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9-10 EDWARD VII.

CHAP. 27.

An Act respecting Immigration.

[Assented to 4th May, 1910.]

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

SHORT TITLE.

1. This Act may be cited as *The Immigration Act*.

Short title.

INTERPRETATION.

2. In this Act, and in all orders in council, proclamations and regulations made thereunder, unless the context otherwise requires,—

Definitions.

(a) "Minister" means the Minister of the Interior;

"Minister."

(b) "officer" means any person appointed under this Act, for any of the purposes of this Act, and any officer of customs; and includes the Superintendent of Immigration, immigration commissioners and inspectors and every person recognized by the Minister as an immigration agent or officer with reference to anything done or to be done under this Act, whether within or outside of Canada, and whether with or without formal appointment;

"Officer."

(c) "immigration officer in charge" or "officer in charge" means the immigration officer, or medical officer, or other person in immediate charge or control at a port of entry for the purposes of this Act;

"Officer in charge."

(d) "domicile" means the place in which a person has his present home, or in which he resides, or to which he returns as his place of present permanent abode, and not for a mere special or temporary purpose. Canadian domicile is acquired for the purposes of this Act by a person having his domicile for at least three years in Canada after having been landed therein within the meaning of this Act: Provided that the time spent by a person in any penitentiary, jail, reformatory, prison or asylum for the insane in Canada shall not be counted in the three-year

"Domicile."

How Canadian domicile acquired.

Proviso.

How Canadian domicile lost. period of residence in Canada which is necessary in order to acquire Canadian domicile. 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 with the present intention of making his permanent home out of Canada unless and until something which is unexpected, or the happening of which is uncertain, shall occur to induce him to return to Canada;

"Alien." (e) "alien" means a person who is not a British subject;

"Canadian citizen." (f) "Canadian citizen" means—

- i. a person born in Canada who has not become an alien;
- ii. a British subject who has Canadian domicile; or,
- iii. a person naturalized under the laws of Canada who has not subsequently become an alien or lost Canadian domicile:

Proviso. Provided that for the purpose of this Act a woman who has not been landed in Canada shall not be held to have acquired Canadian citizenship by virtue of her husband being a Canadian citizen; neither shall a child who has not been landed in Canada be held to have acquired Canadian citizenship through its father or mother being a Canadian citizen;

"Immigrant." (g) "immigrant" means a person who enters Canada with the intention of acquiring Canadian domicile, and for the purposes of this Act every person entering Canada shall be presumed to be an immigrant unless belonging to one of the following classes of persons, hereinafter called "non-immigrant classes,"—

Canadian citizens. i. Canadian citizens; and persons who have Canadian domicile;

Diplomatic representatives. ii. diplomatic and consular officers, and all accredited representatives and officials of British or foreign governments, their suites, families and guests, coming to Canada to reside or to discharge any official duty or to pass through in transit;

Military. iii. officers and men, with their wives and families, belonging to or connected with His Majesty's regular naval and military forces;

Tourists. iv. tourists and travellers merely passing through Canada to another country;

Students. v. students entering Canada for the purpose of attendance, and while in actual attendance, at any university or college authorized by statute or charter to confer degrees; or at any high school or collegiate institute recognized as such for the purpose of this Act by the Minister;

Professional. vi. members of dramatic, musical, 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, musicians, priests and ministers of religion, professors of colleges or other educational institutions, and commercial travellers, entering Canada for the temporary exercise of their respective callings;

vii. holders of a permit to enter Canada, in force for the time being, in form A of schedule one to this Act, signed by the Minister or by some person duly authorized: Holders of permit to enter Canada. Provided that whenever in the opinion of the Minister or Superintendent of Immigration or Board of Inquiry or officer acting as such, any person has been improperly included in any of the non-immigrant classes, or has ceased to belong to any of such classes, such person shall thereupon be considered an immigrant within the meaning of this Act and subject to all the provisions of this Act respecting immigrants seeking to enter Canada; Proviso.

(h) "family" includes father and mother, and children under eighteen years of age; "Family."

(i) "head of family" means the father, mother, son, daughter, brother or sister upon whom the other members of the family are mainly dependent for support; "Head of family."

(j) "passenger" means a person lawfully on board any ship, vessel, railway train, vehicle or other contrivance for travel, or transport, and also includes any person riding, walking or otherwise travelling across any international bridge or highway; but shall not be held to include the master or other person in control or command of such vessel, ship, railway train, vehicle, bridge, highway or other contrivance for travel or transport, or any member of the crew or staff thereof; or military or naval forces and their families who are carried at the expense of the Government of the United Kingdom, or the Government of any British Dominion or Colony: Proviso. Provided that any member of the crew of a ship or of the staff of a railway train or other contrivance for travel or transport who deserts or is discharged in Canada from his ship or railway train or other contrivance for travel or transport shall thereupon be considered a passenger within the meaning of this Act;

(k) "stowaway" means a person who goes to sea secreted in a ship without the consent of the master or other person in charge of the ship, or of a person entitled to give such consent; or a person who travels on any railway train or other vehicle without the consent of the conductor or other person authorized to give such consent; "Stowaway."

(l) "ship" or "vessel" includes every boat and craft of any kind whatsoever for travel or transport other than by land; "Ship."

(m) "master" means any person in command of a ship or vessel; "Master."

(n) "owner" as applied to a ship or vessel includes the charterers of such ship or vessel and the agent of the owner or charterer thereof; "Owner."

(o) "port of entry" means any port, railway station or place in Canada at which there is an officer and where inspection of immigrants may be carried on; "Port of entry."

(p) "land," "landed" or "landing," as applied to passengers or immigrants, means their lawful admission into Canada "Landed."

- by an officer under this Act, otherwise than for inspection or treatment or other temporary purpose provided for by this Act;
- “Rejected.” (q) “rejected,” as applied to an immigrant or other person seeking to enter Canada, means that such immigrant or other person has been examined by a Board of Inquiry or officer acting as such and has been refused permission to land in Canada;
- “Deportation.” (r) “deportation” means the removal under authority of this Act of any rejected immigrant or other person, or of any immigrant or other person who has already been landed in Canada, or who has entered or who remains in Canada contrary to any provision of this Act, from any place in Canada at which such immigrant or other person is rejected or detained to the place whence he came to Canada, or to the country of his birth or citizenship;
- “Immigrant station.” (s) “immigrant station” means any place at which immigrants or passengers are examined, inspected, treated or detained by an officer for any purpose under this Act, and includes hospitals maintained for the purposes of this Act;
- “Transportation company.” (t) “transportation company” means and includes 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;
- “Act.” (u) “Immigration Act” or “Act” shall be held to include all orders in council, proclamations, and regulations made hereunder.

PROHIBITED CLASSES.

Prohibited classes of immigrants. **3.** No immigrant, passenger, or other person, unless he is a Canadian citizen, or has Canadian domicile, shall be permitted to land in Canada, or in case of having landed in or entered Canada shall be permitted to remain therein, who belongs to any of the following classes, hereinafter called “prohibited classes”, —

Persons mentally defective. (a) idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous;

Diseased persons. (b) persons afflicted with any loathsome disease, or with a disease which is contagious or infectious, or which may become dangerous to the public health, whether such persons intend to settle in Canada or only to pass through Canada in transit to some other country: Provided that if such disease is one which is curable within a reasonably short time, such persons may, subject to the regulations in that behalf, if any, be permitted to remain on board ship if hospital facilities do not exist on shore, or to leave ship for medical treatment;

Persons physically defective. (c) immigrants who are dumb, blind, or otherwise physically defective, unless in the opinion of a Board of Inquiry or officer acting as such they have sufficient money, or have such profession, occupation, trade, employment or other legiti-

mate mode of earning a living that they are not liable to become a public charge or unless they belong to a family accompanying them or already in Canada and which gives security satisfactory to the Minister against such immigrants becoming a public charge;

(d) persons who have been convicted of any crime involving Criminals moral turpitude;

(e) prostitutes and women and girls coming to Canada for Prostitutes and pimps. any immoral purpose and pimps or persons living on the avails of prostitution;

(f) persons who procure or attempt to bring into Canada Procurers. prostitutes or women or girls for the purpose of prostitution or other immoral purpose;

(g) professional beggars or vagrants, or persons likely to Beggars and vagrants. become a public charge;

(h) immigrants to whom money has been given or loaned by any charitable organization for the purpose of enabling them to qualify for landing in Canada under this Act, or whose passage to Canada has been paid wholly or in part by any charitable organization, or out of public moneys, unless it is shown that the authority in writing of the Superintendent of Immigration, or in case of persons coming from Europe, the authority in writing of the assistant Superintendent of Immigration for Canada, in London, has been obtained for the landing in Canada of such persons, and that such authority has been acted upon within a period of sixty days thereafter;

(i) persons who do not fulfil, meet or comply with the conditions and requirements of any regulations which for the time being are in force and applicable to such persons under sections 37 or 38 of this Act. Persons not complying with regulations.

