

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:

Cover title page is bound in as last page in book but filmed as first page on fiche.
Cover title page is cut off.

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. 180.

5th Session, 8th Parliament, 63 Victoria, 1900.

BILL.

**An Act respecting and restricting Chinese
Immigration.**

First reading, June 14, 1900.

Sir WILFRID LAURIER.

OTTAWA

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1900

An Act respecting and restricting Chinese
Immigration.

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

1. This Act may be cited as *The Chinese Immigration Act*, Short title.
5 1900.
2. This Act shall come into force on the first day of Janu- Commence-
ment.
ary, one thousand nine hundred and one.
3. The following Acts are repealed : chapter 67 of the Repeal.
Revised Statutes, chapter 35 of the statutes of 1887, and
10 chapter 25 of the statutes of 1892.
4. In this Act, unless the context otherwise requires,— Interpretation.
(a.) The expression “Chief Controller” means the chief “Chief
officer who is charged, under the direction of the Minister to Controller.”
whom is assigned the administration of this Act, with the
15 duty of carrying the provisions of this Act into effect and who
shall have authority over officers of Customs and others
appointed for the purpose or charged with the duty of assisting
in carrying out the provisions of this Act ;
- (b.) The expression “Controller” means any Customs or “Controller.”
20 other officer at any seaport or frontier Customs port duly
appointed as such and charged with the duty of assisting in
carrying the provisions of this Act into effect ;
- (c.) The expression “master” or “conductor” means any “Master.”
person in command of or in charge of any vessel or vehicle ; “Conductor.”
- 25 (d.) The expression “Chinese immigrant” means any per- “Chinese
son of Chinese origin (including any person either of whose immigrant.”
parents was of Chinese origin) entering Canada and not entitled
to the privilege of exemption provided for by section 6 of this
Act ;
- 30 (e.) The expression “vessel” means any sea-going craft of “Vessel.”
any kind or description capable of carrying passengers ;
- (f.) The expression “tonnage” means the gross tonnage “Tonnage.”
according to the measurement fixed by the Merchant Ship-
ping Acts of the Parliament of the United Kingdom ;
- 35 (g.) The expression “vehicle” means any ferryboat, boat, “Vehicle.”
railway car, cart, wagon, carriage, sleigh or other conveyance
whatsoever, however propelled or drawn.
5. The Governor in Council may,— Powers of
(a.) Appoint one or more persons to carry the provisions of Governor.
40 this Act into effect ; Appoint-
ments.

Present officers.	(b.) Assign any duty in connection therewith to any officer or person in the employ of the Government of Canada ;	
Duties.	(c.) Define and prescribe the duties of such officer or person ;	
Remuneration.	(d.) Fix the salary or remuneration to be allowed to such officer or person ;	5
Chinese interpreters.	(e.) Engage and pay interpreters skilled in the English and Chinese languages, at salaries aggregating not more than three thousand dollars a year.	
Tax payable by Chinese immigrants.	[6. Every person of Chinese origin, irrespective of allegiance, shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or place of entry, a tax of one hundred dollars, except the following persons who shall be exempt from such payment, that is to say :—	10
Exemptions.	(a.) The members of the Diplomatic Corps, or other Government representatives, their suites and their servants, and consuls and consular agents ;	15
	(b.) The children born in Canada of parents of Chinese origin who have left Canada for educational or other purposes, on substantiating their identity to the satisfaction of the controller at the port or place where they seek to enter on their return ;	20
	(c.) Merchants, their wives and children, tourists, men of science and students, who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, or who are bearers of certificates of identity, specifying their occupation and their object in coming into Canada, or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are.]	25
Certificate proving exemption.	2. Every such certificate or other document shall be in the English or French language, and shall be examined and endorsed (<i>visé</i>) by a British Consul or Chargé d'Affaires or other accredited representative of Her Majesty, at the place where it is granted, or at the port or place of departure.	30
As to students.	3. Persons of Chinese origin claiming on their arrival to be students, but who are unable to produce the requisite certificate as hereinbefore provided for, shall be entitled to a refund of the tax exacted from them on the production within eighteen months from the date of their arrival in Canada of certificates from teachers in any school or college in Canada showing that they are and have been for at least one year <i>bonâ fide</i> students in attendance at such school or college.	35
Chinese wives of foreigners.	4. Any woman of Chinese origin who is the wife of a person who is not of Chinese origin shall for the purpose of this Act be deemed to be of the same nationality as her husband.	40
Term "merchant" limited.	5. Nothing in this Act shall be construed as embracing within the meaning of the word "merchant," any merchant's clerk, or other employee, mechanic, huckster, pedlar, or person engaged in taking, drying or otherwise preserving fish for home consumption or exportation.	45
Number of Chinese immigrants in any vessel.	7. No vessel carrying Chinese immigrants to any port in Canada shall carry more than one such immigrant for every fifty tons of its tonnage ; and the owner of any such vessel who carries any number in excess of the number allowed by	50

this section shall incur a penalty of one hundred dollars for each Chinese immigrant so carried in excess of such numbers

8. No master of any vessel carrying Chinese immigrant, shall land any person of Chinese origin, or permit any to land from such vessel, until a permit so to do, stating that the provisions of this Act have been complied with, has been granted to the master of such vessel by the controller; and every master of a vessel who violates the provisions of this section shall incur a penalty of one hundred dollars.

