

EMIGRATION TO CEYLON ACT 1847

ACT No XIII OF 1847

(Rep., Act 13 of 1864)

[21<sup>st</sup> August, 1847.]

*Passed by the Hon'ble the President of the Council of India in Council on the 21<sup>st</sup> of August 1847, with the assent of the Right Hon'ble the Government General of India.*

*An Act for repealing Act XIV. of 1839 so far as it related to the Emigration of Natives of India to the Island of Ceylon.*

I. **WHEREAS** by Act XIV. of 1830 it was enacted, that every person who should make with any Native of India any contract for labor to be performed in any British or Foreign Colony without the Territories of the East India Company, or who should knowingly abet or aid any Native of India in emigrating from the said Territories for the purpose of being employed as a laborer, should be liable on conviction before a Magistrate or Justice of the Peace, to a fine not exceeding 200 Rupees for every Native so contracted with, aided or abetted, and in default of payment of such fine, should be liable to be imprisoned for a term not exceeding three months:

Provided always that nothing in that Act contained should be taken to apply to any Native Seaman who should of his own free will contract to navigate any Vessel, or who should embark on board such Vessel in pursuance of such contract, or to any person who should contract to serve as a Menial Servant only, or who should embark as such Menial Servant:

And Whereas the Island of Ceylon geographically, historically and socially considered is analogous to the Countries subject to the Government of the East India Company:

It is hereby enacted, that Act XIV. of 1839 in so far as it makes liable to penalties every person who shall make with any Native of India any contract for labor to be performed in the said Island, or who shall knowingly aid or abet any

Native of India in emigrating from the Territories subject to the Government of the East India Company to the said Island, is repealed.

II. But whereas the said island is not subject to the Legislative power to the Governor General of India in Council, so that the said Governor General in Council is unable to make Laws for the protection of such Natives of India as may emigrate to the said Island against the evils which might attend the emigration of such Natives of India from the said Island to any British or Foreign Colony:

It is thereof hereby enacted, that this Act shall not come into operation until the Governor General of India in Council shall be duly certified that the Legislature of the said Island has made such Laws as the said Governor General in Council shall think sufficient for the protection of such Natives of India so emigrating to the said Island against the evils aforesaid, and shall notify in the Gazette that he has been so certified.

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