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6 EDWARD VII.

CHAP. 19.

An Act respecting Immigration and Immigrants.

[Assented to 13th July, 1906.]

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, unless the context otherwise requires,—

(a.) The expression "immigrant" means and includes any steerage passenger or any "work-a-way" on any vessel whether or not entered as a member of the crew after the vessel has sailed from its first or last port of departure, any saloon, second class passenger or person who having been a member of the crew has ceased to be such who upon inspection is found to come within any class liable to exclusion from Canada, and any person arriving in Canada by railway train or other mode of travel; but it does not include any person who has previously resided in Canada or who is a tourist merely passing through Canada to another country;

Interpreta-
tion.
"Immig-
grant."

(b.) The expression "immigration agent" includes the superintendent of immigration, commissioners of immigration and any sub-agents within or outside of Canada;

"Immigra-
tion agent."

(c.) The expression "land" or "landing," as applied to passengers or immigrants, means their admission (after having complied with the requirements of *The Immigration Act*), into Canada, otherwise than for inspection or treatment, or other temporary purpose provided for by this Act, or by any order in council, or proclamation, or regulation made thereunder;

"Land,"
"landing."

(d.) The expression "master" means any person in command of a vessel;

"Master."

(e.) The expression "medical officer" includes "medical superintendent," "medical inspector" and "inspecting physician;"

"Medical
officer."

- “Minister.” (f.) The expression “Minister” means the Minister of the Interior;
- “Owner.” (g.) The expression “owner,” as applied to a ship or vessel, includes the charterer of such ship or vessel and the agent of the owner thereof;
- “Passenger.” (h.) The expression “passenger” includes any person carried upon a railway train or other vehicle or in a vessel, other than the master and crew, as well as all immigrants coming into Canada, but not troops or military pensioners and their families, who are carried in transports or at the expense of the Government of the United Kingdom, or of any colony thereof: Provided that any person who is unlawfully on board the vessel shall not be held to be a passenger;
- “Port of entry.” (i.) The expression “port of entry” means any port, railway station, or place at which immigrants enter Canada, or at which there is an immigration agent, or where the medical inspection of immigrants is carried on;
- “Ship,” “vessel.” (j.) The expression “ship” or “vessel” includes all ships, vessels, boats, or craft of any kind carrying passengers.

Who shall be deemed immigration agent.

3. Every person recognized by the Minister as an immigration agent shall, with reference to any act done or to be done under this Act, and without formal appointment, be deemed to be an immigration agent for the purposes of this Act.

IMMIGRATION OFFICES.

Where immigration offices shall be maintained.

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

APPOINTMENT, POWERS AND DUTIES OF OFFICERS.

Immigration officers who may be appointed.

5. The Governor in Council may appoint a superintendent of immigration, commissioners of immigration, immigration agents, medical officers, and such other officers as the Governor in Council determines.

Subordinate officers appointed by Minister.

6. Subject to any regulations in that behalf, the Minister may appoint or employ, either permanently or temporarily, any necessary subordinate officers not provided for in the next preceding section or in any order in council made thereunder, including police guards, inspectors, matrons and nurses to assist immigration agents and medical officers in carrying out the provisions of this Act, and of any orders in council, proclamations or regulations made thereunder, and may confer upon them, and charge them with, such power and duties as he considers necessary or expedient.

Appointment of subordinate officers

7. Subject to the provisions of the regulations in that behalf, immigration agents and medical officers may, in emergency, employ

employ such temporary assistance as may be required, but no such employment shall continue for a period of more than forty-eight hours without the sanction of the Minister. in cases of emergency.

8. When, at any port of entry, there is no immigration agent, the chief customs officer at that port shall be, *ex officio*, immigration agent. Immigration agents ex. officio

9. Every officer appointed under this Act shall perform any and 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 the 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. Duties of officers.

REGULATIONS.

10. The Governor in Council may, on the recommendation of the Minister, make such orders and regulations, not inconsistent with this Act, as are considered necessary or expedient for the carrying out of this Act according to its true intent and meaning and for the better attainment of its objects. Regulations may be made by Governor in Council.

IMMIGRANTS—PROPORTION OF PASSENGERS TO SIZE OF VESSEL.

11. No vessel from any port or place outside of Canada shall come within the limits of Canada having on board, or having had at any time during her voyage,— Proportion of passengers—

(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— To area of decks.

(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. To tonnage.