No Chinese to be landed until permit is obtained.

Penalty.

2. The landing of a person of Chinese origin from a vessel wherever referred to in this Act shall not be held to apply to the landing of such person on the wharf and the placing of him in a proper building where he may remain until the provisions of this Act have been complied with and the controller has given his authority for his departure therefrom,—and such person while in such building shall for the purpose of this Act be held to be still on board the vessel by which he arrived; this provision, however, shall not allow the placing of such person in such building until all quarantine requirements have been complied with.

“Landing” defined.

9. No controller at any port shall grant a permit allowing Chinese immigrants to land, until the quarantine officer has granted a bill of health and has certified, after due examination, that no leprosy or infectious, contagious, loathsome or dangerous disease exists on board such vessel; and no permit to land shall be granted to any Chinese immigrant who is suffering from leprosy or from any infectious, contagious, loathsome or dangerous diseases.

Bill of health to be obtained.

No permit in certain cases.

10. Every conductor or other person in charge of any railway train or car bringing Chinese immigrants into Canada shall be personally liable to Her Majesty for the payment of the duty tax imposed by section 6 of this Act in respect of any immigrant brought by or on such railway train or car, and shall deliver, immediately on his arrival, to the controller or other proper officer at the port or place of arrival, a report in the same terms as is required to be made by section 15 of this Act, by the master of a vessel, of all persons of Chinese origin arriving by or being on board of the railway train or car of which he is in charge, and shall, unless such persons are in transit through Canada, pay or cause to be paid to the controller the total amount of the tax payable by Chinese immigrants so arriving by such railway train or car, and he shall not allow any such immigrants to disembark from such train or car until after such report has been made and such tax has been paid.

Liability and duty of conductor of railway train as to payment of tax.

11. Every Chinese immigrant who enters Canada otherwise than by disembarking from any vessel or railway train or car, shall forthwith make a statement and declaration of his entry to the controller or other proper officer at the nearest or most convenient port or place, and shall forthwith pay to such controller or officer the tax of one hundred dollars imposed by this Act; and if the statement and declaration is made to an officer other than a controller authorized to keep

Chinese entering Canada otherwise than by vessel or railway.

a register, such officer shall report the fact and transmit the tax to the chief controller or to the nearest controller so authorized, and the controller shall make a record thereof in his register and issue the proper certificate of such registration in conformity with the provisions of section 13 of this Act. 5

Certain immigrants prohibited.

12. No controller or other officer charged with the duty of assisting in carrying the provisions of this Act into effect shall grant a permit allowing to land from any vessel, nor shall any conductor or other person in charge of any vehicle bring into Canada, either as an immigrant or as an exempt, or as in transit, any person who is— 10

(a.) A pauper or likely to become a public charge;

(b.) An idiot or insane;

(c.) Suffering from any loathsome, infectious or contagious disease; 15

(d.) A prostitute or living on the prostitution of others.

Penalty.

2. All such persons are prohibited from entering Canada; and if they enter they shall be liable to imprisonment for a term not exceeding six months, and shall in addition be liable to deportation, and the master, conductor or other person who knowingly lands or brings or assists or permits to land in Canada, any such persons of Chinese origin, shall also be liable to a penalty not exceeding dollars, or to imprisonment for a term not exceeding months. 20

Certificate to be delivered to immigrant permitted to land.

13. The Controller shall deliver to each Chinese immigrant who has been permitted to land or enter, and in respect of whom the tax has been paid as hereinbefore provided, a certificate containing a description of such individual, the date of his arrival, the name of the port of his landing and an acknowledgement that the duty has been duly paid; and such certificate shall be *primâ facie* evidence that the person presenting it has complied with the requirements of this Act; but such certificate may be contested by Her Majesty, or by any officer charged with the duty of carrying this Act into effect, if there is reason to doubt the validity or authenticity thereof, or of any statement therein contained; and such contestation shall be heard and determined in a summary manner by any judge of a superior court of any Province of Canada where such certificate is produced. 25 30 35

Its effect; but may be contested.

How decided.

Registers of certificates.

14. The chief controller, and such controllers as are by him authorized so to do, shall keep a register of all persons to whom certificates of entry have been granted. 40

Liability of masters and conductors as to payment of tax.

