

CAP. X.

An Act respecting Immigration and Immigrants.

[Assented to 22nd June, 1869.]

Preamble.
Recital of arrangements between the Dominion and the Provinces.

WHEREAS the concurrent jurisdiction given to Canada and to the Provinces by the 95th section of the British North America Act, 1867, is, according to arrangements arrived at by the different governments concerned, to be exercised as follows, namely,—the Canada Government to maintain an Immigration Office at London, in England, and to have other Offices in the United Kingdom as it may think proper, from time to time; and to maintain one Immigration agency on the Continent of Europe, and have other similar agencies, as it may think proper, from time to time; and to maintain Quarantine stations at Halifax, St. John (New Brunswick) and *Grosse Ile*; and to maintain Immigration offices at Quebec, Montreal, Kingston, Toronto, Hamilton, Ottawa, Halifax, St. John (New Brunswick) and wherever else it may deem necessary;—the Provincial Governments to determine their policy concerning the settlement and colonization of uncultivated lands, as bearing on Immigration; and to appoint agents in Europe and elsewhere as they may think proper, who shall be duly accredited by the Canada Government, and also agents in their own Provinces; and to furnish respectively all information and documents connected with Immigration and the colonization of their unsettled lands, and transmit the same to the Department of Agriculture or to the agents of Canada in Europe; conferences of delegates of the Canadian and Provincial Governments to be convened, from time to time, at the office of the Minister of Agriculture, by the Governor in Council, at the request of one or more of the Provincial Governments or without such request; and Canadian Immigration agents to use as directed, any sum or sums of money handed to them by any Local Government, for the purpose of procuring either food, clothing, transport or other help to Immigrants intending to settle within the territory of the Province having furnished such sum or sums: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Where immigration offices shall be maintained.

1. Immigration offices shall be maintained at London, in England, and elsewhere in the United Kingdom, as to the Governor in Council may seem proper from time to time, and also at Quebec, Montreal, Kingston, Toronto, Hamilton, Ottawa, Halifax, Saint John (New Brunswick), and elsewhere in Canada, as to the Governor in Council, may seem proper from time to time; and an Immigration Agency or as many Immigration Agencies as to the Governor in Council may seem proper from time to time, shall be maintained on the Continent of Europe; and Quarantine stations shall be maintained at Halifax, St. John (New Brunswick) and *Grosse Ile*; and Canadian Immigration Agents, shall use as directed, any sum or sums of money granted to them by any Local Government for the purpose of procuring either food, clothing,

clothing, transport or other help to Immigrants intending to settle within the territory of the Province having furnished such sum or sums.

IMMIGRANTS—DUTY PAYABLE ON THEM.

2. There shall be raised, levied and collected, a duty payable in the manner hereinafter prescribed by the master of every Vessel arriving in any Port in Canada from any Port in the United Kingdom or in any other part of Europe, with Passengers or Immigrants therefrom, and such duty shall be one dollar for every Passenger or Immigrant above the age of one year, who embarked from any Port in the United Kingdom under the sanction of Her Majesty's Government, ascertained by a certificate from one of the Officers of Her Majesty's Customs at the Port at which such Vessel cleared, or from any other Port in Europe with the sanction of the Government of the Country to which such Port belongs, ascertained by certificate of the proper authority at such Port,—and one dollar and fifty cents for every Passenger or Immigrant who embarked without such sanction:

2. The said duty shall be paid by the master of such Vessel, or by some person on his behalf, to the Collector of Customs at the Port in Canada at which such Vessel is first entered, and at the time of making such first entry, which shall contain on the face of it the number of Passengers actually embarked on board the vessel; and no such entry shall be deemed validly made or have any legal effect whatsoever, unless such rates or duties are so paid as aforesaid; but no child under the age of one year shall be reckoned among the number of Passengers;

3. Any draft, order or other document made or signed by any person in the United Kingdom aforesaid, duly empowered to that effect by Her Majesty's Government, and directed to Her Majesty's Commissary General or other Commissariat Officer in Canada, and authorizing the payment to the Collector of Customs aforesaid, of the duty which would otherwise be payable by the Master of any Vessel for any number of Immigrants on board such Vessel, shall be accepted by the Collector as payment of the duty payable on such Immigrants, and the sum mentioned in such order shall thereafter be received by such Collector and paid over and applied in the same manner as other money raised under the authority of this Act;

4. Nothing in this section shall be construed to authorize the raising, levying or collecting, or to require the payment of, any rate or duty in respect of any passenger or immigrant on board of any vessel entered at any port in the Dominion, other than such as are to be landed in Canada.

