacted by chapter twelve of the statutes of 1911, is repealed and the following is substituted therefor:—

“**40.** Whenever any person, other than a Canadian citizen or person having Canadian domicile, shall be found an inmate of or connected with the management of a house of prostitution or practising prostitution, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute or who manages or is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists any prostitute or protects

Duty of officers and municipal officials to send complaint to Minister regarding undesirable immigrants.

or promises to protect from arrest any prostitute or who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose, or who has been convicted of a criminal offence in Canada or who admits the commission prior to landing or entry to Canada, of a crime involving moral turpitude, or has become a professional beggar or a public charge or practices polygamy, or has become an inmate of a penitentiary, gaol, reformatory, prison, asylum or hospital for the insane or the mentally deficient, or an inmate of a public charitable institution, or enters or remains in Canada contrary to any provision of this Act, it shall be the duty of any officer cognizant thereof, and the duty of the clerk, secretary or other official of any municipality in Canada wherein such person may be, to forthwith send a written complaint thereof to the Minister, giving full particulars."

15. Section forty-one of the said Act is repealed and the following is substituted therefor:—

Duty of officers to send complaint to Minister concerning certain acts of undesirable classes.

"**41.** Whenever any person other than a Canadian citizen advocates in Canada the overthrow by force or violence of the government of Great Britain or Canada, or other British dominion, colony, possession or dependency, or the overthrow by force or violence of constituted law and authority, or the assassination of any official of the Government of Great Britain or Canada or other British dominion, colony, possession or dependency, or of any foreign government, or advocates or teaches the unlawful destruction of property, or shall by word or act create or attempt to create riot or public disorder in Canada, or shall by common repute belong to or be suspected of belonging to any secret society or organization which extorts money from, or in any way attempts to control any resident of Canada by force or threat of bodily harm, or by blackmail, or who is a member of or affiliated with any organization entertaining or teaching disbelief in or opposition to organized government; such person for the purposes of this Act shall be considered as belonging to the prohibited or undesirable classes, and shall be liable to deportation, and it shall be the duty of any officer becoming cognizant thereof, and the duty of the clerk, secretary or other official of any municipality in Canada wherein such person may be, to forthwith send a written complaint thereof to the Minister giving full particulars."

16. Subsection four of section forty-two of the said Act, as enacted by chapter twelve of the statutes of 1911, is repealed and the following is substituted therefor:—

Arrest or prosecution of rejected or deported person

"(4) Any person rejected or deported only by reason of inability to comply with the money qualification prescribed by any order in council passed under the authority of section

thirty-seven of this Act, may be subsequently permitted to enter or land in Canada by a Board of Inquiry or officer in charge, on complying with the provisions of the *Immigration Act*, but any person rejected or deported by reason of any other cause under this Act, or removed, expelled or deported under the authority of any order in council or other regulation made under *The War Measures Act, 1914*, shall not be permitted to enter or land in Canada without the consent of the Minister, and any person who enters or remains in or returns to Canada after such rejection or deportation contrary to the provisions of this section, or who refuses or neglects to leave Canada when ordered so to do by the Governor in Council, as provided by subsection three of this section, shall be guilty of an offence against this Act, and any person suspected of an offence under this section may forthwith be arrested and detained without a warrant by any officer for examination and deportation, as provided under section thirty-three of this Act, or may be prosecuted for such offence, and shall be liable on summary conviction to a fine not exceeding five hundred dollars and not less than fifty dollars, or to a term of imprisonment not exceeding one year, or to both fine and imprisonment, and upon payment of the fine or after expiry of any sentence imposed for such offence may be again deported or ordered to leave Canada under this section."

remaining
in or return-
ing to
Canada
except in case
of inability
to comply
with money
qualifications.

17. Subsection one of section forty-three of the said Act is amended by striking out the words "When any person has within three years of landing in Canada," in the first and second lines thereof and substituting therefor the words "Whenever any person other than a Canadian citizen or a person having Canadian domicile, has."

Detention of
prisoners for
deportation.

18. The said Act is amended by inserting the following heading and section immediately after section forty-three:—

" CONCEALED WEAPONS.