2. For the purposes of this section, each person of or above 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. “Adult” defined.

IMMIGRANTS—OBLIGATIONS OF MASTERS OF VESSELS BRINGING THEM.

12. The master of any vessel arriving at any port of entry in Canada shall deliver a certified and correct report, in the form prescribed Reports of passengers to be delivered to agent.

Passengers
not to leave
vessel before
permission
obtained.

prescribed by the regulations in that behalf, to the immigration agent at the port. The master of any vessel shall not permit any passenger to leave the vessel until written permission from the immigration agent to allow his passengers to land has been given to such master.

Penalty for
carrying
passengers
not entered
on list.

13. 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 deliver reports of such additional passengers to the immigration agent at the port of entry shall pay to such immigration agent for every passenger so embarked and not included in the list of passengers delivered to such proper officer at the port of departure, or to the proper officer at the port at which such passenger was embarked, or to the proper office at the port at which such vessel first touched after the embarkation of such passenger, the sum of twenty dollars for each passenger so embarked as aforesaid and not included in one of the said lists.

Passenger
may leave
vessel before
arrival at
port of
destination.

14. Nothing in this Act shall prevent the master of any 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 on the list 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, and shall be certified under the signature of the passenger so leaving the vessel.

Proceedings
in such case.

Particulars
to be entered
in report.

15. In addition to the particulars hereinbefore required in the report to be delivered on each voyage by the master of any vessel arriving at any port of entry in Canada to the immigration agent at such port, the master shall report in writing to such agent the name and age of all passengers embarked on board of such vessel on such voyage who are lunatic, idiotic, epileptic, deaf and dumb, or dumb, blind or infirm, or suffering from any disease or injury known to exist by the medical officer of the ship, specifying the nature of the disease and stating also whether they are accompanied by relatives able to support them or not.

Entry as to
passengers
who have
died.

16. The report shall further contain 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 were entitled to take charge of the moneys and effects left by such person and the disposition made thereof.

Disposal of
property.

2. If there were no such relatives or other persons so entitled, the report 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 and fully account, to the immigration agent at the port at which the vessel is entered, for all moneys and effects belonging to any person who has died on the voyage.

3. The immigration agent shall thereupon grant 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. Immigration agent to give receipt.

PERMISSION TO LEAVE THE VESSEL.

17. The immigration agent at a port of entry, 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 permission to the master of the vessel to allow the passengers to leave the vessel. When passengers may leave vessel.

18. The master shall furnish the immigration agent, or the medical officer, at the port of entry with 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. Master to furnish bill of health.

19. The immigration agent, whenever he deems proper, may request the medical officer before any passengers leave the vessel to go on board and inspect such vessel, and examine and take extracts from the list of passengers or manifest, and from the bill of health. Inspection of vessel by medical officer.

20. The regulations to be made by the Governor in Council may provide as a condition to permission to enter Canada that immigrants shall possess money to a prescribed minimum amount, which amount may vary according to the class and destination of such immigrant, and otherwise according to the circumstances. Immigrants must possess prescribed amount of money.

MEDICAL INSPECTION.

21. The medical inspection of passengers shall be performed at the hours named in the regulations made by the Minister: Hours of medical inspection.

22. The immigration agent shall provide suitable facilities for the examination of immigrants at each port of entry, subject to any regulations made by the Minister. Facilities for examination.

23. The medical officer shall, after inspection, stamp the ship ticket or railway ticket or passport of each passenger who has passed the medical inspection, and the immigration agent shall detain any passenger who has been inspected and not admitted, as required by this Act, or by any order in council, proclamation or regulation made thereunder. Ticket to be stamped after inspection

Immigration agent responsible for person detained.

24. The immigration agent shall be responsible for the safe-keeping of any person so detained, except while in a hospital or other place of detention under the charge of a medical officer.

Arrangements for care of detained persons.

25. The medical officer may, from time to time, with the consent and approval of the Minister, make such arrangements as he considers necessary for the care and supervision of immigrants who are detained on board a vessel where hospital facilities on shore do not exist, or, having been permitted to leave the vessel, are detained either for medical treatment or are awaiting deportation.

IMMIGRANTS PROHIBITED FROM LANDING.