IMMIGRANTS—PROPORTION OF PASSENGERS TO SIZE OF VESSEL.

3. If any Vessel from any Port or place on the Continent of Europe, or from any other Port or place out of Her Majesty's Dominions,

area of lower deck of vessel. Domains, come within the limits of Canada, having on board or having had on board at any time during her voyage, any greater number of Passengers than one Adult Passenger for every twelve clear superficial feet on the lower or platform 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 having on board or having had on board at any time during her voyage a greater number of persons, (including the Master and Crew and the cabin Passengers, if any,) than in the Vessel calculated in the manner used for ascertaining the tonnage of British Ships, the Master of such Vessel shall thereby incur a penalty of not less than eight dollars nor more than twenty dollars for each Passenger or person constituting such excess:

Penalty for contravention.

Definition of "adult."

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.

IMMIGRANTS.—OBLIGATIONS OF MASTERS OF VESSELS BRINGING THEM.

Recital.

4. And whereas Masters of Vessels are in the practice of embarking Passengers after the Vessel has been cleared and examined by the proper Officer at the Port of departure, and without delivering lists of such additional Passengers to some Officer to whom by law the same ought to be delivered; for the prevention and punishment of such practice: For every Passenger not included in the list of Passengers by any Vessel sailing from a Port in Her Majesty's Dominions, delivered to the Collector of Customs at the Port of Departure, or at the Port where such additional Passenger was embarked, or at the Port at which such Vessel touched after the embarkation of such Passenger, the Master of such Vessel shall, in addition to the duty payable as aforesaid, and at the same time and under the same penalties, pay to the Collector of Customs at the Port in Canada at which the said Vessel is first entered, the sum of eight dollars for each Passenger so embarked as aforesaid, and not included in one of the said lists.

Penalty for carrying passengers not entered on list.

Master not to allow passengers to leave vessel until list has been delivered.

5. No Master of any Vessel arriving at any port in Canada shall permit any Passenger to leave the Vessel until he has delivered to the Collector of Customs at the Port, a certified and correct Passenger list in the form hereinafter mentioned, nor until such list has been certified to be correct and a certificate of such correctness and a permission to allow his Passengers to leave the Vessel, and a receipt for the duties payable by him under the provisions of this Act, has been given to him by the Collector of Customs, under a penalty of not less than twenty dollars and not exceeding one hundred dollars, to be paid by the Master of the Vessel, for every Passenger leaving the same contrary to the provisions of this Act:

Penalty for contravention.

2. The said list shall contain the name of each head of a family being a Passenger on board the Vessel, his profession or trade, his country and the place of his destination, and the number of adult persons and children belonging to his family on board such Vessel, and the name of each person not belonging to any family, with the like particulars of country, trade, profession and destination.

What the list shall contain.

6. Nothing in this Act shall prevent the Master of any Vessel from permitting any Passenger to leave the Vessel at the request of such Passenger before the arrival of the Vessel at her final Port of destination; but in every such case, the names of the Passengers so leaving shall be entered in the manifest on the list of Immigrants made out at the time of the clearing of the Vessel from the United Kingdom or other part of Europe as aforesaid, and shall be certified under the signatures of the Passengers so leaving the Vessel; And if the number of Passengers remaining on board on the arrival of the Vessel at her final Port of destination does not correspond with that mentioned in such manifest, after deducting the number who have so left the Vessel, the Master thereof shall incur a penalty of twenty dollars for each Passenger not found on board or entered on the manifest as having left the Vessel as aforesaid.

