

Oct 2nd

CEYLON.

*Law, printed in 1873.
Session laws*

7

ORDINANCES

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ENACTED DURING THE SESSION

OF

1872—73.



COLOMBO:

PRINTED BY WILLIAM HENRY HERBERT, GOVERNMENT PRINTER
CEYLON.

1873.

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Rec. Sept. 30, 1905.

ORDINANCES

PASSED BY THE LEGISLATIVE COUNCIL OF CEYLON DURING THE SESSION OF 1872—73.

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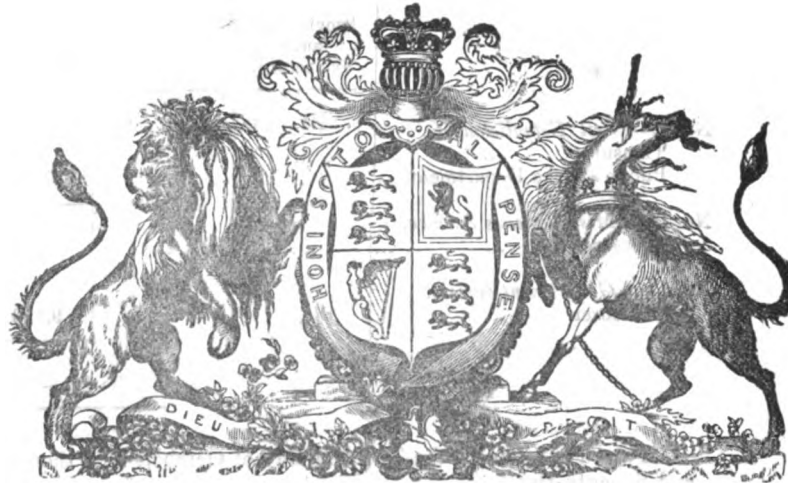
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SUPPLY BILL, SUPPLEMENTARY , for 1872, No. 13 of 1872.	10—15	Penalties, sec. 17.	
SUPPLY BILL for 1873 , No. 3 of 1873.	25—37	Road, meaning of, sec. 2, art. 4.	
		Road authority, sec. 2, art. 5.	
		_____ power to widen roads reserved to, sec. 14.	
		Roads may be opened or broken up, sec. 3.	
		_____ to be re-instated, sec. 4.	
		_____ repair of, sec. 5.	
		_____ right of user, sec. 13.	
		_____ reserved, may be used by public, sec. 16.	
		Regulations to be made by the Governor, sec. 22.	
		Tramways, obstruction in laying out, sec. 6.	
		_____ wilful injury, &c., to, sec. 7.	
		_____ offenders against, may be summarily seized, sec. 9.	
		_____ evasion of fare payable, sec. 8.	
		_____ bringing dangerous goods on, sec. 10.	
		_____ using carriages with flange wheels on, sec. 11.	
		_____ traffic on, sec. 15.	
		_____ working of, when discontinued, sec. 19.	
		_____ removal of, sec. 19.	
		_____ cost of removal, sec. 19.	
		_____ regulations to be made by Government, sec. 22.	
		User of road, sec. 13.	

CEYLON.



**ORDINANCES ENACTED BY THE GOVERNOR OF CEYLON, WITH THE ADVICE AND
CONSENT OF THE LEGISLATIVE COUNCIL THEREOF.**

No. 1.—1872.

No. 1.—1872.

*An Ordinance for making final provision for the Supplementary
Contingent Charges for the year 1871.*

WHEREAS by an Ordinance No. 17 of 1871 it was enacted that a sum of £60,550 7s. 2½d. should be charged upon the Revenue of this Island for the Supplementary Contingent Service of the year One thousand Eight hundred and Seventy-one, in addition to the sum of £683,523 12s. 9d. provided by the Ordinance No. 6 of 1871; and whereas an expenditure of £1,157 2s. 4¼d., or Rs. 11,571 17 cts., was incurred and brought to account for the Contingent Service of the year 1871, for which provision is not made by the aforesaid Ordinances:

Preamble.

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Eleven thousand Five hundred and Seventy-one Rupees and Seventeen Cents shall be and the same is hereby charged upon the Revenue of this Island of the said year One thousand Eight hundred and Seventy-one, for the service hereinafter mentioned; the said expenditure being in conformity with Schedule A. hereunto annexed, whereof the following is an abstract:—

Rupees 11,571 17 cents charged upon the Revenue of this Island of the year 1871 for the Final Supplementary Contingent Service of that year.

ESTABLISHMENTS.

	Rs.	Cts.	Rs.	Cts.
Office Contingencies	2,140	58		
	2,140		58	

SERVICES, exclusive of Establishments.

Miscellaneous Services	316	97		
Government Vessels	9,113	62		
	9,430		59	
TOTAL—Rs.—	11,571		17	

No. 1.—1872.

SCHEDULE A.

	Provisional and Temporary.		Allowances.		Office Contingencies.		Total.	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
No. 1.— <i>Civil Establishment.</i>								
Treasurer		10	6		
Public Works Department		2,130	52		
							2,140	58
No. 15.— <i>Miscellaneous Service.</i>								
Treasurer		316	97		
No. 19.— <i>Government Vessels.</i>								
Treasurer		9,113	62		
							9,430	59
					TOTAL.—Rs.....		11,571	17

Passed in Council, the Thirtieth day of October, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventh day of November, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 2.—1872.

No. 2.—1872.

An Ordinance relating to the Loan for the extension of the Railway from Pérádeniya to Náwalapitiya.

Preamble.

WHEREAS it is expedient to reduce the sum which the Governor is authorized to borrow by the Ordinance No. 4 of 1871 for the purposes of the extension of the Railway from Pérádeniya to Náwalapitiya, and otherwise to alter the provisions of the said Ordinance: IT IS THEREFORE ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Ordinance No. 4 of 1871
repealed.

1. THE Ordinance No. 4 of 1871, entitled "An Ordinance for raising £150,000 on Debentures for the extension of the Railway from Pérádeniya to Náwalapitiya," is hereby repealed.

Loan to be raised.

2. IT shall be lawful for the Governor, in addition to the money already borrowed on Debentures under the provisions of Ordinances Nos. 19 of 1862 and 7 of 1864, to borrow, upon Debentures to be issued by the Government, an additional sum not exceeding Rs. 750,000, for the purchase of such lands, materials, and other things, and for the construction of such works as may be required for and in connection with the said extension.

Debentures.
Interest.

3. EACH Debenture shall be for a sum of not less than 1,000 Rupees, and shall bear interest at a rate not exceeding five per cent. per annum, payable half-yearly, and shall be signed on behalf of the Government of Ceylon by the Treasurer of the Island for the time being, or by such other public officer or officers as may be appointed by the Governor for the purpose; and public notice in the *Ceylon Government Gazette* of such appointment shall be held sufficient evidence thereof.

Coupons.

4. TO each Debenture shall be attached Coupons, for the payment of the half-yearly interest, entitling the bearer to the interest represented thereby.

5. PARTICULARS may also be given in each Debenture, if it be deemed necessary to do so, touching the total amount authorized by the Ordinance to be raised, the amount of each separate instalment raised, the number and value of the several bonds comprised in each issue, and such other matters connected with the loan and payment thereof as the Governor, with the advice of the Executive Council, may deem it expedient to furnish in such Debentures.

6. AS a security for the repayment of the said loan, the General Revenues of the Colony are hereby pledged and especially affected, without prejudice to any pledge over the same already created by existing Ordinances.

7. THE Governor of Ceylon shall be authorized to pay out of the General Revenues of this Colony the interest due on the said loan as the same shall become due; and to pay from the revenue of the year 1875, and of each succeeding year, annual instalments of One hundred and Fifty thousand Rupees in payment of the principal sum borrowed, until the whole of the loan shall have been repaid.

8. THE money borrowed under the authority of this Ordinance shall be applied exclusively to the purposes of the said Railway extension.

9. ALL receipts from the said extension of the line of Railway shall be carried to the account of the General Revenue of the Island.

Passed in Council, the Sixth day of November, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twelfth day of November, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 2.—1872.

Particulars touching the loan and payment may be given in the Debentures and Coupons.

Security.

Governor authorized to pay annually from general revenue the interest due on loan, and from 1875 annual instalments of Rs. 150,000 on account of principal.

Application of money borrowed.

Receipts from extension to be carried to general revenue.

No. 3.—1872.

An Ordinance relating to the Kandy Criminal Sessions.

WHEREAS it is expedient to reduce the number of the ordinary Criminal Sessions of the Supreme Court: IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. SUBJECT to the provisos in the 33rd section of "The Administration of Justice Ordinance, 1868," the number of the ordinary Criminal Sessions of the Supreme Court for the Midland Circuit, to be held at Kandy, shall be henceforward two, at the least, and not three as directed by the said section; and such two Sessions shall commence at Kandy on the Fifteenth day of February and the Fifteenth day of August of every year.

2. THIS Ordinance and "The Administration of Justice Ordinance, 1868," shall be read as one Ordinance.

Passed in Council, the Sixth day of November, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twelfth day of November, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 3.—1872.

Preamble.

Two Criminal Sessions only at Kandy, and not three.

This Ordinance and Ordinance No. 11 of 1868 to be deemed one.

No. 4.—1872.

No. 4.—1872.

An Ordinance to apply a portion of Surplus Revenues to the Extension of Railway Communication.

Preamble.

WHEREAS it is expedient to apply a portion of the funds which have accrued from the Surplus Revenues of past years to the extension of the line of Railway from Pérádeniya to Náwalapitiya: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Rs. 390,000 to be spent from Surplus Revenues for Railway extension.

Treasurer to pay the above at such time as the Governor, by warrant, shall order.

And to receive credit in his accounts for the payments made in pursuance thereof.

1. A SUM not exceeding Three hundred and Ninety thousand Rupees out of the said Surplus Revenues shall be issued and applied to the extension of the line of Railway from Pérádeniya to Náwalapitiya.

2. THE Treasurer of the said Island shall issue and pay the said sum to such persons, for the purpose hereinbefore mentioned, in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall, from time to time, order and direct; and the payments so to be made shall be charged upon and payable out of the said Surplus Revenues of the said Island.

3. THE said Treasurer shall, in his accounts, from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer, in passing his said accounts, for any such sum or sums as shall be therein-mentioned, and he shall and may receive credit for the same accordingly.

