

## **ALIEN LABOUR ACT, 1897**

*Statutes of Canada, 60-61 Victoria. Chap. 11*

Assented to 29 June 1897

### **AN ACT TO RESTRICT THE IMPORTATION AND EMPLOYMENT OF ALIENS**

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

1. From and after the passing of this Act it shall be unlawful for any person, company, partnership or corporation, in any manner to prepay the transportation, or in any way to assist or encourage the importation or immigration of any alien or foreigner into Canada, under contract or agreement, parole or special, express or implied, made previous to the importation or immigration of such alien or foreigner, to perform labour or service of any kind in Canada.
2. All contracts or agreements, express or implied, parole or special, hereafter made by and between any person, company, partnership or corporation, and any alien or foreigner, to perform labour or service, or having reference to the performance of labour or service by any person in Canada, previous to the immigration or importation of the person whose labour or service is contracted for into Canada, shall be void and of no effect.
3. For every violation of any of the provisions of section one of this Act, the person, partnership, company or corporation violating it by knowingly assisting, encouraging or soliciting the immigration or importation of any alien or foreigner into Canada, to perform labour or service of any kind under contract or agreement, express or implied, parole or special, with such alien or foreigner previous to his becoming a resident in or a citizen of Canada, shall forfeit and pay the sum of one thousand dollars, which may be sued for and recovered by Her Majesty's Attorney General of Canada, or the person duly authorized thereto by him, as debts of like amount are now recovered in any competent court in Canada, the proceeds to be paid into the hands of the Receiver General; and separate suits may be brought for each alien or foreigner who is a party to such contract or agreement.

4. The master of any vessel who knowingly brings into Canada on such vessel and lands or permits to be landed from any foreign port or place any alien, labourer, mechanic or artisan who, previous to embarkation on such vessel, had entered into contract or agreement, parole or special, express or implied, to perform labour or service in Canada, shall be deemed guilty of an indictable offence and on conviction thereof shall be punished by a fine of not more than five hundred dollars for each alien, labourer, mechanic or artisan so brought or landed, and may also be imprisoned for a term not exceeding six months.

5. Nothing in this Act shall be so construed as to prevent any citizen or subject of ally foreign country, temporarily residing in Canada, either in private or official capacity, from engaging, under contract or otherwise, persons not residents or citizens of Canada, to act as private secretaries, servants or domestics for such foreigner temporarily residing in Canada; nor shall this Act be so construed as to prevent any person, partnership or corporation from engaging, under contract or agreement, skilled workmen in foreign countries to perform labour in Canada in or upon any new industry not at present established in Canada, provided that skilled labour for that purpose cannot be otherwise obtained; nor shall the provisions of this Act apply to professional actors, artists, lecturers or singers, or to persons employed strictly as personal or domestic servants: Provided, that nothing in this Act shall be construed as prohibiting any person from assisting any member of his family, or any relative or personal friend, to migrate from any foreign country to Canada for the purpose of settlement here.

6. The Attorney General of Canada, in case he shall be satisfied that an immigrant has been allowed to land in Canada contrary to the prohibition of this Act, may cause such immigrant, within the period of one year after landing or entry, to be taken into custody and returned to the country whence he came, at the expense of the owner of the importing vessel, or, if he entered from an adjoining country, at the expense of the person previously contracting for the services.

7. The Receiver General may pay to any informer who furnishes original information that the law has been violated such a share of the penalties recovered as he deems reasonable and just, not exceeding fifty per cent, where it appears that the recovery was had in consequence of the information thus furnished.

8. No proceedings under this Act, or prosecutions for violation thereof, shall be instituted without the consent of the Attorney General of Canada, or some person duly authorized by him.

9. This Act shall apply only to such foreign countries as have enacted and retained in force, or as enact and retain in force, laws or ordinances applying to Canada of a character similar to this Act.

---

Source: *Statutes of Canada*, 60–61 Victoria, Chapter 11.