Entry to be made when a passenger leaves the vessel before her arrival in port.

Penalty for contravention.

7. 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 this Act, who does not within twenty-four hours after the arrival of such Vessel in the Harbour to which he engaged to pilot her, inform the Collector of Customs thereof, that a Passenger or Passengers has or have been so permitted to leave the Vessel, shall incur a penalty not exceeding five dollars, for every Passenger with regard to whom he has wilfully neglected to give such information.

Duty of Pilot to report infringement of this Act.

Penalty.

REPORT BY THE MASTER.

8. The Master of any Passenger Vessel shall, within twenty-four hours after such vessel arrives at her final Port of destination, and before any entry of such Vessel shall be allowed, deliver to the Collector of Customs at the Port at which such Vessel is entered, a correct Report in the form of the Schedule A to this Act, of all the Passengers on board such Vessel at the time of her departure from the Port or place whence she cleared or sailed for Canada, and a true statement of the other particulars mentioned in the said form, under a penalty upon such Master of twenty dollars for each day during which he neglects so to deliver such list, after the expiration of the said twenty-four hours, and of eight dollars for each Passenger whose name is omitted in such list.

Master of vessel to deliver report of passengers.

Penalty.

9. In addition to the particulars hereinbefore required in the list of Passengers to be delivered on each voyage by the Master of any Vessel carrying Passengers and arriving at any Port in Canada to the Collector of Customs at such Port, the Master shall report

Other particulars to be entered in report.

report in writing to the Collector the name and age of all Passengers embarked on board of such vessel on such voyage, who are lunatic, idiotic, deaf or dumb, blind or infirm, stating also whether they are accompanied by relatives able to support them :

Penalty for contravention.

2. And if any Master of any such Vessel omits to report the particulars herein specified, or makes any false report in any such particulars, he shall incur a penalty of not less than twenty dollars and not exceeding one hundred dollars, for every such Passenger in regard to whom any such omission has occurred or any such false report is made for which penalty the owner or owners of the Vessel shall also be liable jointly and severally.

Entry as to passengers who have died.

10. The said report shall further contain the name, age and last place of residence of any person who has died during the passage of the Vessel, and shall specify whether such Passenger was accompanied by relatives or other persons, and the names of such relatives or other persons, who were entitled to take charge of the moneys and effects left by such Passenger ; and if there were no such relatives or other persons entitled to take charge of the same, then the report shall fully designate the quantity and description of the property (whether money or otherwise) left by such Passenger ; and the said Master shall pay over and fully account for the same to the Collector of Customs for the Port at which the Vessel is entered :

Collector of Customs to give receipt.

2. The Collector of Customs shall thereupon grant to such 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 ; and if any Master of a Vessel shall neglect or refuse to make such report, or to pay over and account for any such moneys or effects, as required by this section, he shall incur a penalty of not less than twenty dollars and not exceeding one thousand dollars for every such case of neglect or refusal.

Penalty for neglect or refusal to make report.

SPECIAL DUTY OF QUARANTINE OFFICERS.

Duty of Medical Superintendent.

11. The Medical Superintendent of any Quarantine Station shall forthwith after the anchoring thereof, in compliance with the requirements of "The Quarantine and Health Act of 1868," of any Vessel carrying Passengers, examine into their condition ; and for that purpose the said Medical Superintendent, or other competent person thereunto appointed, may go on board and through any such Vessel and inspect the list of Passengers, and the Bill of Health, Manifest, Log Book or other papers of the Vessel, and, if necessary, take extracts from the same :

Presence of any lunatic or idiotic person, &c., to be reported.