Prohibited immigrants, insane and epileptic

26. No immigrant shall be permitted to land in Canada, who is feeble-minded, an idiot, or an epileptic, or who is insane, or has had an attack of insanity within five years; nor shall any immigrant be so landed who is deaf and dumb, or dumb, blind or infirm, unless he belongs to a family who accompany him or are already in Canada and who give security, satisfactory to the Minister, and in conformity with the regulations in that behalf, if any, for his permanent support if admitted into Canada.

Diseased persons.

27. No immigrant shall be permitted to land in Canada who is afflicted with a loathsome disease or with a disease which is contagious or infectious and which may become dangerous to the public health or widely disseminated, whether such immigrant intends to settle in Canada or only to pass through Canada to settle in some other country; but if such disease is one which is curable within a reasonably short time the immigrant suffering therefrom may, subject to the regulations in that behalf, if any, be permitted to remain on board where hospital facilities do not exist on shore, or to leave the vessel for medical treatment, under such regulations as may be made by the Minister.

Proviso.

Paupers and beggars.

28. No immigrant shall be permitted to land in Canada who is a pauper, or destitute, a professional beggar, or vagrant, or who is likely to become a public charge; and any person landed in Canada who, within two years thereafter, has become a charge upon the public funds, whether municipal, provincial, or federal, or an inmate of or a charge upon any charitable institution, may be deported and returned to the port or place whence such immigrant came or sailed for Canada.

Criminals and prostitutes.

29. No immigrant shall be permitted to land in Canada who has been convicted of a crime involving moral turpitude, or who is a prostitute, or who procures, or brings or attempts to bring into Canada prostitutes or women for purposes of prostitution.

30. The Governor in Council may, by proclamation or order, whenever he considers it necessary or expedient, prohibit the landing in Canada of any specified class of immigrants, of which due notice shall be given to the transportation companies.

Absolute prohibition of any class of immigrants.

31. Acting under the authority of the Minister, the immigration agent, the medical officer, and any other officer or officers named by the Minister for such purpose, may act as a board of inquiry at any port of entry to consider and decide upon the case of any immigrant seeking admission into Canada. The decision of such board touching the right of any such immigrant to land in Canada shall be subject to appeal to the Minister.

Boards of inquiry on immigrants seeking admission to Canada
Appeal to Minister.

2. The Governor in Council may make regulations governing the procedure in connection with inquiries by such boards of inquiry and appeals from their decisions.

Procedure.

32. All railway or transportation companies or other persons bringing immigrants from any country into Canada shall, on the demand of the superintendent of immigration, deport to the country whence he was brought, any immigrant prohibited by this Act or any order in council or regulation made thereunder, from being landed in Canada who was brought by such railway, transportation company or other person into Canada within a period of two years prior to the date of such demand.

Deportation of prohibited immigrants.

33. Whenever in Canada an immigrant has within two years of his landing in Canada committed a crime involving moral turpitude, or become an inmate of a jail or hospital or other charitable institution, it shall be the duty of the clerk or secretary of the municipality to forthwith notify the Minister thereof, giving full particulars. On receipt of such information the Minister may, on investigating the facts, order the deportation of such immigrant at the cost and charges of such immigrant if he is able to pay, and if not then at the cost of the municipality wherein he has last been regularly resident, if so ordered by the Minister, and if he is a vagrant or tramp, or there is no such municipality, then at the cost of the Department of the Interior. Every such immigrant shall be carried by the same transportation company or companies which brought him into Canada to the port from which he came to Canada without receiving the usual payment for such carriage. In case he was brought into Canada by a railway company such company shall similarly convey him or secure his conveyance from the municipality or locality whence he is to be deported to the country whence he was brought.

Deportation of immigrants within two years of arrival in certain cases.

PROTECTION OF IMMIGRANTS.

34. 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

Passengers may remain on board 24 hours after arrival.

immigrant are not immediately available, shall be entitled to remain and keep his luggage on board the vessel twenty-four hours after such arrival, and the master of such vessel shall not, before the expiry of such twenty-four hours, remove any berths or accommodation used by such immigrants.

Passengers
and luggage
to be landed
free.

35. The master of any vessel having immigrants on board, shall land his passengers and their luggage free of expense to the said passengers at any of the usual public landing places at the port of arrival, according to orders which he receives from the immigration agent at the said port, and at reasonable hours as fixed by the immigration agent in accordance with the regulations in that behalf.

Landing
place.

36. The Minister or the superintendent of immigration may, from time to time, by instructions to the immigration agent at any port of entry appoint the place at which all passengers arriving at such port shall be landed.

