

ACT No. VII OF 1862.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 12th March 1862.)*

*An Act to amend Act XLVI of 1860 (to authorize and regulate the Emigration of Native Laborers to the French Colonies).*

Preamble. WHEREAS since the passing of Act XLVI of 1860 *(to authorize and regulate the Emigration of Native Laborers to the French Colonies)* the Convention therein recited between Her Majesty the Queen of Great Britain and Ireland and His Majesty the Emperor of the French has been varied in the following particulars: that is to say, by substituting for Article XXVI in the said Convention as so recited in the said Act, the following Article:

“ARTICLE XXVI.

The present Convention shall begin to take effect on the 1st of July 1862; its duration is fixed at three years and a half. It shall remain in full force if notice for its termination be not given in the course of the month of July of the third year, and then notice can be given only in the course of the month of July of each succeeding year.

In case of such notice being given it shall cease eighteen months afterwards.

Nevertheless the Governor General of British India in Council shall, in conformity with the Act of the 19th of September 1856, relative to immigration to British Colonies, have the power to suspend at any time emigration to any one or more of the French Colonies, in the event of his having reason to believe that in any such Colony proper measures have not been taken for the protection of the Emigrants immediately upon their arrival or during their residence

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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.

In case, however, the power thus reserved to the Governor General of British India should at any time be exercised, the French Government shall have the right immediately to terminate the whole Convention if they should think proper to do so.

But in the event of the determination of the present Convention, from whatever cause, the stipulations relative to Indian subjects of Her Britannic Majesty introduced into the French Colonies shall be maintained in force in favor of the said Indian subjects until they shall either have been sent back to their own country, or have renounced their right to a return passage to India."

And also by the addition of the two following Articles which were not comprised in the Convention or recited in the said Act, that is to say—

"ARTICLE XXVII.

The present Convention shall be ratified, and the ratifications shall be exchanged at Paris in four weeks, or sooner if possible.

ADDITIONAL ARTICLE.

His Majesty the Emperor of the French having stated that, in consequence of the order which he gave long ago that no more African Emigrants should be introduced into the Island of Re-union, that Colony has, since last year, had to obtain laborers from India and China; and Her Britannic Majesty having, by Convention signed on the 25th of July 1860, between Her Majesty and His Majesty the Emperor of the French, authorized the Colony of Re-union to recruit six thousand laborers in Her Indian possessions, it is agreed that the Convention of this date shall take effect forthwith with regard to the said Colony of Re-union.

The present additional Article shall have the same force and validity as if it were inserted word for word in the Convention signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time as those of the Convention."

And

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And whereas the said Convention, with such alterations and additions as aforesaid, together with such additional Article, has been duly signed, ratified, and confirmed :

It is declared and enacted as follows :—

All the provisions of Act XLVI of 1860 (*to authorize and regulate the Emigration of Native Laborers to the French Colonies*) shall be and remain in full force notwithstanding that the Convention therein recited had been so altered and added to before the same was signed or ratified as aforesaid : and all such provisions, in so far as the same relate to the Convention recited in the said Act, shall be deemed to apply and shall apply to the said Convention as signed and ratified as aforesaid together with the additional Article thereof.

Act XLVI of 1860 to be applicable to the Convention as signed and ratified.