2. If, on examination, there is found among such Passengers any Lunatic, Idiotic, Deaf and Dumb, Blind or Infirm Person, not belonging to any Immigrant family, and such person is, in the opinion of the Medical Superintendent, likely to become permanently a public charge, the Medical Superintendent shall forthwith

with report the same officially to the Collector of Customs at the Port at which the Vessel is to be first entered, who shall (except in the cases in which it is hereinafter provided that such bond may be dispensed with) require the Master of the Vessel, in addition to the duty payable for the Passengers generally, to execute, jointly and severally with two sufficient sureties, a Bond to Her Majesty in the sum of three hundred dollars for every such Passenger so specially reported, conditioned to indemnify and save harmless the Government of Canada or of any Province in Canada, or any Municipality, Village, City, Town or County, or Charitable institution within the same, from any expense or charge to be incurred within three years from the execution of the Bond, for the maintenance and support of any such Passenger ;

3. The said sureties shall justify before and to the satisfaction of the said Collector, and by their Oath or Affirmation (which such Collector may administer) shall satisfy him that they are respectively residents in Canada, and each worth double the penalty of such Bond over and above all their debts and liabilities, personal and real ;

4. It shall be optional with the Master of such Vessel either to enter into such Bond jointly and severally with sufficient sureties as aforesaid, or to pay to the Collector of Customs who might otherwise require such Bond, such sum as may have been fixed in that behalf by any instructions from the Government of Canada, as being just and equitable and sufficient to indemnify Canada, or any of the Provinces, or any Municipality, Village or City, Town or County, or Charitable Institution within Canada, against the risk of expense for the care, support and maintenance of such Passenger or Passengers during the then next ensuing three years ;

5. And the Collector of Customs may dispense with such bond, or money in lieu thereof, if it appears by the certificate of the Medical Superintendent at the proper Quarantine Station (which certificate the said Medical Superintendent may 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 discernable at the time of the departure of the ship from the port where such Passenger embarked.

12. The proper Agent for Immigration may, with the consent of the Minister of Agriculture, 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 a bond has been given, or money paid in lieu thereof, or with the Master, Owner or Charterer of any other vessel, for the conveyance of such person to the port from which he was carried to Canada ;

2. Money paid in lieu of or on breach of the condition of a Bond in any such case, or so much thereof as is necessary, may be

may be applied to such reconveyance.

be applied to pay for such reconveyance of the person with respect to whom it has been paid, and when such person has 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 Agent for Immigration 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 Agent for Immigration of his having died during the voyage without any fault attaching to the Owner, Master or any of the Crew of such vessel.

Proceedings if such person becomes chargeable upon Canada, &c.

13. If any Passenger, in respect to whom any Bond has been given as aforesaid, becomes at any time within three years from the execution thereof, chargeable upon Canada, or upon any Province, Municipality, Village, City, Town, or County, or upon any Charitable Institution within Canada, the payment of such charge or expense incurred for the maintenance and support of such Passenger shall be provided for out of the moneys collected on and under such Bond, to the extent of the penalty therein contained or such portion thereof as is required for the payment of such charges or expenses.

Penalty for neglect or refusal to execute bond.

14. If the Master of any vessel, on board which such Passenger specially reported as aforesaid has been carried, neglects or refuses to execute the said Bond, or to pay the sum which he may pay instead of giving such Bond, forthwith after the said ship has been reported to the Collector of Customs, such Master shall incur a penalty of four hundred dollars, and the said Vessel shall not be cleared on her return voyage until the said Bond has been executed or the said sum paid, nor until the said penalty has been paid with all costs incurred on any prosecution for the recovery thereof.

How such bond shall be disposed of.

15. After any such Bond as aforesaid has been executed, the Collector of Customs shall transmit the same to the Receiver General of Canada, to be by him kept and held, during the said period of three years from the execution of the said Bond, or until the payment of the penalty therein mentioned (if incurred) has been enforced:

Necessity of enforcing bond—how ascertained.

2. For the purpose of ascertaining the necessity of such enforcement, the Immigration Agents, upon representation made to either of them, in their respective portions of Canada, shall ascertain the right and claim to indemnity for the maintenance and support of any such specially reported Passenger, and shall report the same to the Governor through the Minister of Agriculture, and the said report shall be final and conclusive in the matter, and shall be evidence of the facts therein stated;

Penalty to be used for.