Shelter and
accommoda-
tion to be
provided.

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

Immigrants
not to be
solicited
except by
licensed
persons.

38. 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 lodging-house keeper or tavern keeper or any other person, for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada, or in the United States, or in other territories outside of Canada, 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.

Runners not
to board
vessels before
passengers
are landed.

39. No person, whether a licensed immigrant runner, or agent or person acting on behalf of any steamboat company, railway company, forwarding company, or hotel or boarding-house keeper or his agent, shall go on board any vessel bringing immigrants into Canada after such vessel has arrived in Canadian waters, or into an immigration building or on to any wharf where immigrants are landed, or shall book or solicit any immigrant by such vessel, before the immigrants are landed from such vessel, unless he is authorized so to do by the superintendent of immigration or immigration agent at the port of entry where such vessel is to land its passengers.

40. Every keeper of a tavern, hotel or boarding house 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 from 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 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. No such boarding-house keeper, hotel keeper or tavern keeper shall have any lien on the effects of such immigrant for any amount claimed for such board or lodging for any sum exceeding five dollars.

Lists of hotel and boarding-house prices to be displayed.

Lien on immigrants' goods limited.

41. If complaint be made to the Minister or the superintendent of immigration against any railway company or other incorporated company of any offence or violation of this Act, or of any law of the United Kingdom or of any other country, 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 Act respecting inquiries concerning public matters.

Inquiry in case of complaint against any company as to violation of Act.

2. If upon such inquiry, it appears to the satisfaction of the Minister that the company has been guilty of such violation, the Minister may require the company 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 proceedings to be instituted against the company as the case requires.

Penalty.

42. If both the immigrant parents, or the last surviving immigrant parent of any child or children brought with them in any vessel bound for Canada, die on the voyage, or at any quarantine station or elsewhere in Canada while still under the care of an immigration 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 or parent to be disposed of for the benefit of such child or children 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 or children.

Property of immigrant parents dying.

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

Intercourse between crew and female immigrants prohibited.

Notice of
foregoing
provision to
be posted up.

44. The master of every vessel bringing immigrant passengers to Canada shall, at all times while the vessel is in Canadian waters, keep posted 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 immigrant passengers, and the penalties for the contravention thereof, in a conspicuous place on the fore-castle and in the several parts of the said vessel assigned to immigrant passengers, and keep the same so posted during the remainder of the voyage.

Inspection of
vessel for
evidence of
contraven-
tion.

2. The immigration agent at the port of entry shall inspect every such vessel upon arrival for evidence of compliance with this section, and shall institute proceedings for any penalty incurred thereunder.

PENALTIES.

Penalty
for vessels
carrying
passengers
above
number
authorized.

45. 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—

(a.) a 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 incur a penalty not exceeding twenty dollars and not less than eight dollars for each passenger or person constituting such excess.

For masters
not making
report.

46. If the master of any vessel does not, forthwith after such vessel arrives at any port of entry in Canada, and before any entry of such vessel is allowed, deliver to the immigration agent at the port at which such vessel is to be entered a correct report, in the form prescribed by the regulations in that behalf, of all the passengers on board such vessel at the time of her departure from the port or place whence she last cleared or sailed for Canada, and a true statement of the other particulars mentioned in the said form, he shall incur a penalty of—

(a.) twenty dollars for each day during which he neglects so to deliver such list, and

(b.) eight dollars for each passenger whose name is omitted in such report.

47. 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 agent at any such port a certified and correct report in the form prescribed by the regulations in that behalf, and has received permission from the immigration agent to allow the passengers to land, he shall incur a penalty not exceeding one hundred dollars and not less than twenty dollars for every passenger so leaving the vessel.

For masters permitting landing of passengers before report certified.

48. Every pilot who has had charge of any vessel having passengers on board, and knows that any passenger 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 agent has given permission to the passengers to leave the vessel, inform the said agent that such passenger or passengers has or have been so permitted to leave the vessel, shall incur a penalty not exceeding one hundred dollars for every passenger with regard to whom he has wilfully neglected to give such information.

For pilots neglecting to inform agent of violation of Act.