15. Every master or conductor of any vessel or vehicle bringing Chinese immigrants to any port or place in Canada shall be personally liable to Her Majesty for the payment of the tax imposed by this Act in respect of any immigrant carried by such vessel or vehicle, and shall deliver, together with the total amount of such tax, to the controller, immediately on his arrival in port and before any of his crew or passengers disembark, a complete and accurate list of his crew and passengers, showing their names in full, the country and place of their birth, and the occupation and last place of domicile of each of such immigrant passengers. 45 50

16. Every master or conductor of any vessel or vehicle who lands or allows to be landed off or from any vessel or vehicle any Chinese immigrant before the tax payable under this Act has been duly paid, or who wilfully makes any false statement respecting the number of persons on board his vessel, shall, in addition to the amount of the tax payable under the foregoing provisions of this Act, be liable to a penalty not exceeding one thousand dollars and not less than five hundred dollars for every such offence, and in default of payment to imprisonment for a term not exceeding twelve months; and such vessel or vehicle shall be forfeited to Her Majesty, and shall be seized by an officer charged with the duty of carrying this Act into effect, and dealt with accordingly.

Penalty for landing Chinese before tax is paid.

Forfeiture of vessel or vehicle.

17. Persons of Chinese origin may pass through Canada by railway, in transit, from one port or place out of Canada to another port or place out of Canada without payment of the tax provided for by section 6 of this Act, provided that such passage is made in accordance with, and under such regulations as are made for the purpose; and any railway company which undertakes to transport such persons through Canada, and fails to comply with such regulations, or to take such persons out of Canada at the designated port of exit within days from the date of their entry into Canada, shall be subjected to a penalty equal to double the total amount of the tax payable under the provisions of section 6 of this Act.

Conditions as to passage through Canada.

18. Every person of Chinese origin who wishes to leave Canada, with the declared intention of returning thereto, shall give written notice of such intention to the controller at the port or place whence he purposes to sail or depart, in which notice shall be stated the foreign port or place which such person wishes to visit, and the route he intends taking both going and returning, and such notice shall be accompanied by a fee of one dollar; and the controller shall thereupon enter in a register to be kept for the purpose, the name, residence, occupation and description of the said person, and such other information regarding him as is deemed necessary, under such regulations as are made for the purpose.

Registration of Chinese leaving Canada and wishing to return.

2. The person so registered shall be entitled on his return, if within six months of such registration, and on proof of his identity to the satisfaction of the controller (as to which the decision of the controller shall be final) to free entry as an exempt or to receive from the controller the amount of the tax, if any, paid by him on his return; but if he does not return to Canada within six months from the date of such registration, he shall, if returning after that date, be subject to the tax payable under the provisions of section 6 of this Act in the same manner as in the case of a first arrival.

Refund of tax on return within six months.

19. Every person of Chinese origin who wilfully evades or attempts to evade any of the provisions of this Act as respects the payment of the tax, by personating any other individual, or who wilfully makes use of any forged or fraudulent certificate to evade the provisions of this Act, and every person who wilfully aids or abets any such person of Chinese origin in any evasion or attempt at evasion of any of the provisions of this

Penalty on Chinese for evading this Act.

And for aiding in evasion.

Act, is guilty of an indictable offence, and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both.

Penalty for organizing, etc., unlawful courts as to offences by Chinese.

20. Every person who takes part in the organization of any sort of court or tribunal composed of Chinese persons, for the hearing and determination of any offence committed by a Chinese person, or in carrying on any such organization, or who takes part in any of its proceedings, or who gives evidence before any such court or tribunal, or assists in carrying into effect any decision, decree, or order of any such court or tribunal, is guilty of an indictable offence and liable to imprisonment for any term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both; but nothing in this section shall be construed to prevent Chinese persons from submitting any differences or disputes to arbitration, provided such submission is not contrary to the laws in force in the Province in which such submission is made.

Proviso: as to arbitrations.

Penalty for molesting officers.

21. Every person who molests, persecutes or hinders any officer or person appointed to carry the provisions of this Act into effect is guilty of an indictable offence, and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both.

Penalty for other contraventions.

22. Every person who violates any provision of this Act for which no special punishment is herein provided, is guilty of an indictable offence, and liable to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months.

Before whom suits may be brought.

23. All suits or actions for the recovery of taxes or penalties under this Act, and all prosecutions for contraventions of this Act which are not herein declared to be indictable offences, shall be tried before one or more justices of the peace, or before the recorder, police magistrate or stipendary magistrate having jurisdiction where the cause of action arose or where the offence was committed.

Application of taxes, etc.

24. All taxes, pecuniary penalties and revenues from other sources under this Act shall be paid into and form part of the Consolidated Revenue Fund of Canada; but one-fourth part of the net proceeds of all such taxes paid by Chinese immigrants shall, at the end of every fiscal year, be paid out of such fund to the Province wherein they were collected.