4. The Minister may issue a written permit authorizing any Permit to enter Canada. person to enter Canada without being subject to the provisions of this Act. Such permit shall be in the form A of the schedule to this Act, and shall be expressed to be in force for a specified period only, but it may at any time be extended or cancelled by the Minister in writing. Such extension or cancellation shall be in the form AA of the schedule to this Act.

APPOINTMENT, POWERS, AND DUTIES OF OFFICERS.

5. The Governor in Council may appoint a superintendent of Officers appointed by Governor in Council. immigration, commissioners of immigration, and such other officers as are deemed necessary for carrying out the provisions of this Act.

2. The Governor in Council may establish and maintain Immigration offices. immigration offices at such places within and outside of Canada as from time to time seems proper.

6. Subject to any regulations in that behalf, the Minister Officers appointed by Minister. may appoint or employ, either permanently or temporarily, being

any subordinate officers, not otherwise provided for, required in furtherance of the provisions and objects of this Act, including medical officers, inspectors, guards, matrons and nurses at immigrant stations, and may confer upon them, and charge them with, such power and duties as he considers necessary or expedient.

Assistance in cases of emergency.

7. Subject to any regulation in that behalf, all officers appointed or having authority under this Act may, in emergency, employ such temporary assistance as is required for carrying out any duty devolving upon them under this Act, but no such employment shall continue for a period of more than forty-eight hours without the sanction of the Minister.

Immigration agent ex-officio.

8. When at a port of entry there is no immigration officer available for duty under this Act, the chief customs officer at that port or any subordinate customs officer designated by him shall be, ex-officio, an immigration officer.

Duties of officers.

9. Every officer appointed under this Act shall perform all duties prescribed for him by this Act, or by any order in council, proclamation or regulation made thereunder, and shall also perform such duties as are required of him by the Minister, either directly or through any other officer; and no action taken by any such officer under or for any purpose of this Act shall be deemed to be invalid or unauthorized merely because it was not taken by the officer specially appointed or detailed for the purpose.

Authority as special constable.

10. Every officer appointed under this Act shall have the authority and power of a special constable to enforce any of the provisions of this Act relating to the arrest, detention or deportation of immigrants, aliens or other persons.

Duties of police to execute orders of Minister.

11. All constables and other peace officers in Canada, whether appointed under Dominion, provincial, or municipal authority, shall, when so directed by the Minister or by any officer under this Act, receive and execute according to the tenor thereof any written order of the Minister, or of the Minister of Justice, or of a Board of Inquiry or officer acting as such, and any warrant of the Superintendent of Immigration, for the arrest, detention or deportation of any immigrant, alien or other person in accordance with the provisions of this Act.

Right of local police to enter immigrant stations.

12. For the preservation of the peace, and in order that arrests may be made for offences against the laws of Canada, or of any province or municipality thereof, wherein the various immigrant stations are located, the officers in charge of such immigrant stations, as occasion may require, shall admit therein any constables or other peace officers charged with the enforcement of such laws; and for the purposes of this section the

authority of such officers and the jurisdiction of the local courts shall extend over such immigrant stations.

APPOINTMENT, POWERS AND PROCEDURE OF BOARDS OF INQUIRY.

13. The Minister may appoint three or more officers, of whom the immigration officer in charge shall be one, at any port of entry, to act as a permanent Board of Inquiry for the summary determination of all cases of immigrants or passengers seeking to enter Canada or detained for any cause under this Act.

Appointment of Boards of Inquiry.

14. Such Boards of Inquiry shall have authority to determine whether an immigrant, passenger or other person seeking to enter Canada or detained for any cause under this Act, shall be allowed to enter or remain in Canada, or shall be rejected and deported.

Authority of Boards.

15. The hearing of all cases brought before such Board of Inquiry shall be separate and apart from the public, but in the presence of the immigrant, passenger or other person concerned whenever practicable, and such immigrant, passenger or other person shall have the right to be represented by counsel whenever any evidence or testimony touching the case is received by the Board, and a summary record of proceedings and of evidence and testimony taken shall be kept by the Board.

Hearing of cases by Board.

2. The Board, and any member thereof, may, at discretion, administer oaths and take evidence under oath or by affirmation in any form which they deem binding upon the person being examined.

Taking of evidence.

16. In all such cases, such Board of Inquiry may at the hearing, receive and base its decision upon any evidence, considered credible or trustworthy by such Board in the circumstances of each case; and in all cases where the question of the right to enter Canada under this Act is raised the burden of proof shall rest upon the immigrant, passenger or other person claiming such right.

All evidence to be received.

17. The Board of Inquiry shall appoint its own chairman and secretary to keep the record of its proceedings, and in all cases and questions before it the decision, which decision shall be in writing, of a majority of the Board shall prevail.

Decision of majority to prevail.

18. There shall be no appeal from the decision of such Board of Inquiry as to the rejection and deportation of immigrants, passengers or other persons seeking to land in Canada, when such decision is based upon a certificate of the examining medical officer to the effect that such immigrants, passengers or other persons are afflicted with any loathsome disease, or

Cases where no appeal allowed from Board.

Proviso as to
Canadian
citizens.

with a disease which may become dangerous to the public health, or that they come within any of the following prohibited classes, namely, idiots, imbeciles, feeble-minded persons, epileptics and insane persons: Provided always that Canadian citizens and persons who have Canadian domicile shall be permitted to land in Canada as a matter of right.

Cases where
appeal
allowed from
Board.

19. In all cases other than provided for in the next preceding section an appeal may be taken to the Minister against the decision of any such Board of Inquiry or officer in charge by the immigrant, passenger or other person concerned in the case, if the appellant forthwith serves written notice of such appeal, (which notice may be in form C in the schedule to this Act), upon the officer in charge, or the officer in whose custody the appellant may be, and shall at the same time deposit with such officer the sum of twenty dollars for himself and ten dollars for each child or other person dependent upon such appellant and detained with him, such sum to be used for the purpose of defraying the cost of maintaining the appellant and those dependent upon him, pending the decision of the Minister on such appeal. In case of the appeal being allowed by the Minister or by the Board of Inquiry on a re-hearing, then the said sum shall be returned to the appellant; and in case of the appeal being disallowed by the Minister or by the Board of Inquiry on a re-hearing, then the balance of such sum, if any, after deduction of regular detention charges for board, shall be returned to the appellant; and the appellant shall forthwith be deported.

Notice of
appeal.

Security for
costs.

Return of
deposit.

Stay of
proceedings.

20. Notice of appeal and deposit of the said sum shall act as a stay of all proceedings until a final decision is rendered by the Minister, and within forty-eight hours after the filing of the said notice and deposit of the said sum a summary record of the case shall be forwarded by the immigration officer in charge to the Superintendent of Immigration, accompanied by his views thereon in writing.

Return of
record.

Appellant in
custody
pending
decision of
Minister.

21. Pending the decision of the Minister, the appellant and those dependent upon him shall be kept in custody at an immigrant station, unless released under bond as provided for in section 33 of this Act.

When powers
of Board to
be exercised
by officer in
charge.

22. When there is no Board of Inquiry at a port of entry, or at a neighbouring port to which a person detained under this Act could conveniently be conveyed, or to which a case for decision could conveniently be referred, then the officer in charge shall exercise the powers and discharge the duties of a Board of Inquiry and shall follow as nearly as may be the procedure of such Board as regards hearing and appeal and all other matters over which it has jurisdiction.

