

## Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires:

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /  
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x			14x			18x			22x			26x			30x																				
12x						16x						20x						24x						28x						32x					

No. 133.

---

1st Session, 6th Parliament, 20 Victoria, 1858.

---

**B I L L .**

An Act to amend the Law relating to  
Emigrants.

---

Received and read 1st time, Tuesday, 4th  
May, 1858.

Second reading, Friday, 7th May, 1858.

---

Hon. Mr. ALLEYN.

---

S. Derbshire & G. Desbarats, Queen's Printer.

## An Act to amend the law relating to Emigrants.

**W**HEREAS it is expedient to amend the law relating to Emigrants: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows : Preamble.

5 I. So much of the Act passed in the sixteenth year of Her Majesty's reign, intituled, *An Act to amend and consolidate the laws relative to Emigrants and Quarantine*, as provides for a less rate or duty for Passengers or Emigrants between the ages of one and fourteen years than for adult Passengers or  
 10 Emigrants shall be, and the same is hereby, repealed; and from henceforth a uniform rate or duty of *five shillings* currency shall be raised, levied, collected and paid, as provided for by the said Act, for every Passenger or Emigrant over the age of one year who shall have embarked with sanction, as  
 15 therein mentioned; and all the provisions of the said section, and of the said Act, in any way relating to the rate or duty of five shillings currency for every adult Passenger or Emigrant, and three shillings and nine pence for every Passenger or Emigrant between the ages of one and fourteen years, who shall  
 20 have embarked with such sanction, shall hereafter apply to the said uniform rate or duty of five shillings currency, for every Passenger or Emigrant over the age of one year who shall have embarked with such sanction.

Act 16 Vict. c. 86, amended, and uniform duty of 5s. imposed on certain Emigrants.

25 II. And for the purpose of securing to Foreign Emigrants coming to this Province the observance towards them during the voyage of the laws of the Country from which they are conveyed hither, if during the voyage of any Ship carrying Passengers or Emigrants from any Port not within the United Kingdom to either of the Ports of Quebec or Montreal, the  
 30 Master or any of the crew of such Ship shall be guilty of any infraction of the laws in force in the Country in which such Port is situated regarding the duties of such Master or crew towards the Passengers in such Ship, or if any Master of any such ship shall during such voyage commit any breach what-  
 35 ever of the contract for the passage which may have been made with any Passenger or Emigrant by such Master, or by the Owner or Charterer of such ship, or any person acting on his behalf, such Master or such one of the crew shall for any such offence be liable to a penalty of not less than *twenty*  
 40 dollars, nor more than *one hundred* dollars, independently of any remedy which the party complaining may otherwise have by law.

Penalty on Master or Seaman of vessel for non-observance towards Emigrants of laws of his Country or contract for his passage.

**Proof of law of Foreign Country, how to be made**      **III. Proof under this Act of the law of a Foreign Country** may be made by the testimony of any Consul for the Country from which the ship may have sailed; and the proof of the contract for his passage made by any such Emigrant in any such ship, sailing from any European Port not within the United Kingdom, may be made in all cases by the evidence of the parties to such contract. 5

**Bond required by sec. 12 of 16 V. c. 86, may be dispensed with in certain cases.**      **IV.** It shall be lawful for the Collector of Customs at the Port of Quebec, or at the Port of Montreal, as the case may be, to dispense with the Bond, or money in lieu thereof, by the twelfth section of the said Act required, if it shall appear by the certificate of the Medical Superintendent at the Quarantine establishment (which certificate the said Medical Superintendent is hereby authorized to give) that the passenger with respect to whom such bond or money is required has become lunatic, idiotic, deaf and dumb, blind or infirm, from some cause not existing or discernible at the time of the departure of the ship from the port where such Passenger embarked. 15

**Provision for reconveyance to place of embarkation of certain Emigrant passengers likely to become chargeable, after bond given, &c., under 12th sec. of 16 Vict. c. 86.**      **V.** It shall be lawful for the Chief Agent for Emigration at Quebec (with the sanction of the Governor in Council,) to make arrangements with the Master, Owner or Charterer of the vessel carrying the lunatic, idiotic, deaf and dumb, blind or infirm person with respect to whom, in accordance with the provisions of the said Act, a Bond has been given, or money paid in lieu thereof, or with the Master, Owner or Charterer of any other vessel, for the reconveyance of such person to the port from which he was carried to this Province; and money paid in lieu of or on breach of the condition of a Bond in any such case, or so much thereof as shall be necessary, may be applied to pay for the reconveyance as aforesaid of the person with respect to whom it has been paid, and when such person shall have been so reconveyed, the Bond so given may be cancelled, or the money paid in lieu thereof (deducting the passage money if any) may be returned, on the receipt by the said Chief Agent for Emigration at Quebec, of a certificate of the safe arrival of the lunatic, idiotic, deaf and dumb, blind or infirm person at the port from which he was brought as aforesaid, under the hand of the Chief Emigration Officer or British Consul there, or on proof satisfactory to such Chief Agent for Emigration of his having died during the voyage without any fault attaching to the Owner, Master or any of the Crew of such vessel. 20 25 30 35 40

