

## ACT No. VI OF 1869.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 5th March 1869.*)

*An Act to amend the Law relating to the Emigration of Native Labourers.*

WHEREAS it is expedient to amend the law relating to the emigration  
Preamble. of Native Labourers; It is hereby enacted as follows:—

**1.** The probable length of the voyage from Madras to Reunion, Mauritius,  
Probable length of or Seychelles shall, notwithstanding anything contained in  
winter voyage from Act No. XLVI of 1860 (*to authorize and regulate the emi-*  
Madras to Reunion or Mauritius. *gration of Native Labourers to the French Colonies*) or Act  
No. XIII of 1864 (*to consolidate and amend the law relating to the emigration*  
*of Native Labourers*), section eight, be deemed to be, between the months of  
November and March inclusive, six weeks.

**2.** For section 24 of the said Act No. XIII of 1864  
Licensing of re- the following shall be substituted:—  
cruiters.

“24. The protector of emigrants at each of the three ports aforesaid and  
Persons to license the British consular agent at each of the French Ports in  
recruiters. India, shall license so many fit persons as shall to him seem  
necessary to be recruiters of labourers, and no person shall act or be employed  
as a recruiter of labourers except under a license from such Protector of Emi-  
grants or British consular agent.”

**3.** For section 31 of the said Act No. XIII of 1864  
Refund of fee for the following shall be substituted:—  
emigration.

“31. For the registration of every emigrant, the recruiter shall pay to  
Fee for emigration. the Magistrate a fee of one rupee. On proof of the deser-  
tion of any emigrant before embarkation, the fee paid in  
respect

respect of such emigrant may be refunded by the Magistrate to the recruiter by whom it was paid, under such rules as shall from time to time be made in that behalf by the Governor General of India in Council."

4. Notwithstanding anything contained in the same Act, section forty-five, Time of sailing for places west of Cape. the Local Government may, in cases of emergency, permit emigrants for any place west of the Cape of Good Hope to leave the port of Calcutta between the thirty-first day of July and the first day of April.

5. Notwithstanding anything contained in the same Act, section forty-seven, Increase of space allowed to adult emigrants. no compartment in an emigrant ship shall take more than one adult emigrant for every twelve superficial feet on deck, and for every cubic space of seventy-two feet, or more than one child who shall have completed two and shall not have completed ten years of age for every eight superficial feet on deck.

6. Whenever the Governor General of India in Council or the Local Power to prohibit emigration. Government has reason to believe that in any place to which emigration is lawful, the plague or other infectious disease dangerous to human life has broken out,

or that proper measures have not been taken for the protection of emigrants immediately upon their arrival in such place or during their residence therein,

or for their safe return to India,

or to provide a return-passage to India for any such emigrants at or about the time at which they are entitled to such return-passage,

the said Governor General in Council or the Local Government may, by notification published in the *Gazette of India* or the local Gazette (as the case may be), declare that emigration from British India or from the territories subject to the Local Government (as the case may be) to such place shall cease and be prohibited from a certain day to be specified in the notification.

Any notification issued by the Local Government under this section may be cancelled by order of the said Governor General in Council.

7. Notwithstanding

7. Notwithstanding anything contained in the said Act No. XIII of 1864, section sixty-three, or in any rules made or to be made by the Governor General of India in Council pursuant thereto, the Local Government may, in cases of emergency, permit any vessel carrying emigrants to leave the port of Calcutta, although the proportion of women embarked on board such vessel is not in accordance with the said rules.

8. The third clause of section two of the same Act is hereby repealed, and the phrases "Magistrate of such District" and "Magistrate of the District," wherever they occur in such Act, shall be held to mean any officer exercising in such District the full powers of a Magistrate.

9. The Governor General of India in Council may, from time to time by notification in the *Gazette of India*, increase any fee payable under sections nineteen, twenty-seven and thirty-four of the said Act No. XIII of 1864, and may also in like manner reduce to its present amount any fee so increased: Provided that no fee shall be increased under this section by more than double such amount.

Repeal of Act XIII  
of 1864, sections 55,  
56, 57, 80.

10. Sections fifty-five, fifty-six, fifty-seven and eighty of the said Act No. XIII of 1864, are hereby repealed.

11. All persons are hereby indemnified for anything done before the passing of this Act which might lawfully have been done if this Act had been in force; and no suit or other proceeding shall be maintained against any such person in respect of anything so done.

This section shall come into operation at once: section 2 shall be deemed to have come into operation on the eighteenth day of March 1864; and the rest of this Act shall come into operation on the first day of May 1869.

Commencement of  
Act.