" **43A.** No immigrant shall bring into Canada any pistol, sheath knife, dagger, stiletto, or other offensive weapon that can be concealed upon the person, and any officer who has reason to suspect that any immigrant has any such weapon in his possession may search the person and baggage of such immigrant, and may seize any such weapon, which shall thereupon be confiscated to His Majesty and disposed of as the Minister may direct; provided, that in any such case the immigrant may appeal to the Minister, and the Minister may give such directions for the return or other disposal of such weapon, as he deems just and proper."

Concealed
weapons.

19. Section forty-five of the said Act, as amended by chapter twelve of the statutes of 1911, is amended by adding thereto the following subsection:—

Cost of
deportation
after five
years.

“(2) If deportation proceedings are instituted later than five years after the landing or entry of the immigrant, and if deportation is ordered by reason of causes arising subsequent to entry, the Minister shall be the final judge of whether the cost of deportation shall be paid by the transportation company or by the Department of Immigration and Colonization.”

Penalty on
transporta-
tion company
not obeying
order.

20. Section forty-six of the said Act, as enacted by chapter twelve of the statutes of 1911, is amended by striking out the words “or Superintendent of Immigration” in the second and third lines of said section.

Proper
treatment
of persons
deported.

21. Section forty-seven of the said Act is amended by striking out the words “Superintendent of Immigration under the direction or with the consent of the Minister” in the first and second lines of said section and substituting therefor the words “The Minister.”

22. Section forty-eight of the said Act is amended by adding thereto the following subsections:—

Penalty on
transporta-
tion
company for
bringing
prohibited
immigrants.

“(3) It shall be unlawful for any transportation company to bring to Canada by a vessel from any port outside of Canada, any immigrant, passenger, or other person afflicted with idiocy, imbecility, feeble-mindedness, epilepsy, insanity, constitutional psychopathic inferiority, chronic alcoholism, tuberculosis in any form, or with any loathsome disease or any disease which is contagious or infectious or which may become dangerous to the public health, and if it shall appear to the satisfaction of the agent or the inspector in charge from an examination made by a medical officer and so certified by said officer that such immigrant, passenger or other person so brought to Canada was afflicted with any of the said diseases or disabilities at the time of embarkation for Canada and that the existence of such disease or disability might have been detected by means of a competent medical examination at the time of embarkation, the transportation company which brings any such person to a port of entry in Canada shall pay to the immigration agent or officer in charge at the port of entry the sum of two hundred dollars and in addition a sum equal to that paid by such immigrant, passenger or other person for his transportation from the place in the country whence he was brought or from the country of his birth or citizenship, for each and every immigrant, passenger or other person brought to Canada in violation of this subsection.

“ (4) It shall be unlawful for any transportation company to bring to Canada by a vessel from any port outside of Canada, any immigrant, passenger or other person afflicted with any mental defect other than those described in the preceding subsection, or physical defect of a nature which may affect his liability to earn his living, and if it shall appear to the satisfaction of the agent or the inspector in charge from an examination made by a medical officer and so certified by said officer that any immigrant or other person so brought to Canada was so afflicted at the time of embarkation for Canada, and that the existence of such mental or physical defect might have been detected by means of a competent medical examination at such time, the transportation company which brings any such person to a port of entry in Canada shall pay to the immigration agent or officer in charge at the port of entry the sum of twenty-five dollars and in addition a sum equal to that paid by such immigrant, passenger or other person for his transportation from the place of his birth or citizenship for each and every immigrant, passenger or other person brought to Canada in violation of this subsection.

Penalty on transportation company for bringing other mentally or physically defective immigrants.

“ (5) No vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fines, or while the fines remain unpaid, nor shall such fines be remitted or refunded unless in the opinion of the Minister a mistake has been made: Provided that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fines; and provided, further, that nothing contained in the foregoing subsections shall be construed to subject transportation companies to a fine for bringing to ports of Canada Canadian citizens and persons who have Canadian domicile and who are permitted to land in Canada as a matter of right.”

No clearance pending decision of liability, unless deposit is made.

