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No. 48.

4th Session, 8th Parliament, 62 Victoria, 1899

BILL.

An Act to impose certain restrictions on
Immigration.

First reading, April 10th, 1899.

Mr. McINNES.

OTTAWA
Printed by S. E. Dawson
Printer to the Queen's most Excellent Majesty
1899

An Act to impose certain restrictions on Immigration.

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

1. This Act may be known as *The Immigration Restriction Act*, 1899. Short title.

2. This Act shall not apply to—

Exemptions.

(a.) Any person possessed of a certificate in the form set out in the form A in the Schedule to this Act, and signed by the High Commissioner for Canada, the Minister of the Interior, or any officer appointed for the purposes of this Act, whether in or out of Canada ;

(b.) Any person of a class for whose immigration into Canada provision is made by law, or by a scheme approved by the Government ;

(c.) Any person specially exempted from the operation of this Act by a writing under the hand of the Minister of the Interior ;

(d.) Her Majesty's land and naval forces ;

(e.) The officers and crew of any ship of war of any government ;

(f.) The members of the diplomatic corps or other representatives of any government, their suite, and their servants, and consuls and consular agents ;

3. The immigration into Canada, by land or sea, of any of the following persons, hereinafter called "prohibited immigrants" is prohibited, namely :— Prohibited immigrants.

(a.) Any person who, when asked to do so by an officer appointed under this Act, refuses, or fails, to write out and sign, in the characters of any language of Europe, an application to the Minister of Agriculture in the form A in the Schedule to this Act ; Illiterate persons.

(b.) Any person who is a pauper, or is likely to become a public charge ; Paupers.

(c.) Any idiot or insane person ; Idiots.

(d.) Any person suffering from a loathsome or a dangerous contagious disease ; Diseased persons.

(e.) Any person who, not having received a free pardon, has within two years been convicted of an offence involving moral turpitude, and not a mere political offence ; Convicts.

(f.) Any prostitute, and any person living on the prostitution of others. Prostitutes, etc.

Punishment and deportation of prohibited immigrants.

4. Any prohibited immigrant making his way into, or found within Canada, shall be deemed to have contravened this Act, and shall be liable to imprisonment for a term not exceeding six months, with or without hard labour, and, in addition to any other penalty, to be deported from Canada; provided, that the imprisonment shall cease if the offender finds two approved sureties, each in the sum of one hundred dollars, that he will leave Canada within one week. 5

Exemption of former residents in Canada.

5. Any person who satisfies an officer appointed under this Act that he has been formerly domiciled in Canada, and that he does not come within the meaning of any of paragraphs (c), (d), (e) or (f), of section 3 of this Act, shall not be regarded as a prohibited immigrant.

Wives and children of immigrants.

6. The wife and minor children of a person who is not a prohibited immigrant, shall be free from any prohibition imposed by this Act. 15

Penalty for bringing prohibited immigrant into Canada.

7. The master and owners of any vessel, and the owners of and person in chief authority on any railway carriage, or other conveyance, by means of which any prohibited immigrant is brought into Canada, shall be jointly and severally liable to a penalty of not less than two hundred dollars for every prohibited immigrant so brought into Canada, and such vessel, or railway carriage or other conveyance shall be seized by an officer appointed under this Act, and shall not be released until the penalty has been paid, and until provision has been made by the master, or owners or person in chief authority, to the satisfaction of an officer appointed under this Act, for the conveyance out of Canada of each prohibited immigrant so brought into Canada; and in the event of the penalty remaining unpaid, and no provision being made for the deportation of the prohibited immigrant within one month from the date of seizure, any judge of a superior court of any province or territory may order the sale of such vessel or railway carriage, or other conveyance in satisfaction of such penalty. 20 25 30

Forfeiture of vessel or other conveyance.

Accessories.

8. Any person in any way wilfully assisting any prohibited immigrant to contravene the provisions of this Act, shall be deemed to have contravened this Act. 35

Preventing entry of immigrant.

9. Any police officer, or officer appointed under this Act, may prevent any prohibited immigrant from entering Canada by land or sea. 40

Officers for purposes of this Act.

10. All agents appointed under *The Immigration Act*, and all collectors and officers acting under *The Customs Act*, are hereby declared to be officers for the purposes of carrying out the provisions of this Act.

Regulations.

11. The Governor in Council may make regulations for the better carrying out of the provisions of this Act. 45

Penalties.

12. The penalty for any contravention of this Act, or of any regulation made thereunder, where no higher penalty is expressly imposed, shall not exceed a fine of two hundred

dollars, or imprisonment, with or without hard labour, for a term not exceeding three months.

13. All contraventions of this Act, or of regulations there-
under, shall be cognizable by two justices of the peace, or
5 a functionary having the power of two justices of the peace. Jurisdiction.

14. One moiety of any penalty recovered under this Act
shall belong to the prosecutor. Application of fines.

15. Nothing in this Act shall be construed as lessening or
removing the disabilities imposed on Chinese immigrants by
10 *The Chinese Immigration Act*, or amending Acts, or as inter-
fering with or affecting in any way the full operation of the
said Acts. B.S.C., c. 67,
not affected.

16. Sections 23 and 24 of *The Immigration Act* are hereby
repealed. R.S.C., c. 65,
secs. 23 and
24 repealed.

SCHEDULE.

FORM A.

DOMINION OF CANADA.

This is to certify that _____, of _____,
aged _____, by trade or calling a _____, is a
fit and proper person to be received as an immigrant into
Canada.

Dated at _____, this _____ day of _____

(Signature.)

FORM B.

To the Honourable

The Minister of the Interior.

SIR,—I claim to be exempt from the operation of "The
Immigration Restriction Act, 1899".

My full name is _____ . My place
of abode for the past twelve months has been _____

My business or calling is _____
I was born at _____, in the year _____

Yours, etc.,

(Signature.)