3. And the said penalty, or so much thereof as is sufficient from time to time to defray the expense incurred for the maintenance

tenance and support of any Passenger for whom the said Bond was given as aforesaid, shall be prosecuted for and recovered by suit or information in Her Majesty's name, in any Court in Canada having jurisdiction in civil cases to the amount for which such suit or information is brought.

PAUPER IMMIGRANTS.

16. The Governor may, by proclamation, whenever deemed necessary, prohibit the landing of pauper or destitute Immigrants in all Ports or any Port in Canada, until such sums of money as may be found necessary are provided and paid into the hands of the one of the Canadian Immigration Agents, by the master of the vessel carrying such Immigrants, for their temporary support and transport to their place of destination; and during such time as any such pauper Immigrants would, in consequence of such orders have to remain on board such vessel, the Governor may provide for proper anchorage grounds being assigned to such vessel and for such vessel being visited and superintended by the Medical Superintendent or any Inspecting Physician of the Port or Quarantine Station, and for the necessary measures being taken to prevent the rise or spread of diseases amongst the passengers, in such vessel and amongst people on shore.

PROVISIONS FOR THE PROTECTION OF PASSENGERS.

17. Every Passenger on board any Vessel arriving in the Port or Harbour to which the Master of such Vessel engaged to convey him, shall be entitled to remain and keep his luggage on board such vessel during forty-eight hours, after her arrival in such Port or Harbour; and every such Master who compels any Passenger to leave his Vessel before the expiration of the said term of forty-eight hours shall incur a penalty of not exceeding twenty dollars, for every passenger he so compels to leave his Vessel, nor shall the Master of the Vessel remove, before the expiration of the said forty-eight hours, any berthing or accommodation used by his Passengers, under a like penalty, except with the written permission of the Medical Superintendent at the proper Quarantine Station.

18. The Master of any Vessel having Passengers on board, shall land his Passengers and their luggage free of expense to the said Passengers, at the usual Public Landing Places in the Port of arrival, according to orders which he may receive from the authorities of the said Port, and at reasonable hours not earlier than six of the clock in the morning, and not later than four of the clock in the afternoon; and the Vessel shall, for the purpose of landing Passengers and luggage, be anchored in such convenient and safe place, or moored at such wharf as may be appointed for that purpose by the authorities of the Port.

19. The Governor in Council may, by proclamation, from time to time, appoint the place at which all Immigrants and Passengers arriving at any Port in Canada, other than such as may be specially excepted in such proclamation, shall be landed, and may, in and by such proclamation, make such regulations as he shall think proper, for the government of the place so appointed, and for the protection of the Immigrants landed thereat, and such proclamation being published at least twice in the *Canada Gazette*, with an interval of at least six days between each publication, shall have the force of law, and shall be in force until suspended by a later proclamation for the like purpose, published as aforesaid; and at the place so appointed the Governor may cause proper shelter and accommodation to be provided for Immigrants until they can be forwarded to their place of destination; and any contravention of any such proclamation as aforesaid, or of any regulation therein contained, shall be deemed a contravention of this Act;

2. The Master of any vessel arriving in any Port in Canada and having on board the same any Immigrants or Passengers to whom any such proclamation as aforesaid then in force shall apply, shall land such Immigrants or Passengers and their luggage free of expense at the place so appointed, and at reasonable hours, not earlier than six in the morning nor later than four in the afternoon, and the vessel shall, for the purpose of landing such Immigrants or Passengers and their luggage, either be moored at the wharf at the place appointed for such landing, or anchored in the Port; and the masters of such vessels, so anchored, shall duly land, within the hours aforesaid, by steam tug, or other proper tender, their passengers at such wharf as aforesaid, and not elsewhere, under a penalty of forty dollars for each offence against the provisions of this section or the next preceding section;

20. And for the purpose of securing to Foreign Immigrants, coming to Canada, 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 Vessel carrying Passengers or Immigrants from any Port not within the United Kingdom to any Port in Canada, the Master or any of the crew of such Vessel, are guilty of any infraction 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 Passengers in such Vessel,—or if the Master of any such Vessel do during such voyage commit any breach whatever of the contract for the passage made with any Passenger or Immigrant by such Master, or by the Owner or Charterer of such vessel, 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 dollars, nor more than one hundred dollars independently of any remedy which the party complaining otherwise has by law.