49. If the master of any vessel arriving at any port of entry in Canada omits to report in writing to the immigration agent at such port, in the report required by this Act to be delivered by him on each voyage, the name and age of each passenger embarked on board of such vessel on such voyage who is lunatic, idiotic, epileptic, deaf and dumb, or dumb, blind or infirm, or suffering from any disease or injury known to exist by the medical officer of the ship, stating also as to each passenger whether he is accompanied by relatives, able to support him or not, or makes any false report in any of such particulars he shall incur a penalty not exceeding one hundred dollars, and not less than twenty dollars for every passenger in regard to whom any such omission occurs or any such false report is made.

For master neglecting to deliver report to immigration agent.

2. The owner of the vessel shall in such case also be liable for the aforesaid penalty, and, if there be more owners than one, such owners shall be so liable jointly and severally; but in any case under this section where a conviction has been obtained against the master of the vessel, no further prosecution against the owner of the vessel shall be instituted.

Liability of owner.

50. If the master of any vessel arriving at any port in Canada refuses or neglects—

(a.) to mention in the report, in the form set forth in the schedule to this Act, the name, age and last place of residence of any person who has died during the passage of the vessel, and to specify whether such passenger was accompanied by relatives or other persons, if any, who would be entitled to take charge of the moneys and effects left by such person, and the disposal made thereof, or

Penalty for master neglecting to report as to passengers dying.

As to property left by dead passengers.

(b.) if there be no such relatives, or other persons entitled to take charge of such moneys and effects, to fully designate in the said report the quantity and description of the property, whether money or otherwise, left by such person, and to pay over and fully account therefor to the immigration agent for the port at which the vessel is entered, he shall incur a penalty not exceeding one thousand dollars and not less than twenty dollars.

For master compelling passengers to leave vessel before 24 hours from arrival.

51. If the master of any vessel arriving at any port of entry in Canada where facilities for housing or inland carriage are not immediately available, compels any immigrant to leave his vessel before the expiration of the period of twenty-four hours after the arrival of the vessel in the port or harbour to which the master or owner of such vessel engaged to convey such immigrant, he shall incur a penalty not exceeding twenty dollars for each such immigrant whom he so compels to leave the vessel.

Removing berth, etc.

2. If such master, before the expiration of the said period, removes any berth or accommodation used by any passenger, except with the written permission of the immigration agent at the port of entry, he shall for each such removal incur a like penalty of twenty dollars.

For master refusing to land passengers free.

52. If the master of any vessel arriving at any port of entry fails or refuses to land the passengers and their luggage, free of expense to the passengers, at one of the usual public landing places at such port of arrival, and according to the orders which he received from the immigration agent at such port, and at reasonable hours as fixed by such agent in accordance with the regulations in that behalf, if any, he shall incur a penalty of forty dollars for each offence.

For master refusing or neglecting to properly land passengers.

53. If the master of any vessel arriving at any port of entry in Canada and having on board such vessel any passengers to whom this Act applies refuses or neglects to land such passengers and their luggage, free of expense, and by steam tug or other proper tender, if necessary, at the place appointed under section 36 of this Act, and at reasonable hours, fixed as aforesaid, he shall incur a penalty of twenty dollars for each such passenger.

IMMIGRANT RUNNERS, ETC.

For soliciting, etc., immigrants by other than licensed persons.

54. Every person who, at any port or place within Canada, for hire, reward or gain, or the expectation thereof,—

(a.) conducts, solicits, or recommends, either orally or by handbill or placard, or in any other manner, any immigrant to or on behalf of,—

- (i.) any owner of a vessel, or
- (ii.) any railway company, or
- (iii.) any lodging-house keeper or tavern keeper, or
- (iv.) any other person,

for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada or in the United States or to other territories outside of Canada, or

(b.) gives or pretends to give to such immigrant any information, printed or otherwise, or assists him to his said place of destination, or in any way exercises the vocation of booking passengers or of taking money for their inland fare, or for the transportation of their luggage, shall, unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity, incur a penalty of not more than fifty dollars for each offence.

55. Every licensed immigrant runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or any hotel or boarding-house keeper, or his agent, who goes on board any vessel bringing immigrants into Canada, or books or solicits any immigrant by such vessel, before the immigrants are landed therefrom, unless he is authorized by the immigration agent at the port of entry where such vessel is to land its passengers so to do, shall incur a penalty of twenty-five dollars for each offence.

For runners boarding vessels before passengers landed without permit of agent.

56. Every person licensed under this Act as an immigrant-runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or hotel or boarding-house keeper, 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 undertaking such conveyance, and every person who purchases any such ticket from an immigrant for less than its value, or gives in exchange for it one of less value, shall incur a penalty of twenty dollars for each such offence, and the license of such person shall be forfeited.