Passed in Council, the Twentieth day of November, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of November, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 5.—1872.

No. 5.—1872.

An Ordinance to extend the provisions of the Ordinance No. 10 of 1865 to the Railway from Pérádeniya to Náwalapitiya.

Preamble.

WHEREAS it is expedient to extend the provisions of the Ordinance No. 10 of 1865, entitled "*An Ordinance relating to the Ceylon Railway*," to the line now under construction from Pérádeniya to Náwalapitiya: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

On said line, or portion thereof, being declared open by Proclamation, the Ordinance to apply thereto.

1. IT shall be lawful for the Governor to issue one or more Proclamations declaring the line of Railway now under construction as aforesaid, or any portion thereof, to be open for public traffic from a day to be named in such Proclamation. From the day so named the provisions of the said Ordinance, or of any clause or clauses thereof specified in such Proclamation, and the rules framed and established thereunder and in force at the time, shall apply to the said line or portion thereof so declared open, as if such line or portion was expressly named in such Ordinance.

This Ordinance and Ordinance No. 10 of 1865 to be deemed one.

2. THIS Ordinance and the said Ordinance No. 10 of 1865 shall be read as one Ordinance.

Passed in Council, the Fourth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventh day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

An Ordinance to prevent the wasteful destruction of Buffaloes and Game throughout the Island.

WHEREAS much wasteful destruction of Buffaloes and Game takes place throughout the Island, whereby the supply of food for the people is diminished, and it is expedient to prevent the same: **IT IS ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows:—

1. THIS Ordinance shall come into operation at the date of the passing thereof.
2. THE word "Game" shall, for all the purposes of this Ordinance, be deemed to mean deer and elk.
3. IT shall be lawful for the Government Agent of any Province to declare, by notification in the *Government Gazette*, and by beat of tom-tom and by such other means as shall give due publicity thereto, what shall be deemed the close season in such Province, or in certain districts thereof, for a period not exceeding five months during the year. It shall not be lawful for any person to kill game within the province or districts during the period so declared close.
4. IT shall be lawful for the Government Agent of any Province to prohibit, by notification as hereinbefore provided, all killing of game within any Crown forest within his Province which may be specially reserved for the preservation of timber.
5. NO person shall kill game out of the division of the Kóralé Vidána A'rachchi or Uđaiyárin which he resides without taking out an annual license empowering him to do so, and no person shall kill buffaloes, whether within or without his district, without taking out a special license for that purpose. It shall be lawful for the Government Agent of any Province to grant such licenses on such conditions as shall be therein imposed, or to refuse the same, or to revoke the same after they shall have been once granted, as to him shall seem fit. PROVIDED that any person to whom a license may be refused, or whose license may be revoked, shall be at liberty to apply to the Governor for redress; and it shall be competent to the Governor to make such order on the application as to him shall seem fit.
6. THE application for a license to kill game or buffaloes must be in writing. The license shall bear a stamp,—in the case of an annual license to kill game, of ten rupees, and in the case of a special license for killing buffaloes, at the rate of five rupees per month, or for any period less than one month. The annual license to kill game shall have force till the last day of the year in which the same shall be issued, and the special license to kill buffaloes for the time mentioned in such license.
7. THE licenses to be granted as aforesaid shall not be transferable.
8. NOTHING in the said licenses contained shall be held to allow killing of game in the close season, or battue or driving of game, which is hereby expressly prohibited.
9. IT shall be lawful for the inhabitants of any sub-division of any Chief Headman's division, or part thereof, brought within the operation of "*The Village Communities' Ordinance, 1871*," to make rules for regulating the killing of game and buffaloes within such division, and all matters connected therewith. PROVIDED that such rules are not inconsistent with the provisions made in this Ordinance, which prohibit the killing of game in the close season, or in Crown forests specially reserved.
10. IT shall be lawful for the Governor, with the advice of the Executive Council, to make regulations respecting the killing of game and buffaloes, and all licenses issued under this Ordinance shall be subject to such regulations, and any breach thereof shall be punishable as a breach of such license. PROVIDED that such regulations shall not be inconsistent with the provisions of this Ordinance.
11. THE following penalties are imposed for the following acts:—
 - (1) Any person who shall kill game within any province or district in respect of which the close season shall have been declared, and during the period so declared close, shall be liable to a fine of Fifty Rupees.
 - (2) Any person who shall kill game within any Crown forest specially reserved for the preservation of timber, and in which the killing of game has been prohibited under section 4, shall be liable to a fine not less than Fifty Rupees.

Preamble.

Commencement of Ordinance.

Interpretation clause "Game."

Government Agent to declare the close season in his Province, or certain districts thereof.

Game shall not be killed during close season.

Government Agent may prohibit killing of game in Crown forests.

No person can kill game without annual license;

Or buffaloes without special license.

Government Agent may grant or refuse or revoke license.

Appeal to Governor, if license refused or revoked.

Application for killing must be in writing and stamp.

Duration of license.

License not transferable.

Killing of game in close season, and battue or driving game prohibited.

Rules may be made on subject of killing game or buffaloes under "*Village Communities' Ordinance*;" and if so made, they shall be binding within such division.

Governor to make regulations respecting the killing of game and buffaloes.

Proviso.

Penalties.

No. 6.—1872.

- (3) Any person who shall, unless empowered by rules duly made under section 9, kill game or buffalo without a license, or after the time for which the license shall be in force, or contrary to the tenor of such license, shall be liable, in the case of killing game, to a fine of Fifty Rupees,—and, in the case of killing buffalo, to a fine of One Hundred Rupees.
- (4) Any person who shall transfer his license, and any person who shall accept a transferred license, shall each be liable to a fine of Fifty Rupees.
- (5) Any person who shall, unless empowered by rules duly made under section 9, be engaged in battue and driving, shall be liable to a fine of Fifty Rupees.
- (6) Any person in whose possession shall be found during the period which shall have been declared close in the district any meat of game which he shall not be able to account for satisfactorily, shall be liable to a fine not exceeding Fifty Rupees.

Fines recoverable in Police Courts.

And such fines shall be recoverable in any Police Court having jurisdiction territorially over the district in which the act is committed, and such Police Court is hereby empowered to take cognizance of cases instituted to recover such fines, and to deal with the same, anything in any former law to the contrary notwithstanding.

Informer's share.

12. IT shall be lawful for any Court to award to the informer any sum not exceeding a moiety of the fine actually recovered and realized.

Passed in Council, the Eleventh day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Nineteenth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 7.—1872.

No. 7.—1872.

An Ordinance relating to the new Edition of the Enactments in force in this Colony.

Preamble.

WHEREAS it is expedient to make further provision relating to the new Edition of the Enactments in force in this Colony : IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows :—

Section 4 in Ordinance No. 6 of 1867 repealed, and other provision made instead thereof.

1. THE fourth section of the Ordinance No. 6 of 1867, entitled "*An Ordinance for compiling a new Edition of the Enactments in force in this Colony.*" is hereby repealed, and, instead thereof, it is enacted that every copy of the said Edition shall be stamped with the seal of this Colony, and the copies so stamped shall, in all Courts and upon all occasions whatsoever, be taken, deemed, and held to be *prima facie* evidence that they contain the only lawful Proclamations, Regulations, Ordinances and Charters in force therein from the date of the first and up to the date of the last Enactment inserted therein. PROVIDED ALWAYS, that nothing in this Ordinance contained shall apply to any operation already affected by, or act done under, any Proclamation, Regulation, Ordinance and Charter omitted in the said copies, or of any right, title, obligation, or liability acquired or accrued under any such Proclamation, Regulation, Ordinance or Charter.

Meaning of "Proclamations" in No. 4 of 1867.

2. THE "Proclamations" referred to in the said Ordinance shall be deemed to include the Proclamations issued by the Government before the year One thousand Eight hundred and thirty-four, and not any issued since.

This Ordinance and Ordinances 6 of 1867 and 5 of 1869 to be deemed one.

3. THIS Ordinance and the Ordinances No. 6 of 1867 and No. 5 of 1869 shall be read as one Ordinance.

Passed in Council the Eleventh day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Nineteenth day of December, One thousand Eight hundred and Seventy two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

An Ordinance for amending the Ordinance No. 1 of 1870.

WHEREAS it is expedient to amend, in certain respects, the Ordinance No. 1 of 1870, entitled "*An Ordinance relating to the Fixed Civil Establishments of the Colony*:" IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. THE said Ordinance and the Schedule thereunto annexed, so far as they relate to the officers included in the Schedule hereunto annexed, shall be, and the same are hereby repealed.

2. THE Governor is hereby authorized and empowered to issue from year to year his warrant for the payment of the several yearly salaries and allowances as appropriated in the Schedule hereunto annexed.

3. THE Governor is also hereby authorized and empowered to issue his Warrant for the payment of the several Pensions, Retired Allowances, and Gratuities, which have been already granted or which may hereafter be granted, in conformity with the provisions contained in the Minutes of Government relating thereto, now in force, or which may hereafter be made and issued.

4. THIS Ordinance shall come into operation on the First day of January, One thousand Eight hundred and Seventy-three.

SCHEDULE.

I.—Civil.	Fixed Establishment.		Total.	
	Rs.	Cts.	Rs.	Cts.
SECRETARIAT.				
Twelve Writers at 3000 Rupees each ...	...	...	36000	0
AUDIT OFFICE.				
Assistant Auditor-General ...	...	...	4000	0
CUSTOMS DEPARTMENT.				
Assistant Collector and Landing Surveyor Trincomalee ...	...	...	4000	0
			44000	0
II.—Judicial.				
COURTS OF REQUESTS AND POLICE COURTS.				
Commissioner of the Court of Requests and Police Magistrate, Avisawélla and Pasyála ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Balapitímódara ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Galagedara ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Haldummulla ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Kayts ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Kalpitiya and Puttalam ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Mátara ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Pánaduré ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Paywila and Úrugala ...	4000	0		
Commissioner of the Court of Requests and Police Magistrate, Point Pedro and Chávachachéri ...	4000	0		
			40000	0
			Rs....	84000 0

Passed in Council, the Eighteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twentieth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

An Ordinance to empower Commissioners appointed by the Governor to inquire into any matter referred to them for enquiry, to hear evidence thereon.