23. (1) Subsection one of section forty-nine of the said Act is repealed and the following is substituted therefor:—

“ **49.** (1) The master of every vessel arriving at any port of entry in Canada shall forthwith after such arrival and before any entry of such vessel is allowed, deliver to the immigration officer in charge a typewritten or printed list or manifest in the form prescribed by the Minister, of all the passengers and stowaways on board such vessel at the time of her departure from the port or place whence she last cleared or sailed for Canada, or who were on board such vessel at the time of her arrival in Canada, or at any time during her voyage; and such typewritten or printed list or manifest shall also show whether any of the persons named thereon are insane, idiotic, epileptic, dumb, blind, or infirm, or suffering from any disease or injury or physical defect which may be cause for rejection under this Act,

Manifest to be delivered by Master to immigration officer, verified by signature under oath, and giving prescribed particulars.

and whether or not they are accompanied by relatives able to support them, and if any change in the condition of such passenger or stowaway has occurred or developed such change shall also be stated; and such list or manifest shall be verified by the signature and the oath or affirmation of the master or other officer in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and mental examination of each of said passengers, and that from the report of said surgeon and from his own investigation he believes that the information in said lists or manifests concerning each of said passengers named therein is correct and true in every respect. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said passengers named therein, and that the said list or manifest, according to the best of his knowledge and belief is full, correct and true in all particulars relating to the mental and physical condition of said passengers. If no surgeon sails with any vessel bringing immigrants to Canada, the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessels and the manifests shall be verified by such surgeon before a British Consular Officer or other officer authorized to administer oaths."

Verified also by signature under oath of surgeon.

(2) Section forty-nine of the said Act is further amended by adding the following subsections thereto:—

Master permitting passengers to land before delivering manifest.

"(5) If the master of any vessel arriving at any port of entry in Canada permits any passenger to leave the vessel before he has delivered to the immigration officer in charge a correct manifest in the form prescribed by the regulations in that behalf, and receive permission from the officer in charge to allow the passengers to land, he shall be liable to a fine of not more than one hundred dollars and not less than twenty dollars for every passenger so leaving the vessel.

Penalty.

Master failing to account for passengers.

"(6) If the master of any vessel arriving at any port of entry in Canada fails to produce or satisfactorily account for every passenger whose name appears on the manifest, when required so to do by the immigration officer in charge of the port of entry to which such passenger is manifested, such master shall be liable to a fine of not more than one hundred dollars and not less than twenty dollars in the case of each such passenger.

Penalty.

Master permitting stowaway to land without permission of officer.

"(7) If the master of any vessel arriving at any port of entry in Canada permits any stowaway to leave the vessel without permission of the immigration officer in charge,

or through negligence permits such stowaway to escape from the vessel before the immigration officer in charge has given permission for such stowaway to be landed, or after such stowaway has been ordered to be deported, or in the event of such escape fails to report it forthwith to the immigration officer in charge, he shall be liable to a fine of not more than one hundred dollars and not less than twenty dollars for every stowaway so leaving or escaping from the vessel.” Penalty.

24. Section fifty-two of the said Act is repealed and the following is substituted therefor:—

“ **52.** (1) Upon arrival of any vessel in Canada from any port or place outside of Canada, it shall be the duty of the transportation company, owner, agent, consignee, or master of a vessel to deliver to the agent or inspector in charge at the port of entry, lists containing the names of all officers, seamen or other persons employed on such vessel and such other information as the Minister shall prescribe, and before the departure of any such vessel, it shall be the duty of such transportation company, owner, agent, consignee or master to deliver to the agent or officer in charge at the port of entry a further list containing the names of all officers, members of the crew or other persons who were not employed on such vessel at the time of arrival but who will leave port thereon at the time of departure, and also the names of those who have been paid off or discharged, and all those, if any, who have deserted or landed, and if such transportation company, owner, agent, consignee or master of such vessel neglects or refuses to deliver either of the said lists of officers, members of the crew and other persons employed on such vessel arriving and departing respectively or to report such cases of desertion or landing of all officers and members of the crew and other persons paid off and discharged, such transportation company, owner, agent, consignee or master shall, if required by the agent or inspector in charge, with the approval of the Minister, pay to the agent or inspector in charge the sum of ten dollars for each officer or member of the crew or other person concerning whom correct lists are not delivered or a true report is not made as above required, and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, and, in the event such fine is imposed, while it remains unpaid; nor shall such fine be remitted or refunded: Provided, that clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine. Duty of transportation company or master to deliver lists of seamen or employees on ship, and lists of crew and others on departure and names of those discharged, and of deserters.

“ (2) If the master of any vessel arriving at any port of entry in Canada shall pay off or discharge any officer, seaman or other member of the crew or other person Fine for neglect or refusal.

employed on such vessel without such person having first been examined by an immigration officer as required under section thirty-three of this Act, he shall be liable to a fine of not more than one hundred dollars and not less than twenty dollars for every such person so paid off or discharged; provided that in case any such officer, seaman or other person employed on such vessel intends to reship on board any other vessel bound to any foreign port or place, he shall be allowed to enter temporarily for the purpose of reshipping under such regulations as the Minister may prescribe.