For selling tickets to immigrants at higher rate than purchasable from company undertaking conveyance.

57. Every keeper of a tavern, hotel or boarding-house in any city, town, village or other place in Canada, designated by order in council, who—

For hotel-keepers neglecting to post up list of prices;

(a.) neglects or refuses to post a list of prices and to keep business cards on which is printed a list of the prices which will be charged to immigrants per day or week for board or lodging, or both, and the prices for separate meals, and also the name of the keeper of such house, together with the name of the street in which the house is situated and its number in such street, or—

(b.) charges or receives, or permits or suffers to be charged or received for boarding or lodging, or for meals in his house, any sum in excess of the prices so posted and printed on such business cards, or—

or charging and receiving sums higher than fixed prices; or omitting to deliver price cards.

(c.) omits immediately on any immigrant entering such house as a boarder or lodger or for the purpose of taking any meal therein.

therein, to deliver to such immigrant one of such printed business cards, shall incur a penalty not exceeding twenty dollars and not less than five dollars.

For detaining effects after tender of \$5.

58. Every such boarding-house keeper, hotel keeper or tavern 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.

Recovery of goods detained.

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

For intercourse between crew and female immigrants.

59. Every officer, seaman or other person employed on board of any 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 immigrant passengers, not being cabin passengers, shall incur a penalty equal in amount to his wages for the voyage during which the said offence was committed.

For permitting employees on vessel to visit portion assigned to immigrants

60. Every master of any vessel who, while such vessel is in Canadian waters, directs or permits any officer or seaman or other person employed on board of such vessel to visit or frequent any part of such vessel assigned to immigrants, except for the purpose of doing or performing some necessary act or duty as an officer, seaman or person employed on board of such vessel, shall incur a penalty of twenty-five dollars for each occasion on which he so directs or permits the provisions of this section to be violated by any officer, seaman or other person employed on board of such vessel: This section shall not apply to cabin passengers, or to any part of the vessel assigned to their use.

For neglecting to post up notice of provisions concerning immigrants.

61. Every master of a vessel bringing immigrants to Canada 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 liable to a penalty not exceeding one hundred dollars for each such offence.

For violation of laws in foreign port and breach of contract with passengers by master.

62. 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 of the laws 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 owner of such vessel, such master or such one of the crew shall, for every such violation or breach of contract, be liable to a penalty not exceeding one hundred dollars and not less than twenty dollars, independently of any remedy which such immigrants complaining may otherwise have.

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

For contraventions not otherwise provided for.

RECOVERY OF PENALTIES.

64. Every duty or penalty imposed under the authority of this Act upon the owner, charterer or master of any vessel shall, until payment thereof, be a lien upon any vessel of the company or owner or charterer in respect whereof it has become payable, and may be enforced and collected by the seizure and sale of the vessel, her tackle, apparel and furniture, 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 mariners' wages.

Duties and penalties not to be lien on vessel.

2. Every penalty imposed under the authority of this Act upon a railway company shall, until payment thereof, be a lien or charge upon the railway property, assets, rents and revenues of such company.

Penalty imposed on railway company to be lien on railway.

PROCEDURE.

65. Every prosecution for a penalty under this Act may be instituted at the place where the offender then is, before any justice of the peace having jurisdiction in such place, and may be recovered, upon summary conviction, at the suit of any immigration agent, and the penalties recovered shall be paid into the hands of the Minister of Finance and Receiver General and shall form part of the Consolidated Revenue Fund of Canada. The justice of the peace may award costs against the offender as in ordinary cases of summary proceedings, and may, in the case of an owner, charterer or master of a vessel, also award imprisonment for a term not exceeding three months, to terminate on payment of the penalty incurred, and may, in his discretion, award any part of the penalty, when recovered, to the person aggrieved by or through the act or neglect of such offender.

Where prosecution may be brought.

Costs.

66. If it appears to the justice, by the admission of such person or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid he may, if he thinks fit, refrain from issuing a warrant of distress in the case, or, if such

Proceedings when there is no sufficient distress.

warrant has been issued, and upon the return thereof such insufficiency as aforesaid is made to appear to the justice, then such justice shall, by warrant, cause the person ordered to pay such money and costs as aforesaid to be committed to gaol, there to remain without bail for any term not exceeding three months unless such moneys and costs ordered to be paid, and such costs of distress and sale as aforesaid, are sooner paid and satisfied; but such imprisonment of a master of any vessel shall not discharge the vessel from the lien or liability attached thereto by the provisions of this Act.