23. No court, and no judge or officer thereof, shall have jurisdiction to review, quash, reverse, restrain or otherwise interfere with any proceeding, decision or order of the Minister or of any Board of Inquiry, or officer in charge, had, made or given under the authority and in accordance with the provisions of this Act relating to the detention or deportation of any rejected immigrant, passenger or other person, upon any ground whatsoever, unless such person is a Canadian citizen or has Canadian domicile.

Jurisdiction of courts in cases of rejection and deportation restricted.

24. The Governor in Council may make such further regulations governing the procedure of Boards of Inquiry and appeal therefrom as are deemed necessary.

Further regulations governing Boards.

SPECIAL PROVISION AS TO PASSENGERS BY VESSEL.

25. It shall be the duty of every transportation company bringing passengers or other persons to Canada by vessel to prevent such passengers or other persons leaving such vessel in Canada at any time or place other than as designated by the immigration officer in charge, and the failure of any such company to comply with such duty shall be an offence against this Act and shall be punished by a fine of not more than five hundred dollars and not less than twenty dollars, in respect of each such passenger or person and every passenger or other person so landed may be arrested and detained for examination as contemplated under section 33 of this Act.

Passengers to be landed only at places designated by officer in charge.

Penalty.

26. The master shall furnish to the immigration officer in charge at the port of entry a bill of health, certified by the medical officer of the vessel, such bill of health being in the form and containing such information as is required from time to time under this Act.

Bill of health.

27. Before any passengers are permitted to leave a vessel in Canada the immigration officer in charge, or any officer directed by him, may go on board and inspect such vessel, and examine and take extracts from the manifest of passengers, and from the bill of health.

Inspection of ships.

2. The master shall permit any examination of passengers required under this Act to be made on board his vessel whenever so directed by the immigration officer in charge.

Examination of passengers.

28. Medical officers appointed under this Act shall make a physical and mental examination of all immigrants and passengers seeking to 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 Superintendent of Immigration under the direction or with the approval of the Minister.

Medical examination of passengers.

When permission to land passengers to be granted.

29. The immigration officer in charge, after satisfying himself that the requirements of this Act, and of any order in council, proclamation or regulation made thereunder, have been carried out, shall grant written permission to the master of the vessel to allow the passengers to leave the vessel.

SPECIAL PROVISION AS TO PASSENGERS BY LAND.

Liability of companies co-operating.

30. Every transportation company carrying passengers in Canada by land shall, for the purposes of this Act, be considered as one with any transportation company with which it co-operates or makes or affords connection whether in Canada or not and whether under the same management or not, and shall be liable for any offence against this Act by any company with which it so co-operates or makes or affords connection.

Obligations of transportation companies bringing passengers by land.

31. Regulations made by the Governor in Council under this Act may provide that the obligations of transportation companies bringing immigrants and passengers into Canada by land shall be similar to those imposed by this Act on masters and owners of vessels bringing immigrants and passengers to Canada, including the furnishing of names and descriptions of such immigrants and passengers.

Detention of trains.

2. Such regulations may also provide that officers under this Act shall have the power to hold and detain railway trains, cars and other vehicles entering Canada until examination of immigrants and passengers has been made as required by this Act; and may provide penalties for non-compliance with such regulations by transportation companies, or any official or employee thereof.

Obligations of transportation companies to provide detention buildings.

3. Such regulations may also impose a duty upon transportation companies to provide, equip and maintain suitable buildings for the examination and detention of passengers for any purpose under this Act at such ports of entry or border stations as may be designated by the Minister; and may provide penalties for non-compliance by transportation companies with such regulations:

Proviso.

Provided that no transportation company shall be made liable for the safe-keeping of any person who is in custody of an officer for any cause under this Act, unless such person is on a vessel, railway train or other vehicle belonging to or operated or controlled by such company.

Regulations for examination of passengers along the border.

32. Subject to any regulations made under the preceding section, the Superintendent of Immigration, under the direction or with the approval of the Minister, shall prescribe regulations for the entry, inspection and medical examination of immigrants and passengers along the border of Canada so as not to unnecessarily delay, impede or annoy passengers in ordinary travel.

LANDING OF PASSENGERS.

33. Every passenger or other person seeking to land in Canada shall first appear before an immigration officer, and shall be forthwith examined as required under this Act, either on ship-board or on train or at some other place designated for that purpose. Landing of passengers.

2. Every passenger or other person seeking to land in Canada shall answer truly all questions put to him by any officer when examined under the authority of this Act. Answers to questions.

3. Every passenger or other person so examined shall be immediately landed unless the examining officer has reason to believe that the landing of such passenger or other person would be contrary to any provision of this Act. Doubtful cases.

4. Every passenger or other person, as to whose right to land the examining officer has any doubt, shall be detained for further examination by the officer in charge, or by the Board of Inquiry, and such examination shall be forthwith conducted separate and apart from the public, and upon the conclusion thereof such passenger or other person shall be either immediately landed or shall be rejected and kept in custody pending his deportation. Examination in doubtful cases.

5. An order for deportation by a Board of Inquiry or officer in charge may be made in the form B in the schedule to this Act, and a copy of the said order shall forthwith be delivered to such passenger or other person, and a copy of the said order shall at the same time be served upon the master or owner of the ship or upon the local agent or other official of the transportation company by which such person was brought to Canada; and such person shall thereupon be deported by such company subject to any appeal which may have been entered on his behalf under section 19 of this Act. Deportation.

6. Every person who enters Canada except at a port of entry shall forthwith report such entry to the nearest immigration officer and present himself for examination as provided by this section. Duty to report entry.

7. Any person who enters Canada except at a port of entry, or who at a port of entry eludes examination by an officer, or Board of Inquiry, or who enters Canada by force or misrepresentation or stealth or otherwise contrary to any provision of this Act, or who escapes from custody of an officer or from an immigrant station when detained for any cause under this Act, shall be guilty of an offence under this Act, and liable on conviction to a fine of not more than one hundred dollars, and may be arrested and detained without a warrant by any officer for examination as provided under this section; and if found not to be a Canadian citizen, or not to have Canadian domicile, such entry shall in itself be sufficient cause for deportation whenever so ordered by a Board of Inquiry or officer in charge subject to any appeal which may have been entered under section 19 of this Act. Avoiding port of entry.

Penalty for landing prohibited immigrant.

8. Any transportation company or person knowingly and wilfully landing, or assisting to land or attempting to land in Canada, any prohibited immigrant or person whose entry into Canada has been forbidden under this Act, shall be guilty of an offence and shall be liable on conviction, to a fine of not more than five hundred dollars and not less than fifty dollars for each prohibited immigrant or other person so landed in Canada, or whose landing in Canada was so attempted:

Interference with officer in performance of duty.

9. Any transportation company or person interfering with or resisting an immigration officer in the performance of his duty under this Act, or knowingly and wilfully assisting in the escape of any person detained by an officer, or at an immigrant station, for any purpose under this Act, or giving false information to an officer, whereby such officer is induced to land or permit the landing of any person in Canada who otherwise would be refused landing for any cause under this Act or would be detained for examination, shall be guilty of an offence, and shall be liable to a fine of not more than five hundred dollars and not less than twenty dollars for each such offence.

Penalty for tourist who ceases to be such failing to report.

10. Every person who enters Canada as a tourist or traveller or other non-immigrant, but who ceases to be such and remains in Canada, shall forthwith report such facts to the nearest immigration officer and shall present himself before an officer for examination under this Act, and in default of so doing he shall be liable to a fine of not more than one hundred dollars and shall also be liable to deportation by order of a Board of Inquiry or officer acting as such.

Release under bond or approved deposit.

11. Pending the final disposition of the case of any person detained or taken into custody for any cause under this Act he may be released under a bond, which bond may be in the form F in the schedule to this Act, with security approved by the officer in charge, or may be released upon deposit of money with the officer in charge in lieu of a bond, and to an amount approved by such officer; upon condition that such person shall appear before a Board of Inquiry or officer acting as such at any port of entry named by the officer in charge, and at such time as shall be named, for examination in regard to the cause or complaint on account of which he has been detained or taken into custody.

Failure to appear for examination.

12. If such person fail to appear for examination at such time and place named, or shall fail to keep and observe every other condition under which he is so released, then such bond shall be enforced and collected, and the proceeds thereof, or the money deposited in lieu of a bond, as the case may have been, shall be paid into the hands of the Minister of Finance, and shall form part of the Consolidated Revenue Fund of Canada; and such person may be taken into custody forthwith and deported by order of a Board of Inquiry or officer acting as such.

