



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

No. 3.

An Act to make provision for levying a charge on Chinese arriving in South Australia.

[Assented to, 19th November, 1857.]

*Left to its operation
See Gazette of 17th June 1850*

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

Preamble.

1. In the interpretation of this Act, the following words, shall, unless inconsistent with the context, have the respective meanings hereby assigned to them, that is to say—The word “Master” shall be held to apply to any person in command of any vessel; the word “Ship” shall mean any sea-going vessel; the word “Tonnage” shall signify tonnage according to the registry of the ship, if British, or according to the measurement fixed by the Merchant Shipping Act of 1854, if the ship be not British; the word “Chinese” shall mean any native of China or its dependencies, or of any islands in the China Seas, or any person born of Chinese parents; and the word “Passenger” shall be held to mean and include any person on board of any ship, not being borne upon the ship’s articles as one of the crew thereof, or who shall be discharged from, or leave such ship, during her stay in any part of the said Province.

Interpretation clause.

2. The master of every ship, upon arrival at any port in the said Province, having passengers on board, shall deliver to the Collector or other chief officer of Customs at the port of arrival, a statement in writing, under the hand of such master, of the number of Chinese on board of such vessel.

Master to state number of Chinese on board.

3. If any ship shall arrive in any port or place in the said Province having on board a greater number of passengers, including the master
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Number of passengers ships may carry.

and crew and cabin passengers, than in the proportion of one person to every ten tons of the tonnage of such ship, and more than one-sixth of such passengers shall be Chinese, the owner, charterer, or master of such ship shall be liable, on conviction, to a penalty not exceeding Ten Pounds for each passenger so carried in excess.

Rate to be paid for each Chinese.

4. On arrival at any port in the said Province of any ship having any Chinese passenger on board, before making entry, the master shall pay to the Collector, or other officer of Customs, the sum of Ten Pounds for every Chinese passenger arrived in such ship, and no entry shall be deemed to have been legally made, or to have any legal effect whatever until such payment shall have been made; and if any master neglect so to deliver such statement, or to pay such sum within the time aforesaid, or shall land or permit such Chinese passenger to land at any place in the said Province, with the intent of evading the payment of any such sum, he shall, on conviction, be liable to a penalty not exceeding Twenty Pounds for each Chinese passenger, in addition to the amount of such sum.

Summary proceedings.

5. All sums of money by this Act made payable may be recovered, and all proceedings under this Act may be had and taken before two or more Justices of the Peace, in a summary way.

Appropriation.

6. All sums of money received or levied by virtue of this Act, shall be paid to Her Majesty, Her heirs, and successors, for the public uses of the said Province, and in support of the Government thereof.

Commencement of Act.

7. This Act shall come into operation from and after the first day of December, which will be in the year of our Lord one thousand eight hundred and fifty-seven.