Conviction or proceeding not to be quashed for want of form.

67. 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.

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

Security in case of appeal, etc.

3. In the 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.

Payment of expenses under Act.

68. All expenses incurred in carrying out the provisions of this Act 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.

Penalty for master permitting prohibited immigrant to land, and refusing to take on board when required.

69. Every owner or master of a vessel who lands or permits to land therefrom in Canada any immigrant or other passenger, the landing of whom is prohibited by this Act, or by any order in council, proclamation or regulation made thereunder, whether such immigrant or passenger intends to settle in Canada or only intends to pass through Canada to settle in some other country, or who refuses or neglects, when thereunto lawfully required, to take on board his vessel any immigrant or passenger who has been so landed, shall incur a penalty not exceeding one thousand dollars and not less than one hundred dollars, in the case of each such offence.

Apprehension of prohibited persons who shall be returned to vessel or country whence they came.

70. Any person landed in Canada from a vessel, or brought into Canada by a railway company, in contravention of this Act, or of any order in council or proclamation lawfully issued thereunder, or any person landed for medical treatment who remains in Canada in contravention of such order or proclama-

tion, may be apprehended, without a warrant, by any immigration agent or other Government officer, and may, by force if necessary, be compelled to return to or be taken on board the vessel, and, in the case of a railway company, be returned to the country whence he came; and every owner or master of a vessel and every railway company or other person who violates the provisions of this section, or who aids or abets any immigrant or passenger in acting in contravention of such order or proclamation, or who refuses or neglects to take any such immigrant or passenger on board such vessel or the cars of such railway company, shall incur a penalty not exceeding one thousand dollars and not less than one hundred dollars in the case of each such offence.

2. Every railway company which wilfully receives or transports any such immigrant or other passenger, or which refuses or neglects, when thereunto lawfully required, to take on board its cars any such immigrant or passenger, shall be liable to a penalty not exceeding one thousand dollars and not less than one hundred dollars in the case of each such offence.

Penalty for
contraven-
tion by
railway
companies.

71. Any person found in Canada who has come into Canada within a period of two years from any other country by any means or mode of conveyance and who would be liable to exclusion or deportation under any of the provisions of this Act relating to immigrants or passengers arriving by ship or railway train may be apprehended and compelled to return to the country whence he came.

Apprehension
and
deportation
of
immigrants
liable to
exclusion.

72. In any case where deportation of the father or head of a family is ordered, all dependent members of the family may be deported at the same time.

Deportation
of head of
family entails
deportation
of family.

73. The following Acts are repealed: chapter 65 of the Revised Statutes, the Immigration Act: chapter 34 of the statutes of 1887; and chapter 14 of the statutes of 1902.

Acts
repealed.

SCHEDULE.

NAMES AND DESCRIPTION OF PASSENGERS.

No. of Passengers.	Number of Ocean SS. Ticket.	Amount of Cash. (To be filled in by Immigration Agent at port of landing.)	Name of Passenger.	AGE OF ADULTS.		CHILDREN UNDER 14 YEARS OF AGE.		ABLE TO		Married or Single.	Profession, occupation or calling of Passengers.	Nation or Country of Birth.	Births at Sea.	Deaths at Sea.	Place of ultimate destination of Passengers excepting "Tourists and returned Canadians" who are to be so described.
				Male.	Female.	Male.	Female.	Read.	Write.						

PARTICULARS RELATIVE TO THE VESSEL.

Port of Embarkation.	Vessel's name.	Master's name.	Tonnage.	From what port or place.	Total number of superficial feet in the several compartments set apart for Passengers other than Cabin Passengers.	Total number of Adult Passengers exclusive of Master, Crew, and Cabin Passengers, which the vessel may legally carry.	Where bound.
Date of Sailing.							

SUMMARY.

	Number of Souls.	Number of Adults to which they are equal under the Immigration Act.
Adults		
Children under 14 years of age.....		
Total.....		

I hereby certify that the above is a correct description of the [description of the vessel as ship, brig, etc.] [name of vessel] and a correct list of all the passengers on board the same, at the time of her departure from [place whence she came] and that all particulars therein mentioned are true.

Date,

19 .

[Signature of Master.]