MEDICAL TREATMENT OF SICK AND DISABLED PASSENGERS.

34. A passenger or other person seeking to enter Canada or who has been rejected or is detained for any purpose under this Act, who is suffering from sickness or physical or mental disability, may whenever it is so directed by the Superintendent of Immigration or officer in charge be afforded medical treatment on board ship or in an immigrant station, or may be removed to a suitable hospital for treatment, according as the officer in charge decides is required by existing circumstances and the condition of the person's health as reported upon by the examining medical officer. Medical treatment.

2. If, in the opinion of the Superintendent of Immigration, or of the officer in charge, the transportation company which brought such person to Canada failed to exercise proper vigilance or care in so doing, then the cost of his hospital treatment and medical attention and maintenance shall be paid by such transportation company, and otherwise the cost thereof shall be collected from such person, and if that be not possible then the cost thereof shall be paid by the Department of the Interior. When transportation companies liable for cost of medical treatment.

3. The Superintendent of Immigration, or officer in charge, may, whenever it is considered necessary or advisable for the proper care of such persons, direct that a suitable attendant, or some one upon whom such person is dependent, or some one who is dependent upon such person, as the case may be, shall be kept with such person during his medical treatment on board ship or at an immigrant station or hospital, or in case of deportation from any place within Canada shall accompany such person to his port of embarkation from Canada; and the cost thereof shall be paid by the said transportation company whenever in the opinion of the Superintendent of Immigration it has failed to exercise proper vigilance or care as aforesaid, and otherwise the cost thereof shall be collected from such person, and if that be not possible then the cost thereof shall be paid by the Department of the Interior. Cost of attendant or dependent.

35. A passenger or other person permitted to enter Canada for medical treatment under this Act shall not be regarded as landed within the meaning of this Act. Hospital treatment not to constitute landing.

36. The Superintendent of Immigration, under the direction or with the approval of the Minister, shall prescribe regulations whereby sick and diseased persons may enter Canada for treatment and care at any health resort, hospital, sanitarium, asylum or other place or institution for the cure or care of such persons. Regulations for entry of diseased persons for treatment at Canadian sanitariums.

REGULATIONS AS TO MONETARY AND OTHER REQUIREMENTS FROM SPECIFIED CLASSES OF IMMIGRANTS.

37. Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada Immigrants may be required to that

possess
prescribed
amount of
money.

that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant or tourist, and otherwise according to the circumstances; and may also provide that all persons coming to Canada directly or indirectly from countries which issue passports or penal certificates to persons leaving such countries shall produce such passports or penal certificates on demand of the immigration officer in charge before being allowed to land in Canada.

Prohibition— **38.** The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient,—

of immigrants
not coming
by continuous
journey;

(a) prohibit the landing in Canada or at any specified port of entry in Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen, and upon a through ticket purchased in that country, or prepaid in Canada;

of passengers
brought by
certain
companies;

(b) prohibit the landing in Canada of passengers brought to Canada by any transportation company which refuses or neglects to comply with the provisions of this Act;

of specified
classes of
immigrants.

(c) prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada, or of immigrants of any specified class, occupation or character.

Duty of
companies to
re-convey
rejected
immigrants
to country of
birth or
citizenship.

39. When any immigrant or other person is rejected or ordered to be deported from Canada, and such person has not come to Canada by continuous journey from the country of which he is a native or naturalized citizen, but has come indirectly through another country, which refuses to allow such person to return or be returned to it, then the transportation company bringing such person to such other country shall deport such person from Canada to the country of which he is a native or naturalized citizen whenever so directed by the Minister or Superintendent of Immigration and at the cost of such transportation company, and in case of neglect or refusal so to do, such transportation company shall be guilty of an offence against this Act, and shall be liable to a fine of not more than five hundred dollars and not less than twenty dollars for each such offence.

Penalty.

DEPORTATION OF PROHIBITED AND UNDESIRABLE CLASSES.

Duty of
officer to
send
complaint
to Minister
regarding
undesirable
classes.

40. Whenever any person, other than a Canadian citizen, within three years after landing in Canada has been convicted of a criminal offence in Canada, or has become a prostitute or an inmate of a house of ill-fame, or by common repute has become a procurer or pimp or person living on the avails of prostitution, or has become a professional beggar or a public charge, or an

inmate of a penitentiary, jail, reformatory, prison, hospital, insane asylum or 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 or Superintendent of Immigration, giving full particulars.

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 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; such person for the purposes of this Act shall be considered and classed as an undesirable immigrant, 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 or Superintendent of Immigration, giving full particulars.

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

42. Upon receiving a complaint from any officer, or from any clerk or secretary or other official of a municipality, whether directly or through the Superintendent of Immigration, against any person alleged to belong to any prohibited or undesirable class, the Minister may order such person to be taken into custody and detained at an immigrant station for examination and an investigation of the facts alleged in the said complaint to be made by a Board of Inquiry or by an officer acting as such. Such Board of Inquiry or officer shall have the same powers and privileges, and shall follow the same procedure, as if the person against whom complaint is made were being examined before landing as provided in section 33 of this Act; and similarly the person against whom complaint is made shall have the same rights and privileges as he would have if seeking to land in Canada.

Investigation of complaints concerning undesirable classes.

2. If upon investigation of the facts such Board of Inquiry or examining officer is satisfied that such person belongs to any of the prohibited or undesirable classes mentioned in sections 40 and 41 of this Act, such person shall be deported forthwith, as provided for in section 33 of this Act, subject, however, to such right of appeal as he may have to the Minister.

Deportation in such cases.

Order to
leave
Canada.

3. The Governor in Council may, at any time, order any such person found by a Board of Inquiry or examining officer to belong to any of the undesirable classes referred to in section 41 of this Act to leave Canada within a specified period. Such order may be in the form D in the schedule to this Act, and shall be in force as soon as it is served upon such person, or is left for him by any officer at the last known place of abode or address of such person.

Penalty for
rejected or
deported
person
remaining in
or re-entering
Canada.

4. Any person rejected or deported under this Act who enters or remains in or returns to Canada after such rejection or deportation without a permit under this Act or other lawful excuse, or who refuses or neglects to leave Canada when ordered so to do by the Governor in Council as provided for in this section, shall be guilty of an offence against this Act, and may forthwith be arrested by any officer and be deported on an order from the Minister or the Superintendent of Immigration, or may be prosecuted for such offence, and shall be liable, on conviction, to two years imprisonment, and immediately after expiry of any sentence imposed for such offence, may be again deported or ordered to leave Canada under this section.

Deportation
of head of
family.

5. In any case where deportation of the head of a family is ordered, all dependent members of the family may be deported at the same time. And in any case where deportation of a dependent member of a family is ordered on account of having become a public charge, and in the opinion of the Minister such circumstance is due to wilful neglect or non-support by the head or other members of the family morally bound to support such dependent members, then all members of the family may be deported at the same time. Such deportation shall be at the cost of the persons so deported; and if that be not possible then the cost of such deportation shall be paid by the Department of the Interior.

Deportation
of dependent
member of
family.

Cost of
deportation.

Detention of
certain
prisoners for
deportation.

43. When any person has, within three years of landing in Canada, become an inmate of a penitentiary, jail, reformatory or prison, the Minister of Justice may, upon the request of the Minister of the Interior, issue an order to the warden or governor of such penitentiary, jail, reformatory or prison, which order may be in the form E in the schedule to this Act, commanding him after the sentence or term of imprisonment of such person has expired to detain such person for, and deliver him to, the officer named in the warrant issued by the Superintendent of Immigration, which warrant may be in the form EE in the schedule to this Act, with a view to the deportation of such person.

Order of
Minister of
Justice and
warrant of
superintend-
ent of
immigration.

2. Such order of the Minister of Justice shall be sufficient authority to the warden or governor of the penitentiary, jail, reformatory or prison, as the case may be, to detain and deliver such person to the officer named in the warrant of the Superintendent of Immigration as aforesaid, and such warden or governor shall obey such order, and such warrant of the Superintendent

tendent of Immigration shall be sufficient authority to the officer named therein to detain such person in his custody, or in custody at any immigrant station, until such person is delivered to the authorized agent of the transportation company which brought such person into Canada, with a view to deportation as herein provided.

