



ANNO QUINQUAGESIMO QUARTO ET QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

A.D. 1891.

No. 519.

An Act to prevent the introduction of certain persons into the Province of South Australia.

[Assented to, December 19th, 1891.]

BE it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and the House of Assembly of the said province, in this present Parliament assembled, as follows:

1. In the interpretation of this Act the following words and expressions shall have the meaning hereafter assigned to them, unless there shall be something in the context or subject matter inconsistent with such meaning: Interpretation.

“Proper officer” shall mean the Health Officer, Collector of Customs, and every officer of Customs or Inspector of Police appointed by the Governor to carry out the provisions of this Act:

“Ship” shall include every vessel of any kind carrying passengers, except vessels plying from one port in the province to another port therein:

“Passenger” shall mean and include all passengers or persons on board any ship, and also the crew of any ship, and all persons on board and belonging in any capacity to any ship:

“Treasurer” shall mean the Treasurer of the province.

2. Immediately on the arrival of any ship at any port or place in the Province of South Australia, it shall be the duty of the proper officer Examination of condition of passengers, &c., on arrival.

The Immigration Limitation Act—1891.

officer to go on board such ship and to examine into the condition of the passengers thereof, and such officer is hereby authorised and empowered to go on board of and through such ship, and if, on such examination, there shall be found amongst such passengers any person who may have been convicted of any felony in any country other than South Australia, or any indigent passenger who may be a lunatic, idiot, deaf, dumb, blind, infirm, or unable to take care of himself or herself, and who in his opinion is likely to become a charge upon the public or upon any public or charitable institution as a destitute person or vagrant, the proper officer shall require the owner, charterer, or master of such ship, or some resident of the said province, prior to the landing of any such person, to execute, with two good sufficient and substantial sureties, residents of the province, jointly and severally, a bond to Her Majesty in the sum of Two Hundred Pounds for every such passenger and person aforesaid conditioned to pay to the Treasurer of the said province all moneys, charges, costs, or expenses which shall or may be laid out or incurred within the space of five years from the execution of the said bond for the maintenance or support of such passenger or person aforesaid; and the said sureties shall justify before and to the satisfaction of a Special Magistrate of the province, and shall by their oath or affirmation satisfy him that they are respectively permanent residents in South Australia, and each worth double the amount of the penalty of such bond over and above all their liabilities.

Bond to be given for passengers lunatic, &c.

Proper officer or principal officer to report as to forfeiture.

3. If any passenger for whom any bond shall have been given as aforesaid shall at any time within five years from the execution thereof be convicted of any felony or misdemeanor, or if he shall receive maintenance or support from any public or charitable institution in South Australia, the payment incurred for the maintenance and support of such passenger in any labor prison, gaol, public or charitable institution as aforesaid within five years from his or her arrival, shall be provided for out of the money collected in or under such bond to the extent of the penalty therein mentioned, or such portion as shall be required for the payment of such maintenance or support; and it shall be the duty of the proper officer, upon representation made to him, to ascertain the right and claim of the Treasurer of South Australia to payment of the amount so expended for the maintenance and support of any such passenger, and to report the same to the Governor in Council; and the said report shall, until the contrary is shown, be evidence of the facts therein stated, and such bond may be put in suit, and the penalty required to defray the expenses of such maintenance or support may be recovered by suit or information on behalf of Her Majesty and in the name of the Treasurer in any Court of competent jurisdiction in the said province.

Passenger not to land until bond executed.

4. Until such bond is duly executed by the owner, charterer, or master, or other person as aforesaid, and by the sureties thereto, the passenger on whose behalf the bond is to be given shall not be permitted

The Immigration Limitation Act.—1891.

permitted to land in the province from the ship; and if the master of any vessel shall allow, suffer, or permit any such passenger to land before the execution of a bond, as hereinbefore provided, he shall be liable to a penalty not exceeding One Hundred Pounds for every such offence.

5. Any passenger, as aforesaid, landing or attempting to land from any ship shall be liable to be arrested by any police officer without a warrant, and put on board the ship. Passenger landing, &c., may be arrested

6. If the owner, charterer, or master of any ship on board which such passenger as aforesaid shall have been found or carried shall neglect, or refuse to execute a bond as aforesaid, he shall be liable to a penalty not exceeding One Hundred Pounds sterling, unless the owner, charterer, or master of such ship shall give surety to the satisfaction of the proper officer for the due detention of such passenger on such ship until after her departure out of limits of this province. Penalty for refusing to execute bond.

7. The provisions of this Act shall not extend to shipwrecked mariners brought to South Australia by the master of some ship other than that in which they were wrecked, nor to crews of ships who shall have signed articles for the whole voyage, and who shall leave in the ship, nor to Her Majesty's land or sea forces, nor to any passenger who may have become a lunatic, idiot, deaf, dumb, blind, or infirm during the voyage: Provided the passage of any such passenger has been taken for South Australia. Act not to extend to shipwrecked mariners, &c. Proviso.

8. This Act may be cited as "The Immigration Limitation Act." Short title.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

KINTORE, Governor.