

and may be forthwith destroyed or disposed of, as the Minister of Agriculture or person employed by him directs; and every person who imports or introduces, or attempts to import or introduce, any animal into Canada, contrary to the provisions of any such order or regulation, shall incur a penalty not exceeding two hundred dollars for every animal so imported or introduced, or attempted to be imported or introduced by him.

Penalty for unlawful removal.

40. Every person who moves, or causes or allows to be moved, any animal, hide, skin, hair, wool, horn, hoof, offal, carcass, meat, dung, hay, straw, litter or other thing in violation of the provisions of this Act with respect to infected places, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Penalty for entering where entrance is forbidden.

41. Whenever a person having cattle in his possession or keeping within a district wherein infectious or contagious disease exists, affixes at the entrance to a building or enclosed place in which such cattle are kept, a notice forbidding persons to enter into that building or place without his permission, then, if any person not having a right of entry or way into that building or place, knowingly enters into the same or any part thereof, in violation of the notice, he shall, for every such offence, incur a penalty not exceeding twenty dollars.

Penalty for neglect to cleanse vessels, &c.

42. Every company or person who fails to comply with the requirements of any Order in Council, respecting the cleansing and disinfecting of steamships, vessels, boats, pens, carriages, trucks, horse-boxes or vehicles used by such company or person for the carriage of animals, shall, for every such offence incur a penalty not exceeding two hundred dollars.

Penalty for violation of regulations.

43. Every person who violates any provision of this Act, or of any regulation made by the Governor in Council or by the Minister of Agriculture, under the authority of this Act, in respect of which no penalty is hereinbefore provided, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Apprehension of persons offending against this Act.

44. Any constable may, without warrant, apprehend any person found committing an offence against the provisions of this Act with respect to infected places, and shall take any person so apprehended forthwith before a justice of the peace to be examined and dealt with according to law; and a person so apprehended shall not be detained in custody by any constable without the order of a justice longer than twenty-four hours: and any constable may require that any animal or thing moved out of an infected place in violation of the provisions of this Act be forthwith taken

Return of removed animal, &c.

taken back within the limits of that place, and may enforce and execute such requisition at the expense of the owner of such animal or thing.

45. For the purposes of proceedings under this Act, or any order or regulation of the Governor in Council or of the Minister of Agriculture, every offence against this Act, or any such order or regulation, shall be deemed to have been committed, and every cause of complaint under this Act, or any such order or regulation, shall be deemed to have arisen either in the place in which the same actually was committed or arose, or in any place in which the person charged or complained against happens to be.

46. Every penalty imposed by this Act may be recovered, with costs, before any two justices of the peace, or any magistrate having the powers of two justices of the peace, under the "Act respecting the duties of Justices of the Peace, out of Sessions, in relation to summary convictions and orders."

47. The Act passed in the forty-second year of Her Majesty's reign, chaptered twenty-three, and intitled "An Act to provide against Infectious or Contagious Diseases affecting Animals," is hereby repealed: Provided always, that all liabilities and penalties incurred under the said Act may be sued for and enforced, and all prosecutions or suits commenced before the passing of this Act for enforcing any such liabilities or penalties may be continued and completed, as if the said Act had not been repealed, and that all orders and regulations made under the said Act shall continue in force until replaced by orders and regulations made under this Act, which shall not be construed as a new law, but as a continuation of the Act hereby repealed, subject to the amendments hereby made and incorporated with it.

CHAP. 71.

An Act to restrict and regulate Chinese immigration into Canada.

[Assented to 20th July, 1885.]

WHEREAS it is expedient to make provision for restricting the number of Chinese immigrants coming into the Dominion and to regulate such immigration; and whereas it is further expedient to provide a system of registration and control over Chinese immigrants residing in Canada: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Interpretation. 1. In this Act, unless the context otherwise requires,—

Master. The expression "master" means any person in command of any vessel :

Vessel. The expression "vessel" means any sea-going craft of any kind or description capable of carrying passengers :

Tonnage. The expression "tonnage" means tonnage according to the measurement fixed by the Merchants' Shipping Acts of the Imperial Parliament :

Chinese immigrant. The expression "Chinese Immigrant" means any person of Chinese origin entering Canada and not entitled to the privilege of exemption provided for by section four of this Act :

Controller. The expression "controller" means any officer charged with the duty of carrying the provisions of this Act into effect.