OBLIGATIONS OF TRANSPORTATION COMPANIES IN CASES OF
REJECTION AND DEPORTATION.

44. Every immigrant, passenger, stowaway or other person brought to Canada by a transportation company and rejected by the Board of Inquiry or officer in charge, shall, if practicable, be sent back to the place whence he came, on the vessel, railway train or other vehicle by which he was brought to Canada. The cost of his maintenance, while being detained at any immigrant station after having been rejected, as well as the cost of his return, shall be paid by such transportation company.

Return of
rejected
immigrants.

2. If any such transportation company—

(a) refuses to receive any such person back on board of such vessel, railway train or other vehicle or on board of any other vessel, railway train or other vehicle owned or operated by the same transportation company, when so directed by the officer in charge; or,

Refusal to
receive on
board.

(b) fails to detain any such person thereon; or,

Failure to
detain.

(c) refuses or fails to return him to the place whence he came to Canada; or,

Failure to
return.

(d) refuses or fails to pay the cost of his maintenance while on land awaiting deportation; or,

Failure to
pay cost
maintenance.

(e) makes any charge against any such person for his maintenance while on land, or for his return to the port of embarkation, or takes any security from any such person for the payment of such charge;

Charging
deported
person for
maintenance.

such master, agent, owner or transportation company concerned shall be guilty of an offence against this Act, and shall be liable to a fine of not more than five hundred dollars and not less than fifty dollars for each offence; and no such vessel shall have clearance from any port of Canada until such fine is paid.

Penalty.

45. Every person ordered to be deported under this Act who has been brought to Canada by ship, shall be reconveyed free of charge, by the railway company or companies which brought him to the place in Canada where he is being detained for deportation, to the ocean port where he was landed, or the nearest available winter ocean port, as may be directed by the Board of Inquiry, and thence he shall be conveyed free of charge by the transportation company which brought him to Canada to the place in the country whence he was brought or to the country of his birth or citizenship, and in such manner as

Deportation
by vessel of
persons who
have been
landed in
Canada

Deportation
by train.

to passage accommodation as may be directed by the officer in charge; and similarly every such person brought to Canada by a railway train or other vehicle shall, subject to the regulations under sections 31 and 32 of this Act, be reconveyed free of charge by the transportation company which carried him to the place in Canada where he is rejected or where he is being detained for deportation to the place in the country whence he was brought or to the country of his birth or citizenship.

Penalty on
transporta-
tion company
refusing to
return person
ordered to
be deported.

46. Every transportation company, which refuses or neglects to comply with the order of the Minister or Superintendent of Immigration or Board of Inquiry or officer acting as such to take on board, guard safely, and return to the country whence he came, or to the country of his birth or citizenship, any passenger or other person brought to Canada by such transportation company and ordered to be deported under the provisions of this Act shall be liable to a fine of not more than five hundred dollars and not less than fifty dollars in each case.

Regulations
for proper
treatment
of persons
deported.

47. The Superintendent of Immigration, under the direction or with the consent of the Minister, shall prescribe regulations for the proper detention and treatment on board ship or railway train or other vehicle of all persons who have been ordered to be deported under this Act, both while awaiting and during deportation.

Penalty on
transporta-
tion company
permitting
escape of
person
ordered to
be deported.

48. Every transportation company which, through the connivance or negligence of any of its officials or employees, permits the escape of any person delivered into the custody of such transportation company by any officer for deportation under this Act shall, on conviction, be punished by a fine of not more than five hundred dollars and not less than fifty dollars for each offence.

Duty to
notify
immigration
officer when
such person
escapes.

2. In the event of such person escaping from the custody of a transportation company, it shall be the duty of the master of the vessel, conductor of the train, dock-master, special constable or other official or employee of the transportation company in whose custody such person then was, to immediately report such escape to the nearest available immigration officer; and it shall also be the duty of the said company forthwith to report such escape to the Superintendent of Immigration, and such report shall state when, and from whom, such person was received, and the time and mode of escape. Failure on the part of such master, conductor, or other official to so report to the nearest available immigration officer shall render him liable to a penalty of not more than twenty dollars and not less than ten dollars for each offence, and failure on the part of the transportation company to so report to the Superintendent of Immigration shall render such company liable to a fine of not more than one hundred dollars and not less than twenty dollars for each offence.

Penalty.

OBLIGATIONS OF MASTERS OF VESSELS AND PILOTS.

49. 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 manifest in the form prescribed by the Superintendent of Immigration, 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 manifest shall also state the name and apparent age of all passengers on board of such vessel on such voyage who 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, and whether or not they are accompanied by relatives able to support them.

Manifest to be delivered by master to immigration officer.

2. Such manifest shall further state if any birth has taken place during the voyage, and shall state the name, age and last place of residence of any person who has died during the voyage, and shall specify the cause of death and whether such person was accompanied by relatives or other persons who are entitled to take charge of the moneys and effects left by such person and the disposition made thereof.

Entry as to passengers who have been born or have died during voyage.

3. If there were no such relatives or other persons so entitled the manifest shall fully designate the quantity and description of the property, whether money or otherwise, left by such person; and the master of the vessel shall pay over to the immigration officer in charge at the port at which the vessel is entered, and fully account for, all moneys and effects belonging to any person who has died on the voyage. The officer in charge shall thereupon give to the master a receipt for all moneys or effects so placed in his hands by the master, which receipt shall contain a full description of the nature or amount thereof.

Disposal of property of deceased passengers.

Receipt for property by immigration officer.

4. If the master of such vessel fails—

- (a) to deliver such manifest required by this section; or,
- (b) wilfully or negligently fails to state therein all the particulars of information required by this section; or,
- (c) wilfully or negligently makes any false statement in such manifest;

Failure to deliver, or making partial or false, manifest.

he shall be guilty of an offence against this Act and shall be liable to a fine not exceeding one hundred dollars and not less than twenty dollars for every person with regard to whom any such omission occurs or any such false statement is made.

Penalty.

50. The master of any vessel sailing from a port outside of Canada who embarks passengers after the vessel has been cleared and examined by the proper officer at the port of departure, and who does not report such additional passengers in the manifest required to be delivered under this Act to the im-

Entry in manifest of additional passengers.

migration officer in charge at the port of entry, shall be liable to a fine of not more than one hundred dollars and not less than twenty dollars for each passenger so embarked as aforesaid and not included in one of the said manifests.

Penalty.

Manifest of
outbound
passengers.

51. The master of every vessel embarking outbound passengers from any seaport of Canada shall, on the return voyage of such vessel to Canada, deliver to the immigration officer in charge a manifest in form prescribed by the regulations in that behalf giving the names of all such passengers on board such vessel, or booked to sail by such vessel, and stating in every case whether they are British subjects or aliens, and their sex, nationality and port of destination.

Penalty.

2. If the master of any vessel refuses or omits to deliver such manifest of outbound passengers he shall incur a penalty not exceeding one hundred dollars and not less than twenty dollars for every passenger with regard to whom he has refused or wilfully neglected to give the required information, and clearance of such vessel may be refused until such manifest has been delivered to the immigration officer in charge: Provided, however, that the master of any vessel plying between seaports of Canada and adjacent or neighbouring seaports in Newfoundland or the United States may, by written permission of the Minister or Superintendent of Immigration given to such master or to the transportation company of which he is an employee, be exempted from the requirements of this section.

Proviso.

Master
permitting
passengers to
land before
delivering
manifest.

52. 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 received 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.

2. 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 in
charge.

3. 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 Penalty. and not less than twenty dollars for every stowaway so leaving or escaping from the vessel.

4. If the master of any vessel arriving at any port of entry in Master discharging crew without examination. Canada shall pay off or discharge any member of the crew of such vessel without such member having first been examined by an immigration officer, as required under section 33 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 member of the crew Penalty. so paid off or discharged.

5. If the master of any vessel arriving at any port of entry Master failing to report cases of desertion. in Canada fail to report to the immigration officer in charge every case of desertion from the crew of such vessel occurring at such port so soon as such desertion is discovered, or shall refuse or neglect to describe the deserter for purposes of identification whenever required by such officer, he shall be liable to a Penalty. fine of not more than one hundred dollars and not less than twenty dollars in the case of each such deserter.