Preamble.

WHEREAS it is frequently necessary for the Governor to issue Commissions appointing one or more persons named therein to inquire into and report upon any matter upon which information, in the opinion of the Governor, is necessary, and it is expedient that Commissioners so appointed should have the power to hear evidence with a view to such enquiry and report: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—**

Commissioners so appointed may issue summonses to any person named therein to appear before them and to produce documents.

1. **WHENEVER** the Governor, with the advice of the Executive Council, shall issue a Commission under the Seal of this Island appointing one or more persons to inquire into and report upon any matter stated in such Commission upon which information is in his opinion necessary, it shall be lawful for the Commissioners so appointed, by a summons under the hand of their Chairman, or, if there be only one Commissioner, of such Commissioner, to require the attendance before them, at a time and place to be mentioned in the summons, of any person whose evidence shall, in the judgment of the Commissioners, be material to the subject matter of the enquiry referred to them, and to require all persons to bring before them, such books, papers, deeds and writings as to the said Commissioners shall appear necessary for arriving at the truth touching such subject matter.

Commissioners to have all the powers of District Courts as respects persons failing to appear, or to be sworn, or to answer questions, or to produce documents.

2. **IF** any person upon whom any such summons shall be served by the delivery thereof or by the same being left at his usual place of abode, shall, without reasonable cause, of which the Commissioners shall be the judges, fail to appear before them at the time and place mentioned in the summons, or shall refuse to be sworn, or shall not make answer to such questions as shall be put to him touching the matters which the Commissioners are directed to inquire into, and which he is legally bound to make, or shall refuse or fail, without reasonable cause, of which the Commissioners shall be the judges, to produce and shew to the said Commissioners any such papers, books, deeds or writings, being in his possession or under his control, as to the said Commissioners shall appear necessary for arriving at the truth of the things which they are directed to inquire into, the Commissioners shall have the same powers touching any such person so failing to appear, or refusing to be sworn, or not answering such questions as shall be put to him, or refusing to produce any such papers, books, deeds or writings as aforesaid, as any District Court may by law exercise against any person for making default of appearance or for refusing to be sworn or to give evidence, or to produce documents at the trial of any action depending in such Court. **PROVIDED** however that it shall not be lawful for such Commissioners to exercise any of the said powers without first reporting to the Governor the case which renders, in their opinion, the exercise of them, or any of them, necessary, with full particulars, and obtaining the sanction of the Governor with the advice of the Executive Council.

Commissioners empowered to administer oath. False swearing before them made perjury.

3. **THE** Commissioners so appointed are hereby empowered to administer oaths to all persons who shall be examined before them, and every person who, upon examination upon oath before the said Commissioners, shall wilfully give false evidence, shall be liable to the pains and penalties of perjury.

Processes issued by Commissioners exempt from Stamp and Schedule duty. Fiscals bound to execute processes and commands of Commissioners.

4. **NO** stamp duty shall attach to or be payable for any process issued by the Commissioners under the provisions of this Ordinance; nor shall it be necessary to attach Schedules to processes issued to the Fiscal under such provisions. Fiscals shall be bound to serve and execute all lawful processes and commands issued by the said Commissioners.

Passed in Council, the Eighteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twentieth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 10.—1872.

An Ordinance to empower Police Courts to try breaches of Rules made by Village Communities.

WHEREAS it is expedient to empower Police Courts to try breaches of Rules made under the provisions of "*The Village Communities' Ordinance, 1871,*" where no Village Tribunals exist to try the same: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON,** with the advice and consent of the Legislative Council thereof, as follows:—

1. **WHERE** any Chief Headman's division, or part thereof, is brought within the provisions of "*The Village Communities' Ordinance, 1871,*" and rules are made by the inhabitants of any sub-division as is therein provided, but no Village Tribunal is established, it shall be competent for Police Courts having jurisdiction otherwise over such division or part thereof, to try breaches of the rules made triable by the said Ordinance by such Village Tribunals, and to impose such punishment as the said rules prescribe.

2. **THIS** Ordinance and the said "*Village Communities' Ordinance, 1871,*" shall be read as one Ordinance.

Passed in Council, the Nineteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twentieth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 10.—1872.

Preamble.

Police Courts may try breaches of rules made under Village Communities' Ordinance where no Village Tribunals exist.

This Ordinance and Ordinance No. 26 of 1871 to be deemed as one.

No. 11.—1872.

An Ordinance to empower Municipal Councils to increase the Tax on Carts and Hackeries, and to impose a Tax on Dogs.

WHEREAS it is expedient to empower Municipal Councils established under "*The Municipal Councils' Ordinance, 1865,*" to raise the tax on carts and hackeries, and to impose a tax on dogs: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON,** with the advice and consent of the Legislative Council thereof, as follows:—

1. **THE** maximum of the yearly tax which Municipal Councils are authorized and empowered to levy on carts and hackeries with the sanction of the Governor and Executive Council, by section 55 of the said Ordinance, is hereby made Four Rupees, anything in the said section to the contrary notwithstanding.

2. **IT** shall be lawful for any Municipal Council, and it is hereby authorized and empowered, with the sanction of the Governor and Executive Council, to levy an annual tax on each dog kept within the Municipality not exceeding One Rupee and Fifty Cents, and to make such bye-laws as shall be necessary for collecting and levying the same; and such tax shall be payable in such proportions and at such times as the Council shall direct, and shall be assessed and levied as by any bye-law provided.

3. **THIS** Ordinance and "*The Municipal Councils' Ordinance, 1865,*" shall be read as one Ordinance.

Passed in Council, the Nineteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twentieth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 11.—1872.

Preamble.

Maximum of tax on carts and hackeries made Four Rupees.

Municipal Councils empowered to levy yearly tax on dogs.

This and Municipal Councils' Ordinance to be deemed one.

No. 12.—1872.

No. 12.—1872.

An Ordinance to establish further Tolls.

WHEREAS it is expedient to establish the Tolls hereinafter specified: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. FROM and after the passing of this Ordinance further tolls shall be established on and in respect of the following roads:—

Southern Province.—Mátara District.

On the road from Mátara to Akurèssa.

On the road from Akurèssa, beyond the junction of the Minor road.

Passed in Council, the Nineteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twentieth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 13.—1872.

No. 13.—1872.

An Ordinance for making provision for the Supplementary Contingent Charges for the year 1872.

Preamble.

WHEREAS by an Ordinance No. 25 of 1871 it was enacted that a sum not exceeding Six Millions, Eight hundred and Seven thousand, Nine hundred and Twenty-eight Rupees and Sixty-six Cents, should be charged upon the Revenue of this Island for the Contingent Service of the year One thousand Eight hundred and Seventy-two, and it has become necessary to make further provision for the service of the said year:

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Seven hundred and Seventy-nine thousand, Seven hundred and Eighty-four Rupees and Eighteen Cents shall be, and the same is hereby charged upon the Revenue of this Island, for the service hereinafter mentioned; and the said expenditure shall be in conformity with the details of the Estimates specified in the Schedule A. hereunto annexed, whereof the following is an abstract:—

ESTABLISHMENT.	Rs.	Cts.	Rs.	Cts.
Salaries, Provisional and Temporary	16,395	31		
Allowances	2,439	30		
Office Contingencies	15,924	58		
			34,759	19
<i>SERVICES, exclusive of Establishments.</i>				
Revenue Services	17,353	74		
Administration of Justice	10,698	65		
Charitable Allowances		30		0
Education	26,778	0		
Hospitals	4,368	75		
Police and Gaols	45,665	0		
Rent		597		50
Transport	15,788	36		
Conveyance of Mails	1,856	0		
Works and Buildings	50,152	0		
Roads, Streets, Bridges, and Canals	279,796	74		
Miscellaneous Services	203,306	23		
Colonial Store	14,302	17		
Government Vessels				
Refund of Duties, Drawbacks, &c.	20,891	85		
Lands taken for Government purposes	2,440	0		
Immigration	1,000	0		
Railway Construction	50,000	0		
			745,024	99
			Total—Rs.	779,784 18

Rs. 779,784 and 18 cts. to be charged upon the Revenue of this Island for the Supplementary Contingent Service of the year 1872.

2. THE Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any Warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the Revenues of the said Island.

No. 13.—1872.

Treasurer to pay the above at such time as the Governor by Warrant shall order.

3. THE said Treasurer shall in his Accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such Warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer in passing his said Accounts for any such sum or sums as shall be therein-mentioned; and he shall and may receive credit for the same accordingly.

And to receive credit in his accounts for the payments made in pursuance thereof.

SCHEDULE A.

No. 1.—	Provisional and Temporary Salaries.		Allowances.		Office Contingencies.				Total.	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
Civil Establishments:										
The Governor	1,000	0	—	—	—	—	—	—	1,000	0
Secretariat	6,000	0	—	—	700	0	—	—	6,700	0
Treasury	—	—	—	—	2,000	0	—	—	2,000	0
Audit Office	250	0	—	—	287	50	—	—	537	50
Provincial Agencies:										
Agent, Western Province	350	0	—	—	200	0	—	—	550	0
Do. North-Western Province	690	0	—	—	—	—	—	—	690	0
Do. Southern Province	395	0	—	—	500	0	—	—	895	0
Do. Eastern Province	375	0	—	—	—	—	—	—	375	0
Do. Northern Province	—	—	—	—	500	0	—	—	500	0
Do. Central Province	—	—	—	—	1,283	86	—	—	1,283	86
Public Works Department	416	66	—	—	—	—	—	—	416	66
Survey Department	96	75	—	—	—	—	—	—	96	75
Customs	250	0	—	—	—	—	—	—	250	0
Harbour Department	—	—	—	—	1,331	23	—	—	1,331	23
Post Office	745	0	90	0	1,697	76	—	—	2,532	76
Botanic Garden	180	0	—	—	—	—	—	—	180	0
Agent, Colonial Steamer "Serendib"	480	0	306	25	—	—	—	—	786	25
Judicial Establishments										
Queen's Advocate	—	—	—	—	—	—	—	—	—	—
District Courts, Courts of Requests, and Police Courts	3,209	1	2,043	5	204	73	—	—	5,456	79
Registration Department	—	—	—	—	2,000	0	—	—	2,000	0
Fiscals in the Provinces, including Gaols	1,054	14	—	—	—	—	—	—	1,054	14
Ecclesiastical	416	66	—	—	—	—	—	—	416	66
Public Instruction	—	—	—	—	—	—	—	—	—	—
Medical	—	—	—	—	5,219	45	—	—	5,219	45
Police	—	—	—	—	—	—	—	—	—	—
Colonial Store	487	9	—	—	—	—	—	—	487	9
Railway	—	—	—	—	—	—	—	—	—	—
Rs...	16,395	31	2,439	30	15,924	58	Carried forwd.		34,759	19