21. 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 vessel sailed; and the proof of the contract for his passage made by any such Immigrant in any such vessel 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.

22. No person shall, at any port or place within 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 steamboat owner or charterer, or to or on behalf of any Railway Company, 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 of America or the territories thereof; 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 taking money for their inland fare or for the transportation of their luggage, unless such person has first obtained a license from the Mayor of the City or municipality in Canada within which such person resides, authorizing him to act in such capacity; and any person so acting without having first obtained such license, shall, upon every conviction, incur a penalty of not less than fifty dollars;

2. Such Mayor may grant such license on such person producing a recommendation from the Government Immigration Agent nearest to the place where the license is granted, to the effect that he is a proper person to receive such license, and on his giving a satisfactory bond to the Mayor, with two sufficient sureties in the penal sum of three hundred dollars, as security for his good behaviour; and such 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.

23. Every keeper of a Tavern, Hotel or Boarding-house in a City, or in any Town, Village or place to which the Governor by Proclamation published in the *Canada Gazette*, declares that this section shall extend, 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 business cards, a list of the rates of prices which will be charged to Immigrants 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;

Penalty for contravention

2. Every keeper of any such Tavern, Hotel or Boarding-house, neglecting or refusing to post a list of rates, or to keep business cards, or charging or receiving, or permitting or suffering to be charged or received for boarding or lodging, or for meals in his house, any sum in excess of the rates or prices so posted and printed on such business cards, or omitting immediately on any Immigrant entering such house as a boarder or lodger for the purpose of taking any meal therein, to deliver to such Immigrant 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;

Boarding-house keeper, &c., not to have lien on immigrant's goods beyond five dollars.

3. And 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; and any such person detaining the effects of any immigrant after he has been tendered the said sum of five dollars or such less sum as is actually due for board or lodging, shall, on conviction thereof, incur a penalty of not less than five dollars, or 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.

RECOVERY OF DUTIES AND PENALTIES.

Duties, penalties, &c., to be a lien upon the vessel.

24. Every duty, penalty or forfeiture, imposed or declared under the authority of this Act, shall be a special lien upon the vessel by reason whereof it has become payable and the master whereof has become liable in such penalty, 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 Justices or Court before whom it has been sued for and recovered, and shall be preferred to all other liens or hypothecations except mariners' wages.

Where prosecutions under s. 25 may be brought.

25. All prosecutions for penalties under section twenty-three of this Act, may be brought at the place where the offender then is, before any Magistrate having jurisdiction in such place at the suit of any Agent for Immigration in the employ of Her Majesty, in Canada; and the penalties to be recovered under the said section shall be paid into the hands of the Receiver General, to form part of the Consolidated Revenue Fund of Canada;

Magistrate may award part of penalty to party aggrieved.

2. The Magistrate before whom any such penalty is recovered may, in his discretion, award any part of the penalty to the party aggrieved by the infraction of law or breach of contract complained of, and may award costs against the offending party, as in the ordinary cases of summary proceedings, and may also award imprisonment for a period not exceeding three months, to terminate on payment of any penalty incurred under the said section.

26. All penalties, other than those referred to in the next preceding section, imposed by this Act, or by any Regulation made by the Governor in Council, under the provisions of this Act, and not exceeding eighty dollars in amount, shall be sued for by any Collector of Customs, or by any Immigration Agent, and recovered with costs on the oath of one credible witness other than the prosecutor, in a summary manner, before any two Justices of the Peace, and such Justices may commit the offender to the Common Gaol until such penalty and costs are paid; and all such penalties exceeding the sum of eighty dollars may be recovered by civil action by any such officer as aforesaid, on like evidence, in any Court of competent jurisdiction:

2. One moiety of every such penalty shall belong to Her Majesty, Her Heirs and Successors, and shall be paid into the hands of the Receiver General to form part of the Consolidated Revenue Fund of Canada, and the other moiety shall belong to the prosecutor;

3. But every offence against the provisions of this Act or any Regulation made under it, the penalty imposed for which by this Act or any such Regulation exceeds the sum of forty dollars, shall be a misdemeanor punishable by fine or imprisonment or both in the discretion of the Court before which the offender is convicted.