53. Nothing in this Act shall prevent the master of any Passenger may leave vessel before arrival at port of destination. vessel from permitting any passenger to leave the vessel outside of Canada at the request of such passenger before the arrival of the vessel at her final port of destination; but in every such case the name of the passenger so leaving shall be entered in the manifest of passengers made out at the time of the clearing of the vessel from the port of departure or at the port at which such passenger was embarked.

54. Every pilot who has had charge of any vessel having pas- Pilots neglecting to inform immigration officer of unlawful landing of passengers. sengers on board, and knows that any passenger or stowaway has been permitted to leave the vessel contrary to the provisions of this Act, and who does not immediately upon the arrival of such vessel in the port to which he engaged to pilot her, and before the immigration officer in charge has given permission to the passengers to leave the vessel, inform the said officer that such passenger or stowaway has been so permitted to leave the vessel, shall be liable to a fine of not more than one hundred Penalty. dollars and not less than ten dollars for every passenger with regard to whom he has wilfully neglected to give such information.

PROTECTION OF IMMIGRANTS.

55. Every person who causes or procures the publication or False representation to deter or induce immigration. circulation, by advertisement or otherwise, in a country outside of Canada, of false representations as to the opportunities for employment in Canada, or as to the state of the labour market in Canada, intended or adapted to encourage or induce, or to deter or prevent, the immigration into Canada of persons resident in such outside country, or who does anything in Canada for the purpose of causing or procuring the communi-
 cation,

Penalty. cation to any resident of such country of any such representations which are thereafter so published, circulated or communicated, shall be guilty of an offence against this Act, and liable on summary conviction before two justices of the peace, to a fine of not more than five hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

Violation of foreign laws regarding duties of master or crew.

56. If, during the voyage of any vessel carrying immigrants from any port outside of Canada to any port in Canada, the master or any of the crew is guilty of any violation of any law in force in the country in which such foreign port is situate, regarding the duties of such master or crew towards the immigrants in such vessel, or if the master of any such vessel during such voyage commits any breach whatsoever of the contract for the passage made with any immigrant by such master, or by the owners of such vessel, such master or such one of the crew shall, for every such violation or breach of contract, be liable to a fine not exceeding one hundred dollars and not less than twenty dollars, independently of any remedy which such immigrants complaining may otherwise have.

Breach of contract with passenger.

Penalty.

Intercourse between crew and female immigrants.

57. No officer, seaman or other person on board of a vessel bringing immigrants to Canada shall, while such vessel is in Canadian waters, entice or admit any female immigrant into his apartment, or, except by the direction or permission of the master of such vessel, first given for such purpose, visit or frequent any part of such vessel assigned to female passengers.

Penalty for intercourse between crew and female immigrants.

2. Every officer, seaman or other man employed on board of a vessel bringing immigrants to Canada, who, while such vessel is in Canadian waters, entices or admits any female immigrant into his apartment or, except by the direction or permission of the master of such vessel first given, visits or frequents any part of such vessel assigned to female passengers, shall be guilty of an offence against this Act and shall be liable to a fine not exceeding twenty-five dollars for every such offence.

Penalty for permitting crew to visit parts of vessel assigned to female immigrants.

3. Every master of a vessel who, while such vessel is in Canadian waters, directs or permits any officer or seaman, or other man employed on board of such vessel to visit or frequent any part of such vessel assigned to female immigrants, except for the purpose of doing or performing some necessary act or duty, shall be guilty of an offence against this Act and shall be liable to a fine not exceeding twenty-five dollars for every such offence.

Notices to be posted regarding intercourse between immigrants and the crew.

58. The master of every vessel bringing immigrants to Canada from Europe shall, at all times while the vessel is in Canadian waters, keep posted, in a conspicuous place on the forecabin and in the parts of the steerage of the said vessel assigned to steerage passengers, a written or printed notice in

the English, French, Swedish, Danish, German, Russian and Yiddish languages, and such other languages as are ordered from time to time by the Superintendent of Immigration, containing the provisions of this Act regarding the prevention of intercourse between the crew and the immigrants and the penalties for the contravention thereof, and shall keep such notice so posted during the remainder of the voyage.

2. Every master of a vessel bringing immigrants to Canada ^{Penalty.} from Europe who neglects to post, and keep posted, the notice required by this Act to be posted regarding the prevention of intercourse between the crew and the immigrants and the penalties for contravention thereof, as required by this Act, shall be guilty of an offence against this Act and shall be liable to a fine not exceeding one hundred dollars for every such offence.

3. The immigration officer in charge shall inspect every such vessel upon arrival for evidence of compliance with this section, and shall institute proceedings for any penalty incurred for violation thereof. ^{Inspection of notices by officer in charge.}

59. If any vessel from any port or place outside of Canada comes within the limits of Canada having on board, or having had on board, at any time, during her voyage— ^{Proportionate number of passengers to area of decks.}

(a) any greater number of passengers than one adult passenger for every fifteen clear superficial feet on each deck of such vessel appropriated to the use of such passengers and unoccupied by stores or other goods, not being the personal luggage of such passengers, or,

(b) a greater number of persons, including the master and crew and the cabin passengers, if any, than one for every two tons of the tonnage of such vessel, calculated in the manner used for ascertaining the tonnage of British ships, the master of such vessel shall be liable to a fine not exceeding ^{Penalty.} twenty dollars, and not less than ten dollars for each passenger or person constituting such excess.

2. For the purpose of this section, each person of or above ^{"Adult" defined.} the age of fourteen years shall be deemed an adult, and two persons above the age of one year and under the age of fourteen years shall be reckoned and taken as one adult.

3. If there shall be a bar or other place for the sale of intoxicating liquors on any such vessel in the quarters assigned to third-class or steerage passengers, or to which third-class or steerage passengers are permitted to have access at any time during the voyage of such vessel to Canada, the master of such vessel shall be guilty of an offence against this Act and shall be liable to a fine not exceeding five hundred dollars and not less than fifty dollars; and any officer or member of the crew of such vessel who sells or gives intoxicating liquor to any third-class or steerage passenger, during the voyage of such vessel to Canada, without the consent of the master or ship ^{Penalty.} surgeon

surgeon or other qualified medical practitioner on board thereof, shall be guilty of an offence against this Act and shall be liable to a fine not exceeding fifty dollars and not less than ten dollars for every such offence.

Right of immigrants to remain on board vessel till housing or carriage available.

60. Every immigrant on any vessel arriving at a port of entry to which the owner or master of such vessel engaged to convey him, if facilities for housing or inland carriage for such immigrant are not immediately available, shall be entitled to remain and keep his luggage on board such vessel for a period of twenty-four hours or until such facilities are available, whichever shall first occur, and the master of such vessel shall not, until such time, remove any berths or accommodation used by such immigrant.

Passengers to be landed free of expense.

61. Passengers and their luggage shall be landed from any ship by the master thereof free of expense to the said passengers, and such landing shall be either at a usual public landing place at the port of entry or at such other place as is designated by the officer in charge.

Appointment of landing places.

62. The Minister or the Superintendent of Immigration may, from time to time, by instructions to the immigration officer in charge, appoint the places at which passengers arriving at such port shall be landed.

Shelter for immigrants.

63. At the places so appointed the Minister or Superintendent of Immigration may cause proper shelter and accommodation to be provided for immigrants until they can be forwarded to their place of destination.

Disposal of property of deceased immigrant parents.

64. If both the immigrant parents, or the last surviving immigrant parent of any child brought with them in any vessel bound for Canada, die on the voyage, or at any immigrant station or elsewhere in Canada while still under the care of any immigrant agent, or other officer under this Act, the Minister, or such officer as he deposes for the purpose, may cause the effects of such parents to be disposed of for the benefit of such child to the best advantage in his power, or in his discretion to be delivered over to any institution or person assuming the care and charge of such child.

Inquiry in case of complaints respecting violation of Act.

65. If complaint be made to the Minister or the Superintendent of Immigration against any company or person for any violation of this Act, in any matter relating to immigrants or immigration, the Minister may cause such inquiry as he thinks proper to be made into the facts of the case, or may bring the matter before the Governor in Council in order that such inquiry may be made under *The Inquiries Act*.

Procedure.