Powers of Governor in Council. Appointments. 2. The Governor in Council may,—
 Appoint one or more persons to carry the provisions of this Act into effect ;

Present officers. Assign any duty in connection therewith to any officer or person in the employ of the Government of the Dominion of Canada ;

Duties. Define and prescribe the duty or duties of such officer or person ;

Remuneration. Fix the salary or remuneration to be allowed to such officer or person.

Publication of appointments. 3. All appointments made under this Act shall be published in the *Canada Gazette*.

Duty payable by Chinese immigrants. 4. Subject to the provisions of section thirteen of this Act every person of Chinese origin shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or other place of entry, the sum of fifty dollars, except the following persons who shall be exempt from such payment, that is to say, first : the members of the Diplomatic Corps, or other Government representatives and their suite and their servants, consuls and consular agents ; and second : tourists, merchants, men of science and students, who are bearers of certificates of identity, specifying their occupation and their object in coming into Canada, or other similar documents issued by the Chinese Government or other Government whose subjects they are ; and every such certificate or other document shall be in the English or French language, and shall

Exceptions.

Certificate proving exemption.

shall be examined and indorsed (*visé*) by a British Consul or Chargé d'Affaires or other accredited representative of Her Majesty, at the place where the same is granted, or at the port or place of departure ; but nothing in this Act shall be construed as embracing within the meaning of the word "merchant," any huckster, pedler, or person engaged in taking, drying or otherwise preserving shell or other fish for home consumption or exportation.

Term "merchant" limited.

5. 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 this section, shall be liable to a penalty of fifty dollars for each person so carried in excess.

Number of Chinese immigrants in any vessel.

6. Every master of any vessel bringing Chinese immigrants to any port in Canada, shall be personally liable to Her Majesty for the payment of the fee imposed by section four of this Act in respect of any immigrant carried by such vessel, and shall deliver, together with the total amount of such fee, to the controller, immediately on his arrival in port and before any of his passengers or crew shall have disembarked, 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 passenger.

Liability and duty of masters of vessels as to payment of fee.

7. Every master of any vessel who lands or allows to be landed off or from any vessel any Chinese immigrant before the duty payable under the provisions of 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 fee mentioned in the next preceding section, be liable to a penalty of not less than five hundred dollars, nor more than one thousand dollars for every such offence, and in default of payment to imprisonment for a term not exceeding twelve months ; and such vessel shall be forfeited to Her Majesty, and shall be seized by any officer charged with the duty of carrying this Act into effect and dealt with accordingly.

Penalty for landing any Chinese before duty is paid, &c.

Forfeiture of vessel.

8. No master of any vessel carrying Chinese immigrants shall land any passenger or permit any passenger to land from such vessel, until a permit to do so, stating that the provisions of this Act have been complied with, has been granted to the master of such vessel by the controller, under a penalty of one hundred dollars.

No passenger to land until permit is obtained.

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

Bill of health to be obtained.

VOL 1-14 tion,

tion, that no leprosy or infectious or contagious disease exists among them, 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 or contagious disease, or to any Chinese woman who is known to be a prostitute.

10. The controller shall deliver to each Chinese immigrant who has been permitted to land, and in respect of whom the duty 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 acknowledgment that the duty has been duly paid; and such certificate shall be *prima facie* evidence of the right of the person presenting the same to enter the Dominion of Canada; but the same may be contested by the Government of Canada, or by any officer charged with the duty of carrying this Act into effect, if there is reason to doubt the validity or authenticity of such certificate, or of any statement therein contained; and such contestation shall be heard and determined in a summary manner by and before any judge of a superior court of any Province of Canada where such certificate is produced.