		[Brought forward...Rs.]	Rs.	Cts.	Rs.	Cts.
No. 3.—REVENUE SERVICES.			—		34759	19
PROVINCIAL AGENCIES.						
Agent, Western Province	...		1717	74		
<i>Assessment.</i>						
Remuneration to Assessors	...	Rs. Cts.	100	0		
Tax on Government buildings	...		1617	74		
			1717	74		
Agent, Southern Province.			14336	0		
<i>Salt.</i>						
Cost of collecting and storing salt	...	2500	0			
Materials for storing salt	...	5000	0			
Watching and removing salt	...	6000	0			
Receiving and issuing salt	...	650	0			
Commission to salt Retailers	...	100	0			
		14250	0			
<i>Timber.</i>						
For fastening a chain down the Gintara river, to prevent the clandestine removal by night of Government timber			74	0		
<i>Licenses.</i>						
Cost of tin plates, &c., for Carts and Boats	...		12	0		
			14336	0		
Agent, Eastern Province. ...			50	0		
<i>Timber.</i>						
For stamping timber	...		50	0		
Agent, Central Province	...		1250	0		
<i>Grain.</i>						
For the payment of the salaries of Commuting Assessors of the district of Kotmalé	...	400	0			
Commutation expenses being 1-20th share to Headmen collecting tax	...	500	0			
<i>Assessment.</i>						
Tax on public buildings	...		350	0		
			1250	0		
No. 4.—ADMINISTRATION OF JUSTICE.					17353	74
Registrar of the Supreme Court	...		5800	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...		387	75		
Fiscals	...		4510	90		
No. 6.—CHARITABLE ALLOWANCES.					10698	65
Agent, Western Province	...		—		30	0
No. 7.—EDUCATION.						
Director of Public Instruction	...		—		26778	0
No. 8.—HOSPITALS.						
Agent, Western Province	...		1898	75		
Do. North-Western Province	...		970	0		
Do. Southern do	...		900	0		
Do. Central do.	...		100	0		
Inspector-General of Police	...		500	0		
No. 9.—POLICE AND GAOLS.					4368	75
Police Magistrates	...		15	0		
Fiscal, Southern Province	...		500	0		
Do. Northern do.	...		10150	0		
Do. Central do.	...		500	0		
Superintendent of the Colombo Convict Establishment	...		4000	0		
Government of Straits Settlements	...		30500	0		
					45665	0
		Carried forward...Rs.			139653	33

[Brought forward...Rs.

	Rs.	Cts.	Rs.	Cts.
No. 10.—RENT.			139653	33
Agent, Eastern Province	310	0		
District Judge, Kandy	187	50		
Principal Civil Medical Officer and Inspector-General of Hospitals ..	100	0	597	50
No. 11.—TRANSPORT.				
His Excellency the Governor	1411	0		
Secretariat	500	0		
Treasurer	2500	0		
Agent, Western Province	200	0		
Do. North-Western Province	900	0		
Do. Southern do.	1240	0		
Do. Central do.	1024	0		
Director of Public Works	4000	0		
Collector of Customs, Eastern Province	85	0		
Master Attendant, Colombo	361	75		
District Judges, Police Magistrates, &c.	3416	61		
Fiscal, North-Western Province	150	0	15788	36
No. 12.—CONVEYANCE OF MAILS.				
Post Office	1856	0	1856	0
No. 13.—WORKS AND BUILDINGS.				
DIRECTOR OF PUBLIC WORKS.				
<i>New Works and Buildings.</i>				
For the construction of a Rest-house at Gal Oya on the Kandy road	688	0		
For constructing a house for the Postholder at Vavuniya Vilankulam	1540	0		
Government House, Nuwara Eliya (purchase money)	2600	0	28228	0
<i>Additions to Buildings.</i>				
For building new latrines and lines for garden coolies at the Pavilion, and for certain repairs and improvements to the offices	2256	0		
For building a wall on the east side of the Temple at Kandy	963	0	3219	0
<i>Repairs to Buildings.</i>				
For rebuilding a portion of the Cemetery wall at Borèlla	1470	0		
For certain repairs to the Queen's House, Colombo	4235	0		
For certain repairs to the Government House, Nuwara Eliya, and for Furniture, Stables to the Aid-de-Camp's Quarters, &c.	13000	0	18705	0
Total, Works and Buildings...			50152	0
No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.				
DIRECTOR OF PUBLIC WORKS.				
<i>Roads, Streets, Bridges, and Canals.</i>				
<i>For the ordinary and necessary repairs.</i>				
Roads.				
For restoring damages caused by the late heavy rains on the undermentioned roads:—				
The Dotalé road (Government moiety)	350	0		
From Karawanelà to Ginigathéna	999	94		
From Avisawélla to Ratnapura	1499	94		
The U'rugodawatta road	2100	0		
From Grandpass to Tóppu	1499	94		
The Kotté road	799	96		
From Grandpass to Kadugannáwa	12099	55		
From Grandpass to Avisawélla	2500	0		
The Véyangoda and Já-èla roads	999	97		
From Ginigathéna towards Kitulgala to boundary of Province	1500	0		
For restoring temporarily the U'rugodawatta road under the Railway bridge	900	0		
The Puttalam and Nikaweretiya road	1205	0		
From Gampola to Ginigathéna	1500	0		
From Ginigathéna to Glencairn (Government moiety)	1000	0		
From Návalapitiya to Tispana	2500	0		
Carried forward Rs. ...	31454	30	208047	19

No. 13.—1872.

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.

—continued.

	[Brought forward...Rs.	Rs.	Cts.	Rs.	Cts.
	31454	30	—	208047	19
Roads.—(continued.)					
For upkeep of the Gampola and Nāwalapitiya road ...	4000	0			
Do. do. Haputalé road between Nāulla and Gurukandura	11200	0			
Do. do. Nuwara Eliya road between Gampola and Nuwara Eliya ...	10000	0			
Do. do. Dimbulla road (Government moiety) ...	2000	0			
			58654	30	
Repairs of Bridges.					
For building another water-way for the Kotmalé bridge ...	2813	0			
For repairing damages done to the bridges on the South Coast road by the recent floods	1960	0			
For renewing the second one-third of the Sīluwa bridge ...	920	0			
For repairing and strengthening the Bridge over the Wala-way river at Ambalantōta	2230	0			
			7923	0	
Canals.					
For clearing out the Fort Canal			3500	0	
Departmental Charges.					
Surveying and tracing New Roads and taking borings			3500	0	
New undertakings (other than Buildings.)					
New Roads.					
Compensation for damages done to private property by the opening of the Dotalé road	250	0			
For the extension of the Dik Oya road from Glencairn to Elbedde Estate (Government moiety)	33034	0			
For the completion of the Badulla and Batticaloa road ...	76562	0			
For completing the road from Puliyantivu to the Bar ..	1000	0			
For constructing a new roadway from the east to the west end of the Railway Goods Yard, Kandy	2208	0			
Compensation for damages done to private property by the opening of the road from the Polgahawela Railway Station to the Maha Oya	120	0			
			113174	0	
Additions and Improvements to existing roads.					
For restoring the main road near the Racket Court, Colombo	10200	0			
For rebuilding a high retaining wall at Ratnapura, for removing extensive land-slips, repairing damages done to the road, and for rebuilding some of the lines destroyed by the late flood	3522	0			
			13722	0	
New Bridges.					
For payment of royalty on timber required for the Ambalantōta Bridge			362	21	
For upkeep of irrigation works			3000	0	
For irrigation works			63476	0	
Miscellaneous.					
For conveying a sick pioneer to Colombo for Medical treatment, and for the half-pay of a disabled pioneer	128	75			
For opening a new mouth for the Kelani river	400	0			
For do. do. do. Kalutara river	560	4			
For payment of judgment and costs of suit in Case No. 38,919, District Court, Colombo, obtained against the Crown by Don Abraham Rupasinha Appuhami, Ratnapura Road Contractor	4986	12			
To meet the claim of the Indian Government for three miles of cable supplied to this Government in May, 1868, for a Telegraph line from Mannār to Jaffna	6410	32			
			12485	23	
Total, Roads, Streets, Bridges, and Canals					279796 74
No. 15.—MISCELLANEOUS SERVICES.					
Treasurer			159861	70	
Agent, Western Province			7434	25	
Do. North-Western do.			1205	0	
Do. Southern ... do.			2610	0	
Do. Eastern do. do.			3505	21	
Do. Northern ... do.			5485	0	
Do. Central ... do.			3108	0	
Survey Department			4203	83	
Master Attendant.					
Colombo			2745	0	
Registration Department			12923	24	
Director, Public Instruction			225	0	
			203306	23	
Carried forward...Rs.					691150 16

	[Brought forward...Rs.]	Rs.	Cts.	Rs.	Cts.
		...		691150	16
No. 17.—COLONIAL STORE.					
Colonial Storekeeper	14302	17	14302	17
No. 20.—REFUND OF DUTIES, DRAWBACKS, &c.					
Treasurer	7117	55		
Agent, Western Province	2466	50		
Do. Southern Province	8695	33		
Do. Eastern Province	125	42		
Do. Central Province	2487	5	20891	85
No. 21.—LANDS TAKEN FOR GOVERNMENT PURPOSES.					
Agent, Western Province	80	0		
Do. Southern do.	2000	0		
Do. Eastern do.	360	0	2440	0
No. 22.—IMMIGRATION.					
Agent, Northern Province	1000	0	1000	0
No. 24.—RAILWAY CONSTRUCTION.					
Treasurer	50000	0	50000	0
Total...Rs.		—		779784	18

No. 14.—1872.

Passed in Council, the Nineteenth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-fourth day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 14.—1872.

No. 14.—1872.