**No person to act as agent for any Steamboat or Railway Company or Tavern keeper in booking Emigrant passengers,**      **VI.** No person shall, within the Ports of Quebec or Montreal, or within five miles from the outer boundaries thereof, for hire, reward, or gain, or the expectation thereof, conduct, solicit, influence or recommend any Emigrant to or on behalf of any Steamboat Owner or Charterer, or to or on behalf of any Railway Company, or to or on behalf of any Lodging-House or Tavern-Keeper for any purpose connected with the preparations. 45

or arrangements of such Emigrant for his passage to his final place of destination in this Province, or in the United States of America, or the Territories thereof, or give or pretend to give to such Emigrant any information or assistance in any way relating to such passage to his said place of destination, or in any way exercise the vocation of booking passengers or taking money for their inland fare or for the transportation of their luggage, unless such person shall have first obtained a license from the Mayor of the City or Municipality in this Province, within which such person may reside, authorizing him to act in such capacity, and which license such Mayor is hereby authorized to grant on such person producing a recommendation from Her Majesty's Chief Agent for Emigration, or from the Government Emigration Agent at the place where the license may be granted, to the effect that he is a proper person to receive such license, and giving a satisfactory bond to such Mayor, with two sufficient sureties, in the penal sum of three hundred dollars, as security for his good behaviour; which said license shall not be for any period longer than one year from its date; and such person shall pay for such license to the Corporation of such City or Municipality such sum, not exceeding *one hundred dollars*, as the Mayor and Council shall determine.

VII. Every keeper of a Tavern, Hotel or Boarding-House in a City, or in any Town, Village or place to which the Governor in Council shall by Proclamation published in the *Official Gazette*, declare that this section shall extend, who shall receive into his house, as a Boarder or Lodger, any Emigrant within three months from his arrival in this Province, shall cause to be kept conspicuously posted in the public rooms and passages of his house and printed upon business cards, a list of the rates of prices which will be charged Emigrants per day and week for board or lodging, or both, and also the rates for separate meals, which card shall contain the name of the keeper of such house, together with the name of the Street in which it is situated and its number in such Street; And every keeper of any such Tavern, Hotel or Boarding-House, who shall neglect or refuse to post a list of rates, or to keep business cards, or who shall charge or receive or permit or suffer to be charged or received for boarding or lodging, or for meals in his house, any sum in excess of the rates of prices so posted and printed on such business cards, or shall omit immediately on any Emigrant entering such house as a boarder or lodger for the purpose of taking any meal therein, to deliver to such Emigrant one of such printed business cards, shall, upon conviction of any of the said offences, be deprived of his license, and incur a penalty of not less than *five* dollars, nor more than *twenty* dollars: Provided always, that no such Boarding-House Keeper, Hotel Keeper, or Tavern Keeper shall have any lien on the effects of such Emigrant for any amount claimed for such board or lodging, for any sum exceeding five dollars; and any such

without a  
license.

Keepers of  
Taverns,  
hotels &c.,  
receiving  
emigrants, to  
post therein,  
printed on  
cards, lists of  
rates of  
charges.

person who shall detain the effects of any Emigrant after he shall have been tendered the said sum of five dollars, or such less sum as shall be actually due for board or lodging, shall on conviction thereof, incur a penalty of not less than *five* dollars, nor more than *twenty* dollars, over and above the value of the effects so detained, if not immediately restored, and a search warrant may be issued for the same. 5

Prosecutions  
for penalties.

VIII. All prosecutions for penalties under this Act may be brought at the place where the offender may then be, before any Magistrate having jurisdiction in such place, at the suit of any Agent for Emigration in the employ, in this Province, of Her Majesty, and the penalties to be recovered under this Act shall be paid to the Emigration Fund; Provided, that the Magistrate before whom the same is recovered shall have the power, in his discretion, of awarding any part of the penalty to the party aggrieved by the infraction of law or breach of contract complained of, and such Magistrate may award costs against the offending parties, as in the ordinary cases of summary proceedings, and such Magistrate is also empowered to award imprisonment for a period not exceeding three months to terminate on payment of any penalty incurred under this Act. 10 15 20

Proviso.

Commence-  
ment of Act.

IX. This Act shall take effect on the first day of January next, and not before.