11. The controller shall keep a register of all persons to whom certificates of entry have been granted.

12. Every Chinese immigrant subject to pay the duty imposed by section four of this Act, who enters Canada otherwise than by disembarking from any vessel, shall forthwith make declaration of his entry to the controller, or in the absence of such officer, to the Customs officer of the nearest or most convenient place, and shall forthwith pay to such controller or officer the duty of fifty dollars imposed by this Act, and the controller or officer shall grant a certificate of such entry and payment, in conformity with the provisions of section ten of this Act; and if the declaration is made to a Customs officer he shall report the fact to the controller at the principal sea port of the Province into which such Chinese immigrant has come, and the controller shall record the same in the register of certificates of entry kept by him.

13. The entrance fee or duty payable under this Act shall not apply to any Chinese person residing or being within Canada at the time of the coming into force of this Act, but every such Chinese person who desires to remain in Canada, may obtain, within twelve months after the passing of this Act, and upon the payment of a fee of fifty cents, a certificate of such residence, from the controller, or from a judge of a superior court, a justice of the peace, a police magistrate a stipendiary magistrate, a recorder, or from the mayor or secretary-treasurer of the municipality in which he resides, or from any officer charged with the duty of carrying this Act into effect; and the person granting such certificate shall report

tion, that no leprosy or infectious or contagious disease exists among them, 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 or contagious disease, or to any Chinese woman who is known to be a prostitute.

14. Every Chinese person who wishes to leave Canada, with the intention of returning thereto, shall give notice of such intention to the controller at the port or place whence he proposes to sail or depart, and shall surrender to the said officer his certificate of entry or of residence, and shall receive in lieu thereof, on payment of a fee of one dollar, a certificate of leave to depart and return; and the person to whom such certificate is granted shall be entitled, on presentation of the same on his return, to receive from the controller the amount of the entrance fee paid by him on such return and to have his original certificate of entry or residence returned to him:

2. In case of the loss of such return certificate, and on proof of such loss to the satisfaction of the controller, the person to whom such certificate was granted, and who has paid the entrance fee imposed by section four of this Act a second time, shall be entitled to have his second entrance fee returned to him together with his first certificate of entry or residence.

15. The controller shall, on the first day of January in each year, send to the Provincial Secretary of the Province wherein certificates of entry have been granted, a certified list of all Chinese immigrants to whom such certificates have been granted during the year next preceding.

16. Every Chinese person who wilfully evades or attempts to evade any of the provisions of this Act as respects the payment of duty, 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 Chinese person in any evasion or attempt at evasion of any of the provisions of this Act, is guilty of a misdemeanor, and liable to imprisonment for a term not exceeding twelve months, or to a penalty not exceeding five hundred dollars, or to both.

17. 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 or decree, or order of any such court or tribunal, is guilty of a misdemeanor, and liable to imprisonment for any term not exceeding twelve months, or to a penalty not exceeding five hundred

report the fact to the controller at the principal seaport of the Province in which such Chinese person resides.

14. Every Chinese person who wishes to leave Canada, with the intention of returning thereto, shall give notice of such intention to the controller at the port or place whence he proposes to sail or depart, and shall surrender to the said officer his certificate of entry or of residence, and shall receive in lieu thereof, on payment of a fee of one dollar, a certificate of leave to depart and return; and the person to whom such certificate is granted shall be entitled, on presentation of the same on his return, to receive from the controller the amount of the entrance fee paid by him on such return and to have his original certificate of entry or residence returned to him:

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17. 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 or decree, or order of any such court or tribunal, is guilty of a misdemeanor, and liable to imprisonment for any term not exceeding twelve months, or to a penalty not exceeding five hundred

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17. 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 or decree, or order of any such court or tribunal, is guilty of a misdemeanor, and liable to imprisonment for any term not exceeding twelve months, or to a penalty not exceeding five hundred

report the fact to the controller at the principal seaport of the Province in which such Chinese person resides.

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No permit in certain cases.

Certificate to be delivered to immigrant permitted to land.

Its effect, but may be contested.

How decided.

Register of certificates.

As to immigrants arriving otherwise than by vessel.

Report to controller in such case.