An Ordinance to provide for the Medical wants of the Coffee Districts.

WHEREAS it is expedient to make provision for the medical wants of the Coffee Districts in this Island, IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1. THIS Ordinance shall come into operation at the date of the passing thereof.
2. THE following expressions in this Ordinance shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction.

Commencement of Ordinance.

Interpretation clause.

“District” shall include an entire district or a part thereof.

District.

“Committee” shall mean any Committee appointed for any district brought within the operation of this Ordinance.

Committee.

“Medical Officer” shall mean the medical officer employed for any such district.

Medical Officer.

“Superintendent” shall mean the person in the immediate charge of any estate in such district.

Superintendent of estate.

“Estate” shall mean any Coffee Estate in such district, over ten acres in extent. PROVIDED that it shall also include estates or portions of estates cultivated with Tea and Cinchona.

Estate.

No. 14.—1872.

Governor, with advice of Executive Council, may bring any district within operation of this Ordinance.

Government Agent shall then summon a meeting of the proprietors of estates.

Notice of meeting to be published in *Gazette*.

Meeting to elect District Committee.

Chairman

Majority shall decide.

Chairman to decide disputed questions at meeting.

Term of office.

Removal of any member once appointed, and filling up of vacancies.

District Committee to make rules.

3. IT shall be lawful for the Governor, with the advice of the Executive Council, by Proclamation to be by him issued and published in the *Government Gazette*, to declare, from time to time, as he may think desirable, that any district shall be brought, from a time to be named therein, within the operation of this Ordinance, and for that purpose to define the limits of such district, and from time to time, if need be, to alter such limits and determine upon others instead. On such Proclamation being issued, the said district shall be brought within the operation of this Ordinance, and shall become liable to the provisions thereof, and the coffee estates situate therein shall be liable to assessment, to be made as hereinafter provided, for the purpose of providing for the medical wants of the district, and such assessment when made shall be a charge upon such estates and the proprietors thereof.

4. ON any district being brought within the operation of this Ordinance, the Government Agent of the Province to which such district shall belong, or, if the district fall within two Provinces, the Government Agent of either Province, as the Governor shall direct, shall call a meeting of the proprietors of estates within such district, to consider the arrangements to be made to supply the medical wants of the district, and to elect a District Medical Committee to make those arrangements, and to exercise the powers and perform the duties imposed upon such Committees by this Ordinance. And it shall be the duty of such Government Agent to publish notice of such meeting in three consecutive numbers of the *Government Gazette*.

5. EXCEPT as is herein excepted, every meeting so convened shall be held at the time and place appointed, and it shall be lawful for the proprietors, or their representatives by proxy in writing, present thereat, to determine the number, not exceeding seven, of which the District Committee shall consist, and the qualifications of the members of such Committee, and also to elect the persons to act as such members. The Government Agent if present, or if he be absent, such proprietor as the meeting shall elect, shall act as Chairman for such meeting, and it shall be lawful for the meeting, if need be, to adjourn to any other time and place. All questions or resolutions shall be determined by a majority of votes of the proprietors, or their representatives as aforesaid, such majority not being less than one-eighth of the whole number of the proprietors in the District. In case of equality of votes, the Chairman shall have a casting vote. In case any question shall arise at the meeting as to the right of any person to vote, it shall be the duty of the Chairman to decide the same, and his decision shall be final and conclusive. The Chairman shall keep Minutes of the meetings held under this Ordinance, which shall be filed and preserved in the Kachchéri of the Province, and he shall transmit to the Government Agent for publication in the *Government Gazette*, the names of the persons elected to serve as members of the Committee, and such publication shall be evidence of their appointment, of which all persons concerned shall thenceforward take notice.

6. THE persons elected to act as members of the Committee shall hold office for two years, unless they or any of them are re-elected at the end of the term. It shall however be lawful for the proprietors of any district, with the sanction of the Governor, but not otherwise, to remove any member from the Committee. And in case of such removal, or in case of any member resigning, dying, leaving the Island, or becoming incapable to act, the proprietors may elect another member in his place for the remainder of the term for which the original member was elected. It shall further be lawful for the proprietors from time to time, with the like sanction, to add to the number of a Committee, (subject however to the limitation prescribed in the preceding section,) and to elect additional members accordingly. Provided that such election, removal, or addition shall take place at and by public meetings to be convened, held, and regulated, as near as may be, in the manner herein provided for as respects the original meeting.

7. IT shall be lawful for any Committee to make, subject to provisions hereinafter contained, such rules as they may deem expedient for any of the following purposes:—

- (1) For regulating the time and place for its own meetings, and the order to be observed thereat, and to fix the quorum.
- (2) For making the necessary arrangements to provide for the medical requirements of the district.
- (3) For determining the assessment to be made upon all estates in cultivation in the district, and furnishing the Kachchéri of the district with the assessment roll.

8. THE rules so prepared by any Committee shall be forthwith transmitted to the Governor, for the approval or disallowance thereof of the said Governor, by and with the advice of the Executive Council, and in case such rules shall be approved, they shall be published in the *Government Gazette*, and shall thereupon become as valid, legal, and effectual, as if the same had been inserted herein. PROVIDED that nothing contained in such rules shall be repugnant to or inconsistent with the true intent and meaning of the provisions of this Ordinance.

No. 14.—1872.

Rules how to be made valid.

9. IT shall be lawful for any Committee, from time to time, to add to, amend, or repeal, the existing rules, provided that the said additions, amendments, or repealing provisions, as the case may be, shall be in all respects dealt with and decided upon in the same manner as is herein directed and provided with respect to the original rules.

Rules may be added to, amended, or repealed.

10. SUCH rules, when published in the *Gazette*, shall be binding upon and observed by all parties subject to their operation, and all Courts, Judges, and Magistrates shall take judicial notice thereof.

Rules to be binding upon all, and judicial notice to be taken thereof.

11. IF the proprietors of estates in any district refuse or omit to elect a Committee for the district at the meeting convened for that purpose, as hereinbefore provided, or if the Committee, when elected, shall fail to make rules which are approved by the Governor, with the advice of the Executive Council, or if the arrangements of such Committee to provide for the medical wants of the district shall appear to the Governor and Executive Council insufficient or unsuitable, it shall be lawful for the Governor, with the advice of the Executive Council, to make such arrangements as to him shall seem necessary for the medical wants of such district, and to impose an assessment on all estates situate therein to defray the cost of such arrangements; and such assessment, so made, shall be a charge upon such estates and the proprietors thereof. PROVIDED however that such assessment so to be made by the Government shall not exceed One Rupee per acre in cultivation.

When Government may make arrangements to supply the medical wants of a district.

12. WHEN the estates in any district shall be assessed, the assessment roll shall be forwarded by the Committee to the Kachchéri of the Province, and it shall be the duty of the Government Agent to cause written notice to be served upon the proprietor of each estate of the sum for which such estate is assessed, and requiring him to pay such sum to the Kachchéri named therein at such time or times as shall be specified in such notice. If the proprietor be not known, or be absent from the colony, the notice may be issued to the superintendent, and if there be no superintendent, the notice shall be affixed to some conspicuous part of the estate.

Notice of assessment to be served on each proprietor.

Mode of service.

13. IF any proprietor shall neglect or refuse to pay the sum for which his estate shall have been assessed at the time or times specified in such notice, it shall be lawful for the Government Agent of the Province, or any person authorized by him, to seize once or oftener all the crops, live-stock and implements found on such estate, or any other article or thing whatsoever belonging to the proprietor until the full amount due by such estate shall be recovered. If there be no crop, live-stock, and implements on such estate, or any other article or thing belonging to the proprietor as aforesaid, or if there shall not be sufficient to realize the sum due by such estate, it shall be lawful for such Government Agent or other person as aforesaid, to cause the timber on the said estate to be cut, or the materials of the buildings erected thereon to be removed, and to sell the same. And, unless the sum due shall be sooner paid, with the costs and charges incurred in respect of such seizure, it shall be lawful for such Government Agent or any person as aforesaid, to sell the property so seized by public auction at any time after thirty days from the date of seizure: perishable property, however, may be sold within ten days from the date of such seizure.

Recovery of sum assessed if proprietor shall fail to pay.

14. ANY moveable property so seized, as aforesaid, may be removed for safe custody, pending the sale thereof, to such place as the person directing the seizure may think fit; and in case of the seizure of immovable property or of any property which cannot conveniently be removed, it shall be lawful for the person making the seizure to place and keep a person in possession thereof pending such sale.

Removal of property seized for safe custody.

Or, keeping a person in charge.

15. THE costs and charges of seizure and sale shall also be payable from the proceeds of the property seized, and they shall be as follows:—

Costs and charges of seizure and sale.

- (1.) For cost of proceeding to the house or land of the party in default in order to seize property,—a charge not exceeding eight per centum on the amount due.

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- (2.) For removal of the goods seized, in case such removal takes place,—a charge not exceeding eight per centum on the amount due.
- (3.) For keeping the same in safe custody in case of such detention,—a charge not exceeding five cents per day.
- (4.) For keeping a person in possession, or if the goods seized are not removed,—a charge not exceeding fifty cents per day.
- (5.) For the expenses of sale, where any takes place,—a charge not exceeding two and-a-half per centum on the net produce of the sale.

Buildings may be broken open for purposes of seizure.

16. IT shall be lawful for the Government Agent, or any person authorized as aforesaid, to break open, or cause to be broken open in the daytime, any house or building, for the purpose of seizing property in pursuance of this Ordinance.

Return of overplus to owner.

17. IN the event of a sale of property seized, the Government Agent, at whose instance such seizure was made, shall, after deducting the amount due by the defaulter, and also the costs and charges payable under Section 15, restore the overplus arising from such sale, if any there be, to the owner of the property sold.

Certificate of sale.

18. IF land or other immovable property be sold for non-payment of the assessment, a Certificate, substantially in form A. in the Schedule hereto, signed by the Government Agent, shall be sufficient to vest the property in the purchaser, any law or custom to the contrary notwithstanding. Such Certificate shall be liable to the stamp duty fixed on conveyances of immovable property, and to any registration or other charges authorized by law, such duty and charges being payable by the purchaser.

Medical officers, appointment, and tenure of office.
Remuneration.