27. Upon complaint being made before any one Justice of the Peace, in any case over which two Justices have jurisdiction as aforesaid, he shall issue a Summons requiring the party complained against to appear on a day and at an hour and place to be named in such Summons, and every such Summons shall be served on the party offending or complained against, or shall be left at his place of residence or business, or on board any vessel to which he belongs:

2. Either upon the appearance or default to appear of the party complained against, any two or more Justices may proceed summarily upon the case, and either with or without any written information; and upon proof of the offence or of the complainant's claim, either by confession of the party complained against, or upon the oath of at least one credible witness other than the Prosecutor (which oath such Justices may administer) the Justices may convict the offender, and upon such conviction order the offender or party complained against to pay the penalty imposed by this Act, or by any such Regulation as aforesaid, according to the nature of the offence, and also to pay the costs attending the information or complaint;

3. If forthwith upon such order the moneys thereby ordered to be paid, are not paid, the same may be levied, with the costs of the distress and sale, by distress and sale of the goods and chattels of the party ordered to pay such moneys, the surplus, if any

any to be returned to him upon demand; and any such Justices may issue their warrant accordingly, and may also order such party to be detained and kept in safe custody until return can conveniently be made to such Warrant of Distress, unless such party gives security to the satisfaction of such Justices for his appearance before them on the day appointed for such return, such day not being more than three days from the time of taking such security;

Proceedings if there is no sufficient distress.

4. But if it appears to such Justices, by the admission of such party or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid, they may, if they think fit, refrain from issuing a Warrant of Distress in the case, or if such Warrant has been issued, and upon the return thereof such insufficiency as aforesaid is made to appear to the Justices, or to any two or more of them, then such Justices shall, by Warrant, cause the party ordered to pay such moneys 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, be 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, &c.

28. No conviction or proceeding under the four next preceding sections shall be quashed for want of form, or be removed by appeal or *certiorari*, or otherwise, into any of Her Majesty's Superior Courts of Record in Canada; and no Warrant of Commitment shall be held void by reason of any defect therein, provided it be thereby alleged that the party has been convicted, and there be a good and valid conviction to sustain the same.

MONEYS LEVIED AND EXPENDED.

Payment of expenses under this Act.

29. All the expenses to be incurred in carrying the provisions of this Act into effect or under the provisions thereof shall be paid out of any moneys granted from time to time by Parliament for that purpose and for affording help and advice to Immigrants, aiding Destitute Immigrants, visiting and relieving them, procuring medical assistance and otherwise attending to the object of Immigration, as determined by the Parliamentary grants, and by orders of the Governor General for the management of the same.

Moneys collected, how disposed of.

30. The moneys levied under this Act shall be paid by the Collector of Customs by whom they are received, into the hands of the Receiver General, to form part of the Consolidated Revenue Fund of Canada.

INTERPRETATION.

Interpretation clause—

31. In this Act, unless there be something in the context inconsistent with such interpretation, the word "Master" shall apply to any

any person in command of a Vessel; the word "Vessel" shall include "Vessel," all Ships, Vessels, or Craft of any kind carrying Passengers; the word "Passengers" shall apply to all Passengers as well as to "Passengers," Immigrants usually and commonly known and understood as such, but not to Troops or Military Pensioners and their families, who are carried in Transports or at the expense of the Imperial Government.