Duty not to be levied on Chinese now resident.

Certificate in such case.

Certificate to Chinese leaving Canada and intending to return.

Effect of such certificate.

Provision if certificate is lost.

Statement for Provincial Secretary by controller.

Penalty on Chinese for evading this Act.

And for aiding in evasion.

Penalty for taking part in organizing unlawful court, as to offences by Chinese.

Proviso.

hundred dollars, or to both; but nothing in this section shall be construed to prevent Chinese immigrants from submitting any differences or disputes to arbitration, provided such submission be not contrary to the laws in force in the Province in which such submission is made.

Penalty for molesting officers.

18. Every person who molests, persecutes or hinders any officer or person appointed to carry the provisions of this Act into effect is guilty of a misdemeanor, 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.

19. Every person who contravenes any provision of this Act, for which no special punishment is herein provided, is guilty of a misdemeanor, and liable to a penalty not exceeding five hundred dollars, or imprisonment for a term not exceeding twelve months, or to both, in the discretion of the court before which the conviction is had.

Application of dues, penalties, &c.

20. All dues, pecuniary penalties and other sources of revenue under this Act shall be paid into and form part of the Consolidated Revenue Fund of Canada; but one-fourth part of all entry dues paid by Chinese immigrants shall, at the end of every fiscal year, be paid out of such fund to the Province wherein the same were collected.

Chinese interpreter.

21. The Governor in Council may engage and pay an interpreter, skilled in the English and Chinese languages, at a salary of not more than three thousand dollars per annum, to reside in the Province of British Columbia, and may assign to him such duties as he deems meet.

Before whom suits may be brought.

22. All suits or actions for the recovery of dues under this Act and all prosecutions for offences under this Act which are not herein declared to be misdemeanors, shall be tried before one or more justices of the peace, or before the recorder, police magistrate, or stipendiary magistrate having jurisdiction where such dues are exigible or where the offence was committed.

When the provisions of this Act shall come into force.

23. This Act, as respects any vessel sailing from a port in the continent of North America, shall come into force one month after the passing thereof, and as respects other vessels and other matters, the same shall come into force on the first day of January, one thousand eight hundred and eighty-six, except that certificates under section thirteen may be granted, in accordance with the terms of the said section, and that controllers may be appointed at any time after the passing hereof.

Short title.

24. This Act may be cited as "*The Chinese Immigration Act, 1885.*"

CHAP.

CHAP. 72.

An Act to amend "The Consolidated Militia Act of 1883."

[Assented to 20th July, 1885.]

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

1. In order to provide for necessary requirements of the Militia, in respect of the services specified in section twenty-one of "*The Consolidated Militia Act of 1883.*" the whole strength of the force which Her Majesty is, by the said section, authorized to raise, station and maintain, for a period of three years of continuous service, in addition to the ordinary Active Militia Force, may be any number of men not exceeding one thousand, to be divided into such corps as are already provided by the said section twenty-one of the said Act, with the addition of two more companies of Infantry to be added.

Section 21 amended: force mentioned in it may be raised to 1,000 men, in such corps as Her Majesty may direct.

Preamble. 46 V., c. 11.

CHAP. 73.

An Act to authorize grants of land to members of the Militia Force lately on active service in the North-West.

[Assented to 20th July, 1885.]

WHEREAS, it is right to recognize the services of the members of the enrolled militia force actively engaged in suppressing the late half-breed and Indian outbreak in the North-West, by giving to each, in addition to the pay and allowances to which he is entitled under the Militia Act, a grant of land; and it is expedient that the grant should be made in such form as will be conducive to the actual settlement of the public lands of Canada: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The Governor General in Council is hereby authorized to grant to each member of the enrolled militia force actively engaged and bearing arms in the suppression of the Indian and half-breed outbreak, and serving west of Port Arthur, since the twenty-fifth day of March now last, including officers, non-commissioned officers and men, a free homestead of two adjoining quarter sections (comprising an area of three hundred

Grants of land authorized to members of militia force having served in the N.-W. T. in suppressing the outbreak.