19. THE medical officers for any district shall be appointed by the Governor, and shall hold office during pleasure. It shall be lawful for the Governor, with the advice of the Executive Council, to pay such medical officer such sum as the District Committee shall fix in the exercise of the power conferred upon them by section 7 to make the necessary arrangements to provide for the medical wants of the district. If no sum shall be fixed by such Committee, it shall be lawful for the Governor to pay such reasonable remuneration as he shall deem fit, and the sum so paid shall be paid from the General Treasury, and shall form a charge against the sum recovered as assessment from the district.

Medical officers to perform duties subject to orders of Government, and to rules made by District Committees.

20. THE medical officers so appointed shall perform their duties subject to the orders of Government, and to the rules which shall be duly made and published as aforesaid by any District Committee.

Duties imposed on superintendents of estates.

21. THE following duties are hereby imposed on superintendents of estates brought within the operation of this Ordinance :—

- (1.) They shall, at all hours, allow the medical officers appointed for any district access to the coolie lines.
- (2.) They shall set apart, on being required so to do by the Government, and within one month after being so required, one or more rooms on each estate for the use of sick coolies, in such places and of such size and description as the Government shall prescribe.
- (3.) They shall, on the requisition to that effect of the medical officer of the district, remove patients at the expense of the proprietors of the estates to the central hospital named in such requisition.
- (4.) They shall keep such hospital registers, and make such returns of sick coolies, and of the births and deaths in each, and of such further particulars as the Governor, with the advice of the Executive Council shall, from time to time, prescribe.
- (5.) They shall be bound to inform the medical officer, within 48 hours, of every birth and death on the estate.

Women after childbirth not to work till reported fit; but to receive lodging, food, and medical care.

22. WHERE any woman employed on an estate shall have been confined, she shall not be allowed to perform work until she is reported fit to work by the medical officer, but she shall be entitled to receive lodging and food as well as medical care, for any period not exceeding one month.

23. ANY superintendent who shall be convicted of the following acts of commission or omission shall be liable for each offence to a fine not exceeding Fifty Rupees:—

No. 14.—1872.
Penalty on superintendents of estates.

- (1.) For not allowing the medical officer appointed to any district access to the coolie lines.
- (2.) For each week that he may neglect to provide rooms for sick coolies, as herein provided, after the expiration of a month after he shall have been required to provide such rooms.
- (3.) For each day that he may neglect or refuse, without reasonable cause, to send a patient to the central hospital, on being required to do so by the medical officer.
- (4.) For neglecting to keep such hospital register and make such returns as the Governor, with the advice of the Executive Council shall, from time to time, prescribe.
- (5.) For neglecting to report within forty-eight hours to the medical officer every birth and death on the estate.
- (6.) For allowing a woman after her confinement to work before she is certified to be fit for work by the medical officer.

SCHEDULE

A.

(Section 18.)

Whereas _____ of _____ was in default in the payment of the moneys due by him for assessment under the Ordinance No. _____ of _____ and became liable in the sum of Rupees _____ inclusive of costs and charges, and made default in the payment thereof, and whereas in conformity with the said Ordinance his property was seized and (on the _____ day of _____) sold, and the same was purchased by _____ for the sum of Rupees _____ which has been duly paid by the said _____

Now know ye that I _____ (Government Agent) by virtue of the powers vested in me by the said Ordinance, do hereby certify that the following property, to wit: (*here describe the property accurately*) _____ has been sold and purchased by _____ of _____ for the sum of _____ which he has duly paid, and that the said premises are and shall henceforward be vested in the said _____ his heirs, executors, administrators, and assigns for ever.

Given under my hand at _____ this _____ day of _____

Passed in Council, the Thirtieth day of December, One thousand Eight hundred and Seventy-two.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Thirty-first day of December, One thousand Eight hundred and Seventy-two, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 1.—1873.

No. 1.—1873.

An Ordinance relating to the care and custody of Persons of unsound mind and their Estates.

Preamble.

WHEREAS it is expedient to make further and better provision relating to the care and custody of persons of unsound mind and their estates: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. THIS Ordinance shall come into operation at the date of the passing thereof. Commencement of Ordinance.
2. THIS Ordinance may be cited as "*The Lunacy Ordinance, 1873.*" Short title.

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Repeal of Ord. 11 of 1840, and Section 3 of Rules and Orders relative to jurisdiction over idiots and lunatics.
Proviso.

Meaning of "unsound mind" and qualification of Medical Practitioner.

Any officer of Police or Headman, or private person, may apply for enquiry into the state of mind of a person suspected to be of unsound mind.

Application of private person should be supported by certificate from Medical practitioner.

Proceedings thereupon by the District Court.

Further observation.

Places of remand for further observation.

Appointment of guardians, if need be.

If no relative or friend will undertake custody of such person, he shall be sent to the Lunatic Asylum.

3. THE Ordinance No. 11 of 1840, entitled "*An Ordinance to amend the Law relative to the establishment of Lunatic Asylums, and to make further general provisions for the proper care and custody of insane persons,*" and Section 3 of the Rules and Orders for regulating the form of proceedings in District Courts, headed "*Jurisdiction over Idiots and Lunatics,*" are hereby repealed. PROVIDED that such repeal shall not affect acts and proceedings which shall have been already performed, or commenced, under the said Ordinance or Rules and Orders.

4. FOR the purposes of this Ordinance —

- (1.) Every person shall be deemed to be of unsound mind who is so far deranged in mind as to render it necessary that he, either for his own sake or that of the public, should be placed under control; and
- (2.) No one shall be deemed a medical practitioner except such as shall have received a Collegiate medical education, or shall hold a certificate of competency from the Principal Civil Medical Officer.

5. ANY officer of the Police force, or Headman, or any private person having reason to believe that a person is of unsound mind, may apply in writing to the District Court having jurisdiction over the place in which such person so suspected is found, that his state of mind be enquired into. An application by a private person should be accompanied by a certificate from a medical practitioner that the person so suspected has been under his observation, and that he believes him to be of unsound mind.

6. THE District Court shall thereupon, with as little delay as possible, cause such person so suspected to be of unsound mind (hereafter called suspected person) to be brought before it, and, either then, or at some other day for which the Court may see reason to adjourn the enquiry, proceed to view and examine the said person and, if need be, to hear evidence, to enable it to determine as to the state of mind of the said person. If upon such view and examination, or other proof, the District Court shall be satisfied that such person is or is not of unsound mind, it shall adjudicate accordingly. Provided that it shall be lawful for the Court, should it deem it necessary to subject the suspected person to further observation, to remand the suspected person once or oftener for such reasonable time as shall be specified in the order of remand to the custody of the Fiscal. And provided further that it shall be the duty of the Court so to remand such person in all cases where the Court considers that the said person is of sound mind but two Medical practitioners certify to the contrary. At the expiration of the time fixed for the remand the Court shall hear evidence and find the said person of sound or of unsound mind as to it shall seem fit, and shall accordingly either discharge him or direct his further detention as in Section 8 provided. All persons so remanded shall be kept in such place as the Governor shall appoint, and shall be subject to the inspection of such persons as the Governor shall nominate.

7. ON a person being adjudicated to be of unsound mind, the District Court shall, if need be, proceed to appoint fit and proper guardians of his person and estate, combining the two offices in the same person, or separating them, as shall appear most advantageous to the interests as well of such person adjudged to be of unsound mind as of all other parties concerned; and taking such security from them for the due execution of their respective trusts as the Court shall see fit. And the said District Court may make such orders for the maintenance of such person and the proper management of his estate, and for calling the guardians to account, and for charging them with any balance which may be due to any such person as aforesaid, or to his estate, and for enforcing the payment thereof, and for the removal, if necessary, of such guardians and the appointment of others in their place, and for such other purposes as the exigencies of the case shall seem to require.

8. IF any fit relative or friend is prepared to undertake to enter into sufficient security for the proper custody, care, and maintenance of the person adjudged to be of unsound mind, it shall be lawful for the Court to order that the person so adjudged should be placed in his charge and under his control. But if no fit relative or friend will undertake as aforesaid, the District Court shall order that such person be kept in custody until the Governor's pleasure shall be known; whereupon the Governor

may issue his warrant to order the removal of such person to a Lunatic Asylum, and may give such further order for the safe custody of such person in such place or manner as to the Governor shall seem fit. PROVIDED that it shall be lawful for any relative or friend who shall have undertaken to enter into security as aforesaid, or who shall have entered into such security, to surrender such person to the Court, whereupon it shall be the duty of the Court to order that such person be kept in custody until the Governor's pleasure shall be known. Until the Governor's warrant shall be received it shall be the duty of the Fiscal to detain such person in the place appointed by the Governor for the reception of persons under remand for further observation.

No. 1.—1873.

Proviso.

9. IT shall be lawful for the Governor upon any petition being presented by any guardian or relative or friend of any person of unsound mind, requesting that such person may be admitted into a Lunatic Asylum, and offering to enter into security for the expenses of his care and maintenance, to issue his warrant to the Superintendent of such Lunatic Asylum to direct that such person shall, on being brought to such Lunatic Asylum, be examined by two Medical Practitioners named in such Warrant, and upon their granting a certificate of such person being of unsound mind, that he shall be thereupon admitted into the Lunatic Asylum, to be therein taken care of and maintained until his recovery, or until application be made for his discharge by any relative or friend, as hereinafter provided, or failure of payment of the rate hereinafter required. PROVIDED always, that a bond with such security as the Governor shall require, previous to the admission of any such person, be given by his relative or friend for the due payment of such daily rate or allowance as may be fixed and declared payable by the general regulations of such Lunatic Asylum, on the reception therein of such person, together with all other expenses contingent upon the maintenance and care of such person during his continuance in such Lunatic Asylum, as well as for the removal of such person within fourteen days after due notice given in writing by the Superintendent of such Lunatic Asylum to the said relative or friend of such person, or at his last place of abode; and in default of any of the conditions of the said bond being duly performed, the amount due under such bond shall be deemed a debt to the Crown, and shall be recoverable as other debts due to the Crown.

Governor may, on petition of relatives, admit such persons (not being paupers) into Lunatic Asylum.

Proviso for bond to pay the daily allowance or rate and contingent expense of such person.

