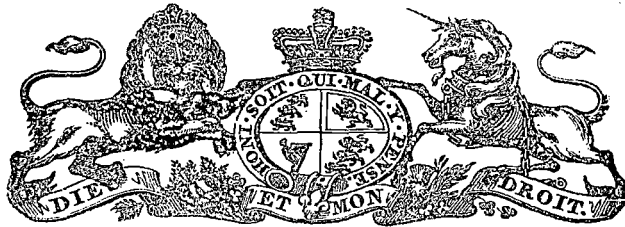


(No. 39.)



1875.

---

T A S M A N I A.

LEGISLATIVE COUNCIL.

---

**FOREIGN RECRUITING.**

Despatch (Circular), 6th August, 1874, transmitting copy of "An Act to control Recruiting in British India for the service of Foreign States."

---

Laid upon the Table by Mr. Chapman, and ordered by the Council to be printed,  
July 27, 1875.



Downing-street, 6th August, 1874.

SIR,

I TRANSMIT to you a copy of an Act which has recently been passed by the Governor-General of India in Council, entitled "An Act to control recruiting in British India for the service of Foreign States."

It is very desirable that in the different Colonies the Governor should possess similar powers of controlling recruiting for Foreign States to those conferred on the Governor-General of India by the enclosed Act; and if there is no legal provision in this respect already existing in the Colony under your Government, I request that you will take an early opportunity of suggesting to your Ministers the expediency of legislating on the subject.

I have the honor to be,

Sir,

Your most obedient humble Servant,

CARNARVON.

*The Officer Administering the Government of Tasmania.*

---

ACT NO. IV OF 1874.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 24th February, 1874.)

An Act to control recruiting in British India for the service of Foreign States.

**WHEREAS** it is expedient that the Governor-General in Council should exercise full control over recruiting in British India for the service of Foreign States; It is hereby enacted as follows:—

**1 Short title.]** This Act may be called "The Foreign Recruiting Act, 1874 :"

**Local extent.]** It extends to the whole of British India;

**Commencement.]** And it shall come into force on the passing thereof.

**2 Interpretation clause.]** In this Act—

"Foreign State." "Foreign State" includes any person or persons exercising or assuming to exercise the powers of Government in or over any country, colony, province, or people beyond the limits of British India.

**3 Power to prohibit or permit recruiting.]** If any person is, within the limits of British India, obtaining or attempting to obtain recruits for the service of any Foreign State in any capacity, the Governor-General in Council may, by order in writing signed by a Secretary to the Government of India, either prohibit such person from so doing, or permit him to do so subject to any conditions which the Governor-General in Council thinks fit to impose.

**4 Power to impose conditions.]** The Governor-General in Council may from time to time, by general order notified in the *Gazette of India*, either prohibit recruiting for the service of any Foreign State, or impose upon such recruiting any conditions which he thinks fit.

**5 Power to rescind or vary orders.]** The Governor-General in Council may rescind or vary any order made under this Act in such manner as he thinks fit.

**6 Offences.]** Whoever, in violation of the prohibition of the Governor-General in Council, or of any condition subject to which permission to recruit may have been accorded,

(a) induces or attempts to induce any person to accept or agree to accept or to proceed to any place with a view to obtaining any commission or employment in the service of any Foreign State, or

(b) knowingly aids in the engagements of any person so induced, by forwarding or conveying him or by advancing money or in any other way whatever,

shall be liable to imprisonment for a term which may extend to seven years, or to fine to such amount as the Court thinks fit, or to both.

**7 Place of trial.]** Any offence against this Act may be enquired into and tried, as well in any district in which the person accused may be found, as in any district in which it might be enquired into and tried under the provisions of the Code of Criminal Procedure.