2. If upon such inquiry it appears to the satisfaction of the Minister that such company or person has been guilty of such violation,

violation, the Minister may require such company or person to make such compensation to the person aggrieved, or to do such other thing, as is just and reasonable; or may adopt measures for causing such proceeding to be instituted against such company or person as the case requires.

66. The Governor in Council may make such regulations and impose such penalties as are deemed expedient to safeguard the interests of immigrants seeking employment from any companies, firms, or persons carrying on the business of intelligence offices or employment or labour agencies at any place in Canada.

Regulations
respecting
employment
agencies.

IMMIGRANT RUNNERS.

67. The Superintendent of Immigration may issue to agents of transportation companies, forwarding and transfer companies, hotels and boarding houses, a license authorizing such persons to exercise the vocation of immigrant runners, or of soliciting the patronage of immigrants for their respective companies, hotels or boarding houses, or of booking passengers. Such license shall be in the form prescribed by the Superintendent of Immigration, and may at any time be cancelled by him under the direction or with the consent of the Minister.

Licenses for
immigrant
runners.

68. No person shall, at any port or place in Canada, for hire, reward or gain, or the expectation thereof, conduct, solicit or recommend, either orally or by handbill or placard or in any other manner, any immigrant to or on behalf of any owner of a vessel, or to or on behalf of any inn-keeper or boarding house keeper, or any other person, for any purposes connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada, or elsewhere, or give or pretend to give to such immigrant any information oral, printed or otherwise, or assist him to his said place of destination, or in any way exercise the vocation of booking passengers, or of taking money for their inland fare, or for the transportation of their luggage, unless such person has first obtained a license from the Superintendent of Immigration authorizing him to act in such capacity.

Immigrants
not to be
solicited
except by
licensed
persons.

69. Every person licensed under this Act as an immigrant runner, or person acting on behalf of any transportation company, or forwarding or transfer company, or hotel or boarding house, and every person in his employ, who sells to any immigrant a ticket or order for the passage of such immigrant, or for the conveyance of his luggage, at a higher rate than that for which it could be purchased directly from the company or person undertaking such conveyance, and every person who purchases any such ticket from an immigrant for less than its

Selling
tickets to
immigrants
at excessive
rates.

value, or gives in exchange for it one of less value, shall be guilty of an offence against this Act, and the license of such person shall be cancelled.

Persons not to board vessels or enter immigrant stations without authority.

70. No licensed immigrant runner, or agent or person acting on behalf of any transportation company, or other person, shall go on board any vessel after such vessel has arrived in Canadian waters until all passengers thereon have been landed, or shall go into any immigrant station, unless he is authorized so to do by the Superintendent of Immigration or officer in charge.

DUTIES OF INN-KEEPERS.

List of prices to be posted in hotels and boarding-houses for immigrants

71. Every inn-keeper or boarding house keeper in any city, town, village or place in Canada designated by any order in council, who receives into his house as a boarder or lodger any immigrant within three months after his arrival in Canada, shall cause to be kept conspicuously posted in the public rooms and passages of his house and printed upon his business cards, a list of the prices which will be charged to immigrants per day and per week for board or lodging, or both, and also the prices for separate meals, which cards shall also contain the name of the keeper of such house, together with the name of the street in which it is situate, and its number in such street.

Inn-keeper's lien limited.

2. No such inn-keeper or boarding house keeper shall have any lien on the effects of such immigrant for any amount claimed for such boarding or lodging for any sum exceeding five dollars.

Penalty on inn-keeper for detaining immigrant's effects after tender.

72. Every such inn-keeper or boarding house keeper who detains the effects of any immigrant by reason of any claim for board or lodging after he has been tendered the sum of five dollars or such less sum as is actually due for the board or lodging of such immigrant, shall incur a penalty not exceeding twenty-five dollars and not less than five dollars, over and above the value of the effects so detained, and he shall also be liable to restore such effects.

Search for effects.

2. In the event of such unlawful detention, the effects so detained may be searched for and recovered under search warrant as in the case of stolen goods.

RULES, FORMS AND NOTICES.

Superintendent of Immigration to prescribe forms.

73. In addition to the forms set out in the schedule to this Act the Superintendent of Immigration, under direction or with the consent of the Minister, shall prescribe, formulate and issue such rules, notices, forms of reports and manifests, and other forms as are deemed necessary from time to time in connection with regulations made under this Act or for the use and guidance of officers under this Act, or of transportation companies and agents thereof, and masters of vessels and immigrants.

UNIFORMS.

74. The Superintendent of Immigration shall, under the direction or with the consent of the Minister, prescribe and contract for suitable uniforms and insignia for the various officers on duty at ports of entry, and the same shall be supplied to such officers, and one-third of the cost thereof shall be chargeable to such officers, or in the case of officers having their uniforms made to order a proportionate sum shall be paid to them on account thereof.

Uniforms for immigration officers.

75. All officers while on duty at ports of entry, or on duty elsewhere inspecting immigrants or passengers, or acting on a Board of Inquiry, or on duty in connection with the deportation of any person under this Act, shall wear the uniform prescribed for him, unless otherwise directed by the Superintendent of Immigration.

Officers to wear uniform when on duty.

PROSECUTIONS AND PROCEDURE.

76. Any officer may institute summary proceedings before any police magistrate, recorder or justice of the peace against any transportation company or director, official or employee thereof charged with an offence against this Act, at the place where such offence was committed, or at the place where such company has an office or place of business in Canada, or where such person then is.

Prosecutions.

2. Such police magistrate, recorder or justice of the peace may, in addition to any fine or penalty imposed, award costs against any such company or person as in ordinary cases of summary proceedings, and in default of payment thereof may award imprisonment for a term not exceeding three months, to terminate on payment of the fine or penalty and costs incurred, and may, in his discretion, award any part of such fine or penalty, when recovered, to the person aggrieved by or through the act or neglect of such company or person.

Costs.

Imprisonment.

Award of penalty.

3. Subject to such award to a person aggrieved all fines and penalties recovered under this Act shall be paid to the Minister of Finance and shall form part of the Consolidated Revenue Fund of Canada.

Application of fines and penalties.

4. Every duty and every fine or penalty imposed under authority of this Act upon a transportation company, or upon any director, official or employee thereof, shall until payment thereof be a lien upon any and all property of such company in Canada, and may be enforced and collected by the seizure and sale of all or any such property under the warrant or process of the magistrate or court before whom it has been sued for, and shall be preferred to all other liens or hypothecations except wages.

Lien on property of transportation companies

5. Every duty imposed under authority of this Act upon a transportation company shall be a duty devolving upon every director,

Liability of directors and officials.

Owners of vessels.

director, official or employee thereof, and every duty imposed upon the master of a vessel shall be a duty devolving upon the owner thereof.

Imprisonment not a discharge of lien.

6. Imprisonment of a master or owner of any vessel, or of any official or employee of any transportation company, for any offence against this Act, shall not discharge the ship or other property of such company from the lien attached thereto by this Act.

Convictions not to be quashed for want of form.

77. No conviction or proceeding under this Act shall be quashed for want of form, nor, unless the penalty imposed is one hundred dollars or over, be removed by appeal or certiorari or otherwise into any superior court.

Warrants of commitment.

2. No warrant of commitment shall be held void by reason of any defect therein, if it is therein alleged that the person has been convicted, and there is a good and valid conviction to sustain such warrant.

Security in case of appeal.

3. In case of removal by appeal or certiorari or otherwise of any conviction or proceeding under this Act into any superior court, security shall be given to the extent of one hundred dollars for the costs of such removal proceedings to such superior court.

General penalty.

78. Every person who violates any provision of this Act, or of any order in council, proclamation or regulation thereunder in respect of which violation no other penalty is provided by this Act, shall incur a penalty not exceeding one hundred dollars.

APPLICATION TO CHINESE.

Application of Act to Chinese.

79. All provisions of this Act not repugnant to the provisions of *The Chinese Immigration Act* shall apply as well to persons of Chinese origin as to other persons.

EXPENSES OF ADMINISTRATION.

Payment of cost of administering Act.

80. All expenses incurred in administering this Act and carrying out the provisions thereof, and of affording help and advice to immigrants, and aiding, visiting and relieving destitute immigrants, procuring medical assistance and otherwise attending to the objects of immigration, shall be paid out of any moneys granted by Parliament for any such purpose and under such regulations or under such orders in council, if any, as are made for the distribution and application of such moneys.