32. This Act shall commence and take effect on the first day of January, 1870, and on and after the said day the following Acts and parts of Acts shall be repealed, that is to say:—

So much of Chapter forty of the Consolidated Statutes of the late Province of Canada "respecting *Emigrants and Quarantine*," as has not been already repealed:

The Act of the Legislature of the said late Province of Canada, passed in the twenty-fifth year of Her Majesty's Reign, Chapter eight "to amend the Act respecting *Emigrants and Quarantine*:"

The Act of the Legislature of the said late Province of Canada, passed in the Session thereof held in the twenty-seventh and twenty-eighth years of Her Majesty's Reign, Chapter sixteen "to amend the Act respecting *Emigrants and Quarantine*:"

The Act of the Legislature of the Province of New Brunswick, passed in the twenty-fourth year of Her Majesty's Reign, Chapter four, "relating to *Passengers arriving within this Province*:"

Except only as regards offences committed or liabilities incurred under any of the said Acts before the said day, with respect to which, and to all proceedings relating to which, the said Acts shall remain in force; and every enactment or provision in any other Act or law in force in any part of Canada before the coming into force of this Act, inconsistent with this Act, or making any provision for any matter provided for by this Act other than such as is hereby made, shall also be repealed on and after the said day.

33. When citing this Act it shall be sufficient to call it "The Immigration Act, 1869."

SCHEDULE

SCHEDULE A.
PARTICULARS RELATIVE TO THE VESSEL.

Vessel's Name, Master's Name, Tonnage.	From what Port or place.	Total number of Squads, (not Total number of Adult Passengers in the several compartments (not exclusive of Master, Crew, set apart for Passengers other and Cabin Passengers, which than Cabin Passengers, the Vessel can legally carry.	Where bound.
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NAMES AND DESCRIPTION OF PASSENGERS.

Port of Embarkation.	Names of Passengers.	Adults.		Children between 1 and 14.		Number of infants not over 1 year.	Profession, occupation or calling.	Nation or Country of Birth.	Port at which Passengers have come to land.	Any further particulars, as deaths, &c.
		Male.	Female.	Male.	Female.					

B E R M U D A S

Male between 1 and 14.										
Children between 1 and 14.										
Infants not over 1.										
Total.										

I hereby certify that the above is a correct description of the (Description of Vessel as Ship, Brig, &c.) (Name of Vessel) and a correct list of all the Passengers on board the same at the time of her departure from (place from whence she came) and that all the particulars therein mentioned are true.

Date 18

Signature of Master.

CAP. XI.

An Act respecting Patents of Invention.

[Assented to 22nd June, 1869.]

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

PATENT OFFICE CONSTITUTED.

1. There shall be attached to the Department of Agriculture, Minister of as a branch thereof, an Office to be named The Patent Office, to be Committed to the Minister of Agriculture for the time being shall be the duty of the Commissioner of Patents of Invention; and it shall be the duty of the Commissioner of Patents of Invention to receive all applications, fees, papers, documents and models for patents, and to perform such acts and things respecting the granting and issuing of patents for new and useful inventions, discoveries, and improvements as are herein provided for; and he shall have the charge and custody of the books, records, papers, models, machines, and other things belonging to the said Office.

2. The Commissioner shall cause a seal to be made for the Seal to be purposes of this Act, and may cause to be sealed therewith letters, patent and other instruments and copies proceeding from the Patent Office; and all Courts, Judges, and other persons whomsoever shall take notice of such seal, and receive impressions thereof in evidence, in like manner as impressions of the Great Seal are received in evidence, and shall also take notice of and receive in evidence, without further proof and without production of the originals, all copies or extracts certified under the seal of the said Office to be copies of or extracts from documents deposited in such office.

3. The Commissioner may, from time to time subject to the approval of the Governor in Council make such rules and regulations, and prescribe such forms, as may appear to him necessary and expedient for the purposes of this Act; and notice thereof shall be given in the Canada Gazette; and all documents, Publication executed after the same and accepted by the Commissioner, shall be held valid so far as relating to proceedings in the Patent Office.

4. The Deputy of the Minister of Agriculture shall be the Deputy Commissioner of Patents of Invention; and the Governor may, from time to time, appoint such clerks and officers under him as may be necessary for the purpose of this Act, and such clerks and officers shall hold office during pleasure.