

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL, for its concurrence.

Legislative Assembly Chamber, }  
Sydney, 19 April, 1861. }

CHA. TOMPSON,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO VICESIMO QUARTO

# VICTORIÆ REGINÆ.

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No. .

### An Act to regulate Chinese Immigration.

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

5 1. In the interpretation of this Act the following words shall unless inconsistent with or repugnant to the context have the respective meanings assigned to them:—

Interpretation Clause.

The word "Master" shall be held to apply to any person in command of any vessel.

10 The word "Ship" shall mean any vessel of any kind or description.

The word "Tonnage" shall signify tonnage according to the measurement fixed by the "Merchant Shipping Act 1854."

15 And the word "Chinese" shall mean any native of China or its Dependencies or any Island in the Chinese Seas born of Chinese parents.

2. The Master of any ship having Chinese passengers on board shall immediately upon arrival in any port of New South Wales distinctly specify and state in a list to be then delivered to the Collector or any other Chief Officer of Customs at the port of arrival the number and names of such passengers and in default of his so delivering such list such Master shall be liable to a penalty not exceeding Two Hundred Pounds.

Master to deliver to Officer of Customs list of Chinese.

Penalty.



## Chinese Immigration Regulation Act.—1861.

3. If any ship shall arrive in any port of New South Wales having on board a greater number of passengers officers and crew than in proportion of one person to every twenty tons of the tonnage of such ship and any such passengers officers or crew shall be Chinese the Owner  
 5 Charterer or Master of such ship shall be liable upon conviction to a penalty not exceeding One Hundred Pounds nor less than Twenty Pounds for each passenger so carried in excess. Number of Chinese ships may carry. Penalty.
4. On arrival in any port of New South Wales of any ship  
 10 having any Chinese on board before any such Chinese are permitted to land and before making any entry the Master shall pay to the Collector of Customs a rate of Ten Pounds for every such Chinese and no entry shall be deemed to have been legally made or to have any legal effect whatsoever until such payment shall have been made and upon the  
 15 payment of the before-mentioned rate by the Master of any ship the Collector of Customs or other authorized Officer shall deliver to each Chinese passenger a parchment Certificate which shall bear on the face of it the date of delivery the name of Chinese the signature of Collector of Customs and all other matters which the Government shall deem  
 20 necessary and if any Master shall neglect to pay such rate aforesaid or shall land or permit any such Chinese to land at any port in New South Wales before any such payment shall have been made and with the intent of evading the payment of any such rate such Master shall upon conviction be liable to a penalty not exceeding One Hundred Pounds nor less  
 25 than Twenty Pounds for each Chinese so landed or permitted to land in addition to the amount of such rate and in every such case in addition to the pecuniary fine hereby imposed upon the Master the ship shall be forfeited and may be seized condemned and disposed of in the same manner as ships forfeited for a breach of any law relating to the Customs  
 30 of the Colony. Rate to be paid for Chinese. Certificate to be given to Chinese. Penalty.
5. Any Chinese who shall come into this Colony by land  
 from any other of the Australian Colonies or elsewhere shall pay into the hands of the Registrar nearest the place where such Chinese entered the Colony the sum of Fifteen Pounds and if any Chinese shall neglect or  
 35 try to evade the payment longer than may be necessary to go from the place where he entered the Colony to the nearest Registrar he shall be liable to a penalty of any sum not less than Fifteen Pounds nor exceeding Twenty-five Pounds and in default of immediate payment to be imprisoned for any period not less than three nor exceeding six months. Chinese coming overland.
- 40 6. All Chinese now within the Colony of New South Wales shall on or before the first day of October one thousand eight hundred and sixty-one apply to the nearest Registrar for a Certificate which the Registrar shall deliver to any Chinese upon the payment of One Shilling such Certificate shall bear on the face of it the same matter as that  
 45 issued by the Collector of Customs and the Government shall allow the Registrars such remuneration as they shall think fit for the performance of the duties required of them under this Act. Chinese now within the Colony to apply for Certificate.
7. The production by any Chinese of the Certificate required by  
 this Act shall be *prima facie* evidence that he has complied with the  
 50 requirements of this Act and all Chinese shall produce such Certificate to any Constable or Peace Officer and if any Chinese shall not be able or willing to produce such Certificate it shall be lawful for such Constable or Peace Officer to take into custody any Chinese who cannot or will not produce such Certificate and as soon as possible to bring him before  
 55 the nearest Court of Petty Sessions and if he cannot satisfactorily prove that he has complied with the requirements of this Act it shall be lawful for the Justice or Justices to deal with him as if he were trying to evade the payment of the entry fee If any Certificate granted under this Act shall be lost or destroyed by fire or other accident any Court of Petty  
 60 Sessions shall upon satisfactory proof thereof authorize the Registrar to issue Certificate prima facie evidence. Chinese to produce Certificate. Certificate lost or destroyed.



*Chinese Immigration Regulation Act.—1861.*

issue a fresh Certificate upon the payment of Ten Shillings and the cost of advertising the loss of the Certificate three times in the *Government Gazette* the local and daily papers And any Chinese making use of such lost or any other Certificate than that issued to himself shall  
5 be deemed guilty of a misdemeanor.

8. The Registrars of Births Deaths and Marriages shall be the Registrar.  
Registrars under this Act.

9. The Colonial Treasurer shall keep a separate account of all moneys levied under this Act and all such moneys shall be applied to the  
10 payment of all expenses to which the Colony may be put in the main-  
taining the Chinese paupers and lunatics prosecuting and maintaining  
Chinese criminals paying the passage back to China of any invalid or  
refractory Chinese and any other expense to which the Government  
may be put by the Chinese inhabitants of the Colony.

15 10. The Governor with the advice of the Executive Council may  
make such Rules and Regulations as may be deemed necessary for  
the registration of such Chinese and generally for the management  
and good government of the Chinese inhabitants of the Colony and all  
such Rules and Regulations shall be published in the *Gazette* previously  
20 to their taking effect and shall be laid before Parliament within fourteen  
days after the same shall be made if Parliament be then sitting and if  
not then within fourteen days after the commencement of its next  
Session.

11. All proceedings for penalties or forfeiture under this Act  
25 unless as hereinbefore provided shall be had and taken in a summary way  
before any two or more Justices of the Peace and in proceeding for any  
penalty rate duty or forfeiture under this Act it shall not be necessary  
to lay or file any formal information and no complaint conviction or  
other proceeding under this Act shall be quashed or set aside or deemed  
30 void or insufficient for want of form only or be removed or removable  
by *certiorari* or any other writ or process whatsoever into the Supreme  
Court and in such proceedings the prosecutor or informer shall if not  
otherwise disqualified be a competent witness.

12. In any proceedings under this Act evidence that any person  
35 is by general repute known as a Chinese shall be sufficient proof unless  
the contrary be shewn that such person is a Chinese within the meaning  
of this Act Provided always that any person maliciously and without  
reasonable and probable cause taking any proceedings under this Act  
against any person as a Chinese such person not being a Chinese shall  
40 be guilty of a misdemeanor.

13. The Certificate mentioned in the sixth section of the Act of  
Council eleventh Victoria number thirty-nine shall not hereafter be  
issued or granted to any Chinese within the meaning of this Act.

14. This Act shall come into operation from and after the first  
45 day of October one thousand eight hundred and sixty-one and may be  
cited as the "Chinese Immigration Regulation Act of 1861."



THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101

LECTURE NOTES

PLATO'S THEORY OF IDEAS

1. THE PROBLEM OF IDEAS

2. THE THEORY OF IDEAS

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