GENERAL REGULATIONS.

Power to make further regulations.

81. The Governor in Council may, on the recommendation of the Minister, make such orders and regulations, not inconsistent

sistent with this Act, as are considered necessary or expedient for enforcing the provisions of this Act according to the true intent and meaning thereof.

REPEAL.

82. The following Acts are repealed: Chapter 93 of the Revised Statutes, 1906; chapter 19 of the statutes of 1907; and chapter 33 of the statutes of 1908. ^{Acts repealed.}

SCHEDULE.

FORM A.

PERMIT TO ENTER CANADA.

Canada.

The Immigration Act, section 4.

To all Immigration Officers:

This is to certify that.....
(name in full)

of.....
(last place of residence)

.....
(occupation or other description)

is hereby permitted to enter and remain in Canada for a period of.....from the date hereof free from examination or other restrictions under The Immigration Act.

Dated at Ottawa this.....day of.....19.....

.....
Minister of the Interior.

{ Seal of the
Department of
the Interior. }

FORM AA.

CANCELLATION (OR EXTENSION) OF PERMIT.

Canada.

The Immigration Act, section 4.

To all Immigration Officers:

This is to certify, that the Permit to Enter Canada issued to.....of.....
(name in full) (last place of residence)

on the.....day of.....19....is hereby cancelled
(or is hereby extended for a further period of.....from
the date hereof.)

.....
Minister of the Interior.

{ Seal of the
Department of
the Interior. }

FORM B.

ORDER FOR DEPORTATION.

Canada.

The Immigration Act, section 33.

To.....
(*transportation company*)
and to.....
(*person rejected*)
Port of Entry.....
Province of.....

This is to certify that
(*name in full*)

of.....
(*last place of residence*)

a person seeking to enter Canada at this port, ex.....
(*ship or train*)

from.....which arrived at this port on....
.....at.....o'clock has this day been examined by the
Board of Inquiry (*or officer in charge*) at this port, and has been
rejected for the following reasons:

.....
.....
.....
(*here state reasons in full*)

And the said..... is hereby ordered to be deported
to the place from whence he came to Canada. Such convey-
ance shall be by the first available ship or train of the trans-
portation company which brought the said..... to Canada.

Dated at.....this.....day of
.....19.....

.....
Chairman of the Board of Inquiry (*or*
Immigration Officer in Charge).

NOTICE TO PERSON ORDERED TO BE DEPORTED.

If you claim to be a Canadian citizen or to have acquired Canadian domicile, you have the right to consult counsel and appeal to the courts against deportation.

In all other cases you may appeal to the Minister of the Interior against any decision of the Board of Inquiry or officer in charge whereby you are ordered to be deported unless such decision is based upon a certificate of the examining medical officer that you are affected with a loathsome disease or a disease which may become dangerous to the public health. The formal notice of appeal will be supplied to you by the immigration officer in charge upon request and upon deposit of the sum of twenty dollars for the cost of your maintenance, and the sum of ten dollars for the maintenance of each person dependent upon you, until the Minister has decided upon your case.

FORM C.

NOTICE OF APPEAL.

Canada.

The Immigration Act, section 19.

To the Minister of the Interior,
Ottawa, Canada.

I,.....of.....
(name in full) (last place of residence)
hereby appeal from the decision of the Board of Inquiry (or officer in charge) at this port whereby my application to land in Canada has been rejected, and I have been ordered to be deported to.....

.....
And I deposit herewith the sum of twenty dollars for cost of my maintenance, and ten dollars for the maintenance of each person dependent upon me pending your decision.

Dated at.....the.....day
of.....19....

.....
Appellant.

FORM D.

ORDER TO LEAVE CANADA.

Canada.

The Immigration Act, section 42.

To.....of.....

Whereas it has been shown by evidence satisfactory to His Excellency the Governor in Council that you advocated in Canada the overthrow of the Government of Canada by force or violence (or as the case may be).

You are hereby ordered under and by virtue of the authority conferred upon His Excellency by section 42 of the Immigration Act within days after the service of this order upon you, or after its being left for you at your last known address or place of abode, to leave and depart from Canada, and not to return.

Dated at Ottawa this.....day of.....19..

..... Clerk of the Council.

{ Seal of the }
{ Privy Council. }

FORM E.

ORDER OF THE MINISTER OF JUSTICE.

Canada.

The Immigration Act, section 43.

To.....
(Governor or Warden of jail, prison, reformatory or penitentiary)—

Whereas.....of.....
has within three years of landing in Canada become an inmate of....., having been convicted of the crime of.....

And whereas, under the provisions of The Immigration Act, I have been requested by the Minister of the Interior to issue an order to you, the said.....

(warden or governor, as the case may be)
to detain the said.....after
expiry

expiry of his sentence, or term of imprisonment, and to deliver him to the officer named in the warrant of the Superintendent of Immigration with a view to the deportation of the said.....

Now know you that I, the Minister of Justice of Canada, do hereby, under the provisions of the said Act, order you, the said, to detain and deliver the said.....

(warden or governor)

to.....the officer authorized by warrant of the Superintendent of Immigration, to receive the said..... from you with a view to his deportation under the provisions of the said Act.

For which this shall be your sufficient warrant.

Dated at Ottawa thisday of19...

{ Seal of the Department of Justice. }

..... Minister of Justice.

FORM EE.

WARRANT OF THE SUPERINTENDENT OF IMMIGRATION.

Canada.

The Immigration Act, section 43.

By the Superintendent of Immigration:

To.....of.....

Whereas.....of.....

has within three years of his landing in Canada become an inmate of.....

(jail, prison, reformatory or penitentiary)

And whereas, under the provisions of The Immigration Act, the Minister of the Interior has ordered the deportation of the said..... and has applied to the Minister of Justice for an order addressed to the.....

(governor or warden)

of the said.....

(jail, prison, reformatory or penitentiary)

commanding him to detain and deliver the said..... into your custody after expiry of his sentence or term of imprisonment in the said.....

(jail, prison, reformatory or penitentiary)

with a view to his deportation under the provisions of the said Act.

Now know you that I,....., Superintendent of Immigration, do hereby order you to receive

the said and him safely to keep and to con-
 (name of prisoner)
 vey through any part of Canada, and him to deliver to the trans-
 portation company which brought him to Canada, with a view to
 his deportation to the port from which he came to Canada.
 For which this shall be your sufficient warrant.

Dated at Ottawa thisday of
19...

.....
 Superintendent of Immigration.

{ Seal of the
 Department of
 the Interior. }

FORM F.

BOND TO APPEAR FOR EXAMINATION.

Canada.

The Immigration Act, section 33.

CANADA: { In the matter of The Immigration Act
 Province of..... { and of A. B.

Be it remembered that on theday of.....,
 in the year nineteen hundred and....., A. B., formerly of
 [state place of domicile before coming to Canada], [occupation], a
 person seeking to enter or remain in Canada; and L. M. of
 [name of place], in the said province [occupation], and N. O. of
 the same place [occupation], personally came before me and
 acknowledged themselves to owe to our Sovereign Lord the
 King, his heirs and successors, the several sums following,
 that is to say:

The said A. B. the sum of.....dollars,
 and the said L. M. and N. O. the sum of.....dollars
 each, of good and lawful current money of Canada, to be made
 and levied of their several goods and chattels, lands and tene-
 ments respectively, to the use of our said Sovereign Lord the
 King, his heirs and successors, if he, the said A. B. fails in the
 condition hereunder written.

Taken and acknowledged the day and year first above men-
 tioned at.....in the province aforesaid
 before me.....[Justice of Peace, or, Notary
 Public].

The condition of the above written obligation is such, that
 whereas the said A. B. is held in custody under authority of

The Immigration Act for examination touching the right of the said A. B. to enter or remain in Canada; if, therefore, the said A. B. appears before the Board of Inquiry or officer acting as such at the Immigrant Station at.....on the.....day of.....next at the hour of.....in the.....noon, and there surrenders himself into custody of an Immigration Officer and submits to examination under the said Act, and does not attempt to escape from such custody, then this obligation shall be void, otherwise to stand in full force and effect.

OTTAWA : Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.