10. WHEN application at any time by any guardian or relative or friend of a person of unsound mind confined in any Lunatic Asylum, or in the custody of the Fiscal for the purpose of being transferred to a Lunatic Asylum (not being under any criminal warrant), shall be made to the Governor, requesting that such person may be delivered over to the care and maintenance of such relative or friend, it shall be lawful for the Governor, if he shall see fit to do so, and upon such reasonable security as may be required being given by such guardian or relative or friend to take care of and maintain such person, to direct the immediate discharge of such person. Upon the recovery of any person confined in a Lunatic Asylum (not being under any criminal warrant) and such recovery being certified by the Medical Officer in charge of such Asylum, he shall be discharged by order of the Governor; and in all cases where any such person, being a pauper, shall have been removed under the provisions of this Ordinance to any Lunatic Asylum out of the Province to which he belongs, such person shall, upon being discharged from such Lunatic Asylum, upon his recovery, be conveyed back by Government to his own village or usual place of former residence, or be allowed such reasonable batta or sum for his travelling expenses thereto, as shall be approved by the Governor under any Rule or Order to be issued for that purpose.

On application and security, relatives may take persons confined in Lunatic Asylums under their own care.

Discharge on recovery.

Proviso as to Paupers.

11. WHEN any person shall be charged with any crime or offence, if it shall be proved to the satisfaction of the Court that the said person is either unable to stand his trial by reason of his being of unsound mind, or that he was of unsound mind at the time of the commission of the said crime or offence, the Court shall find the same accordingly, and shall order such person to be kept in strict custody until the Governor's pleasure shall be known; whereupon the Governor may issue his Warrant to order the removal of such person to any Lunatic Asylum; and may give such other order for the safe custody of such person in such place or manner as to the Governor shall seem fit. Until such Warrant shall be received it shall be the duty of the Fiscal to detain such person in strict custody in the place appointed by the Governor for the reception of persons under remand for further observation.

Person charged with crime, if of unsound mind at time, or on commission of offence, to be sent to Lunatic Asylum.

No. 1.—1873.

Prisoners under sentence in Gaol, on becoming of unsound mind, to be removed to Lunatic Asylum.

If they recover before expiration of sentence they shall be re-transferred to Gaol.

Further proceeding at expiration of sentence if the person shall not have recovered.

Property of persons of unsound mind to be applied for their maintenance in Lunatic Asylums.

Appeal to Supreme Court.

Proceedings exempt from stamp and schedule duty.

Appointment of Visitors.

Their duties.

Penalty for refusing admittance to Visitors, or obstructing them.

12. IF any person under imprisonment in any Gaol shall become of unsound mind, and a report shall be made to the Governor by the Fiscal of the Province wherein the said Gaol is situated, with a certificate of the Medical Officer thereof, that such person is of unsound mind, it shall be lawful for the Governor to direct by warrant under his hand, that such person shall be removed to the Lunatic Asylum named in such Warrant, to be there detained until the expiration of the sentence under which such person may have been imprisoned. If any person shall become of sound mind before the expiration of his sentence, of which the period of his detention in such Lunatic Asylum shall be reckoned as part, the Governor shall thereupon issue his warrant to the Superintendent of the Lunatic Asylum, directing that such person shall be removed back from thence to the Gaol or other place of confinement from whence he shall have been taken, or shall give such other orders thereon as to the Governor shall seem fit. And the Fiscal from whose custody any person shall be removed to Lunatic Asylum shall, at the time of delivering over such person furnish the Superintendent of such Asylum with a copy of the sentence under which such person shall have been imprisoned.

13. THE Superintendent of any Lunatic Asylum to which any person shall have been removed under the provisions of the preceding clause, and who shall not have recovered, shall, at least fourteen days before the expiration of the sentence under which such person shall have been imprisoned, report the same to the District Court of the district in which such Lunatic Asylum shall be situated. And if the said District Court shall, upon enquiry, be satisfied that such person is still of unsound mind, and that it is necessary to continue to keep him under control, the said District Court may order such person to be detained in the Lunatic Asylum until discharged therefrom by order of the Governor.

14. IN all cases where any person shall be kept in custody as a person of unsound mind, and shall be transferred to any Lunatic Asylum, the District Court shall make summary enquiry into his circumstances and as to his property, and, if it shall appear that such person is possessed of sufficient property which can be applied for his maintenance, the District Court shall order and direct so much of the same as shall be necessary to be applied to pay and satisfy the expenses of the maintenance and care of such person, according to such usual allowance or rate as may be fixed and declared to be payable under the general regulations to be made by the Governor for such Lunatic Asylum.

15. EVERY order made by a District Court under the provisions of this Ordinance shall be subject to an appeal to the Supreme Court, and such appeal may be prosecuted by, or at the instance of, the person suspected or adjudged to be of unsound mind, or of any relative or friend of his, or of any medical practitioner who shall have certified or testified to his state of mind, and the said Supreme Court shall take cognizance of such appeal and deal with the same as an appeal from an interlocutory order of the District Court, and make such order thereon as to the said Supreme Court shall seem fit. And it shall be the duty of the District Court to conform to and execute such order.

16. NO stamp duty shall attach or be payable for any application, process, or other document filed in Court under the provisions of this Ordinance. Nor shall it be necessary to attach schedules to processes issued to the Fiscal under such provisions.

17. IT shall be lawful for the Governor to nominate and appoint one or more fit and proper persons to be Visitors of any Lunatic Asylum, and any Visitor so appointed to remove and to appoint another in his stead. Every Visitor so appointed shall be at liberty to enter at all times any such Asylum, and to make such enquiries or examination therein as to him shall appear necessary; and Visitors are hereby required to visit such Asylum at least once in every month, unless prevented by illness or other sufficient cause, and from time to time to make such reports to the Colonial Secretary as may be required by order of the Governor. Any Superintendent or Keeper of such Asylum, or other person, who shall, at any time, refuse admittance to any such Visitor, or offer to him any hindrance or obstruction, shall be guilty of an offence, and be liable to a fine not exceeding Fifty Rupees.

18. IT shall be lawful for the Governor, with the advice of the Executive Council, to make, from time to time, such regulations as to him shall seem expedient for the management and conduct of any Lunatic Asylum established in this Island, and of the officers and Visitors thereof.

Passed in Council, the Sixth day of January, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Ninth day of January, One thousand Eight hundred and Seventy-three.

HENRY T. IRVING,
Colonial Secretary.

No. 1.—1873.

Governor to make regulations for conduct and management of Lunatic Asylums and Officers.

No. 2.—1873.

An Ordinance to amend "The Paddy Cultivation Ordinance, 1867."

WHEREAS it is expedient to alter and amend some of the conditions imposed by "The Paddy Cultivation Ordinance, 1867," and to make special provision for certain districts in which the provisions of the said Ordinance are not deemed applicable: IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. IT shall be competent to a majority of the proprietors at a meeting of the proprietors of the allotments of land benefited or to be benefited by any proposed work, convened under section 28 of the said Ordinance, or at any other meeting to be held for that purpose, (and which said meeting it shall be lawful for the Government Agent to convene, at his own instance, or on the application of three or more of such proprietors,) to determine either that the sum expended by the Government in the execution of any work shall be repaid in ten annual instalments, as provided by section 31 of the said Ordinance, or that the lands benefited or to be benefited by the said work shall be liable to a charge in perpetuity for interest on the sum so expended and the cost of upkeep, which said cost shall be borne by the Government. PROVIDED that at such meeting, as herein provided, plans and an estimate of the cost of such work shall be laid before the meeting, to enable the majority of proprietors to come to a determination as aforesaid.

2. SUCH charge in perpetuity shall be at the rate of a rupee an acre. PROVIDED that such charge shall in no case exceed in the aggregate seven and-a-half per centum on the cost of the work.

3. IN any case in which any work shall have been already constructed or commenced, or determined upon for construction with Government aid, under the said Ordinance, it shall be lawful for a majority of the proprietors of the allotments of land benefited or to be benefited by any irrigation work, at a meeting to be convened as provided for in section 1 of this Ordinance, to convert the repayment by annual instalments into a charge in perpetuity, as hereinbefore provided.

4. IT shall be lawful for the Government Agent to receive in kind, instead of in money, the ten annual instalments, as provided by the said "Paddy Cultivation Ordinance, 1867," or the payment in perpetuity under the provisions of this Ordinance. Such payment in kind shall be made at such rate of commutation, and shall be collected in such manner, whether by renting or otherwise, as the Governor shall, from time to time, direct and appoint. PROVIDED that if default be made in the delivery of produce at the time and place appointed by the Government Agent, the amount of the instalment, or the rate in perpetuity for which such payment in kind shall have been substituted, shall be recovered in the manner provided by the said Ordinance or any other Ordinance to be in that behalf hereafter enacted.

5. WHEREAS it is expedient, owing to the circumstances of the inhabitants in the districts of Nuwarakalāwiya and Tanankaduwa, to relax the provisions of "The Paddy Cultivation Ordinance, 1867," as respects such districts, it is enacted that it shall be lawful for the Governor, with the advice of the Executive Council, to direct the construction of irrigation works in those districts, and to incur such expenditure in restoring and completing the irrigation system of such districts, and in constructing

No. 2.—1873.

Preamble.

Proprietors may determine either that the sum expended by Government may be repaid in ten annual instalments, or that the lands may be liable to a charge in perpetuity for interest and cost of upkeep.

Proviso.

Such charge to be at the rate of a rupee an acre. Proviso; not to exceed seven and-a-half per centum.

Such option may be exercised even as respects works already constructed, commenced, or determined upon, under the said Ordinance.

Payment in kind may be substituted for payment of instalment, under Ordinance 21 of 1867, or of annual rate in perpetuity, under this Ordinance.

Proviso in case of default.

Governor may construct irrigation works in the district of Nuwarakalāwiya irrespective of the provisions of the Ordinance No. 21 of 1867.

No. 2.—1873.

and repairing the tanks, sluices, channels, and other works requisite for the storing and distribution of water, as to him, with the advice aforesaid, shall seem fit, and as may be voted for the purpose by the Legislative Council.

Governor may declare intention to make an "irrigated district" for the purposes of this Ordinance, and may define boundaries, and alter and amend the same.