Penalty.

No seaman of prohibited class to land except for medical treatment.

“(3) No officer, seaman or other person belonging to the prohibited classes and employed on board any vessel arriving in Canada from any port outside of Canada, shall be permitted to land in Canada except temporarily for medical treatment or pursuant to regulations prescribed by the Minister providing for the ultimate removal or deportation of such officer, seaman or other person from Canada; and the neglect, failure or refusal of the transportation company, owner, agent, consignee or master of such vessel to detain on board any such officer, seaman or other person after notice in writing by the agent or immigration officer in charge at the port of entry, and to deport such officer, seaman or other person if required by such agent or immigration officer in charge, or by the Minister, shall render such transportation company, owner, agent, consignee or master liable to a penalty not exceeding five hundred dollars, for which sum the said vessel shall be liable and may be seized and proceeded against by way of libel in any court having competent jurisdiction; provided that this section shall not apply to Canadian citizens or persons having Canadian domicile.

Penalty.

No vessel arriving to have employed thereon any person within certain prohibited classes.

“(4) It shall be unlawful for any vessel upon arrival at any port of entry in Canada from any port or place outside of Canada to have on board employed thereon, any person afflicted with idiocy, feeble-mindedness, imbecility, insanity, epilepsy or with any loathsome disease or any disease which is contagious or infectious or which may become dangerous to the public health, and if it appears to the satisfaction of the Minister from an examination made by a medical officer and so certified by such officer, that any such person was so afflicted at the time he was shipped or engaged or taken on board such vessel, and that the existence of such affliction might have been detected by means of a competent medical examination at such time, for every such person so afflicted on board any such vessel at time of arrival the master, owner, agent or consignee shall pay to the immigration agent or officer in charge at such port of entry the sum of fifty dollars and pending departure of the vessel such person shall be detained and treated under supervision of an immigration officer at the expense of the vessel, and no

Fine.

Detention of vessel.

vessel

vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and while it remains unpaid: Provided, that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine and expenses: Provided, further, that nothing contained in this section shall be construed to subject the master, owner, agent or consignee of any vessel to a fine for bringing to a port of entry Canadian citizens, persons having Canadian domicile, or officers, seamen or other persons who have signed articles in Canada, and who are returning under the terms of the articles so signed.

Clearance.
upon deposit.

Proviso.

“(5) Any transportation company or person including the owner, agent, consignee, or master of any vessel arriving in Canada, from any port or place outside of Canada, who shall knowingly sign on the ship’s articles, or bring to Canada as any of the officers or crew of such vessel, any person other than a Canadian citizen or a person having Canadian domicile, with intent to permit such person to land in Canada, contrary to the provisions of this Act, or who shall represent to the immigration authorities at the port of entry that any such person is a *bona fide* officer or member of the crew, shall be liable to a penalty not exceeding five hundred dollars, and not less than fifty dollars for each such person, for which sum the said vessel shall be liable, and may be seized and proceeded against by way of libel in any court in Canada having competent jurisdiction.”

Signing on,
or bringing as
one of crew,
any person
with intent
to land
contrary to
this Act.

Penalty.

25. Section fifty-eight of the said Act is amended by adding the following subsection:—

“(4) The Minister may detail officers for duty on vessels carrying immigrants to Canada. When officers are detailed for such duty they shall remain in that part of the vessel assigned to immigrant passengers, and it shall be their duty to observe such immigrant passengers during the voyage and to report to the officer in charge at the port of arrival in Canada any information which they may have acquired during the voyage as to the desirability or undesirability of such immigrant passengers.”

Officers on
immigrant
ships.

26. (1) Except as herein otherwise provided, wherever the words “Superintendent of Immigration” occur in the said Act or in any amendment thereto, or in any form authorized thereunder, they shall be struck out and the words “Deputy Minister” shall be substituted therefor.

“Deputy
Minister.”

(2) Wherever the words “The Interior” occur in the said Act or in any amendment thereto, or in any form authorized thereunder, they shall be struck out and the words “Immigration and Colonization” shall be substituted therefor.

“Immigra-
tion and
Coloniza-
tion.”