6. FOR the purposes in the preceding section mentioned, it shall be lawful for the Governor, with the advice of the Executive Council, by proclamation to be for that purpose published in the *Government Gazette*, and notified in such district or districts by beat of tom-tom, to declare his intention to make such district or districts an "irrigated district:" and to define the boundaries of such district, and from time to time, by proclamation, to alter and amend the same, and to direct the construction of such irrigation works therein as are referred to in the preceding section.

When work is deemed complete, it shall be declared an "irrigated district," and become liable to a charge.

7. AS soon as the irrigation works in such district or districts shall be deemed by the Governor to be sufficiently complete, it shall be lawful for him, with the advice of the Executive Council, to declare the same an "irrigated district" by notification in the *Gazette*, and by beat of tom-tom in the district, and the said district shall thereupon become liable to a charge not exceeding seven and-a-half per centum on the gross expenditure incurred or to be thereafter incurred in it by Government on irrigation works, and the same shall form a first charge on the several allotments of land set out in the specification of lands benefited by the works to be made as hereinafter provided. Such charge on the district shall be recovered from the lands benefited by the expenditure by an assessment not exceeding one rupee per acre. PROVIDED that it shall be lawful to levy a lower rate than the general rate of the district as regards any fields in respect of which it shall appear to the Governor that such general rate represents more than seven and-a-half per centum on that portion of the gross expenditure by which the fields in question are benefited.

Charge to be recoverable from lands benefited by the expenditure by assessment not exceeding one rupee an acre. Proviso.

8. THE Government Agent of the Province within which such works are constructed, and the Surveyor-General shall, upon such notification as aforesaid, prepare specification of lands benefited by the works, and they shall have power to alter and amend the specification from time to time, and to enlarge it, as further works may be undertaken, or as additional lands may be benefited. Such specification shall be conclusive on the point that the several allotments of land therein mentioned have been benefited by the works, and the said allotments, and the proprietors thereof, shall become and be severally bound and liable to the said annual charge not exceeding one rupee per acre as aforesaid, and the same shall be a first charge upon the several allotments as aforesaid, to the extent, as respects each of those allotments, of a proportion due by each, to be calculated as herein prescribed; and the said charge shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

Specification of lands benefited by such works.

Power to alter and amend specification.

Specification to be conclusive.

Charge to be a first charge.

9. THE Government Agent shall assess the proportion due for each allotment benefited by the works as specified in the said notification, including such allotments as may belong to the Crown, according to the provisions in "*The Paddy Cultivation Ordinance, 1867*," as modified by the present enactment. And he shall thereupon transmit to the proprietor of each allotment of land included in the specification, a requisition calling upon him to pay to such Government Agent, on the day in each year specified in such requisition, the amount of the charge due for the allotment of which he is proprietor, to make up the amount due to the Government. And such requisition shall be served in the manner prescribed by section 31 of the said "*Paddy Cultivation Ordinance, 1867*."

How the proportion due by each land is to be assessed.

Government Agent shall transmit specification to proprietors.

Service of requisition.

10. THE recovery of rates shall be made and such recovery shall be subject to the provisions made under the sixth division of the said "*Paddy Cultivation Ordinance, 1867*," headed "Recovery of Money under this Ordinance," or any other Ordinance to be in that behalf hereafter enacted, and the other provisions of the said "*Paddy Cultivation Ordinance, 1867*," shall, so far as the same are applicable hereto, apply to the irrigated districts which may be created under this Ordinance.

Recovery of rates as prescribed by Ordinance 21 of 1867.

Other provisions of the said Ordinance applicable to the irrigated districts.

11. SECTION 8 of the "*Paddy Cultivation Ordinance, 1867*," is hereby repealed, and it is enacted instead thereof, that all questions or resolutions proposed at any meeting held under the provisions of the said Ordinance, or of this Ordinance, shall be determined by a majority consisting of two-thirds at least of the persons present and entitled to vote thereat. PROVIDED that such majority shall represent at least one-third of the acreage benefited by such irrigation works, and if they do not represent one-third, then the votes of the proprietors representing two-thirds of the acreage to be benefited shall constitute the majority.

Section 8 of Ordinance 21 of 1867 repealed, and a different majority constituted.

12. VILLAGE Councils to try breaches of Rules under the fourth division of "The Paddy Cultivation Ordinance, 1867," headed "Village Councils," may be convened by any person deputed by the Government Agent in any Irrigation District, and such deputation, as well as the deputation to be given by the Government Agent, under section 21 of the said Ordinance, to any person to act as President in enquiring into any complaint of the nature therein referred to, need not be special in each case: a general deputation to any person or persons in the district to convene Village Councils when necessary, or to act as President thereof, will be sufficient.

13. THIS Ordinance and the "Paddy Cultivation Ordinance, 1867," shall be read as one Ordinance.

Passed in Council, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

HENRY T. IRVING,
Colonial Secretary.

No. 2.—1873.

Deputations to convene Village Councils, and to act as Presidents thereof, need not be special.

Ordinance 21 of 1867 and this to be deemed one.

No. 3.—1873.

An Ordinance for making provision for the Contingent Services of the Year 1873.

No. 3.—1873.

WHEREAS the Contingent Expenditure required for the service of the Government of this Island for the year One thousand Eight hundred and Seventy-three, and not otherwise provided for, has been estimated at the sum of Seven Millions, One hundred and Fifty-two thousand, Two hundred and Forty-three Rupees, and Ninety-nine Cents:

Preamble.

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Seven Millions, One hundred and Fifty-two thousand, Two hundred and Forty-three Rupees, and Ninety-nine Cents, shall be, and the same is hereby charged upon the Revenue of this Island for the Contingent service of the year One thousand Eight hundred and Seventy-three, and the said expenditure shall be in conformity with the details of the Estimates specified in the Schedule A. hereunto annexed, whereof the following is an abstract:—

Rs. 7,152,243 Cts. 99 to be charged upon the Revenue of this Island for the Contingent service of the year 1873.

1. ESTABLISHMENTS.

	Rs.	Cts.	Rs.	Cts.
Salaries, Provisional and Temporary	1,257,318	40		
Allowances.....	94,932	50		
Office Contingencies.....	240,351	37		
			1,592,602	27

SERVICES, exclusive of Establishments.

2. Pensions, Retired Allowances and Gratuities	541,474	68		
3. Revenue Services.....	245,205	0		
4. Administration of Justice.....	68,965	50		
5. Ecclesiastical	4,000	0		
6. Charitable Allowances	48,174	0		
7. Education.....	140,415	0		
8. Hospitals.....	191,548	67		
9. Police and Gaols	224,203	0		
10. Rent.....	38,969	0		
11. Transport.....	199,566	50		
12. Conveyance of Mails.....	105,116	62		
13. Works and Buildings	414,602	0		
14. Roads, Streets, Bridges, and Canals.....	1,742,507	0		
15. Miscellaneous Services	275,187	0		
16. Interest.....	27,113	75		
17. Colonial Store	439,560	0		
19. Government Vessels.....	46,000	0		
20. Refund of Duties, Drawbacks, &c.....	18,782	0		
21. Lands taken for Government purposes.....	12,275	0		
22. Immigration.....	93,537	0		
23. Railway Services	532,440	0		
24. Railway Construction.....	150,000	0		
			5,559,641	72

TOTAL—Rs. 7,152,243 99

No. 3.—1873.

Expenditure of the unexpended balances of 1870, 1871 and 1872.

Amount of Labour to be supplied under the Ordinance No. 10 of 1861.

Treasurer to pay the above at such time as the Governor by Warrant shall order.

And to receive credit in his accounts for the payments made in pursuance thereof.

2. AND whereas from the sums voted for Public Works in the Supply Ordinances for the years 1870, 1871 and 1872, a balance of Four hundred and Six thousand, Two hundred and Ninety-one Rupees, and Five Cents will remain unexpended at the end of 1872, and the same has been brought forward for expenditure during the year 1873 : IT IS ENACTED that it shall be lawful for the Governor to authorize the expenditure of the said amount during the year 1873, for the completion of the works for which the same was voted.

3. AND whereas by the 18th section of the Ordinance No. 10 of the year 1861, intituled "*To consolidate and amend the Laws relating to Public Thoroughfares in this Colony,*" it is enacted, that it shall be lawful for the Governor to propose the estimates prepared in pursuance thereof, or such of them as to him may appear expedient, in the Ordinance for making provision for the contingent expenditure of the Colony for the ensuing year, to be dealt with in like manner as any other estimate to be so proposed: And it is thereby also provided, that the amount of labour to be supplied under the provisions of the said Ordinance No. 10 of 1861, for the performance of any work or works, for which an estimate or estimates may have been so proposed by the Governor, and approved of by the Legislative Council, shall be distinctly stated in the Ordinance enacted for the same, and that the same shall not exceed two-thirds of the whole amount of labour due from the district or districts within which it may be required to be performed: IT IS ENACTED, that the amount of labour to be supplied under the provisions of the said Ordinance, shall be in conformity with the estimates specified in the Schedule A. hereunto annexed.

4. THE Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore-mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the revenues of the said Island.

5. THE said Treasurer shall in his accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts, for any such sum or sums as shall be therein-mentioned; and he shall and may receive credit for the same accordingly.

SCHEDULE A.

No. 1.—ESTABLISHMENTS.	Provisional and Temporary Salaries.	Allowances.	Office Contingencies.	Total.
	Rs. Cts.	Rs. Cts.	Rs. Cts.	Rs. Cts.
His Excellency the Governor ...	4542 75	...	502 0	5044 75
Secretariat ...	15263 0	2000 0	22849 0	40112 0
Treasury ...	3830 0	2807 67	2153 0	8790 67
Audit Office ...	4560 0	...	2320 0	6880 0
Agency, Western Province ...	16204 0	1844 0	5080 0	23128 0
Do. North-Western do. ...	14224 0	1580 0	1300 0	17104 0
Do. Southern do. ...	6834 0	315 0	1870 0	9019 0
Do. Eastern do. ...	6540 0	...	930 0	7470 0
Do. Northern do. ...	2626 0	...	2904 50	5530 50
Do. Central do. ...	7589 0	...	3665 0	11254 0
Public Works Department ...	87591 0	3840 0	36100 0	127531 0
Survey Department ...	124645 50	...	12740 0	137385 50
Customs, Western and N.-W. Provinces	8623 0	250 0	4446 67	13319 67
Do. Southern do. ...	3195 0	...	2550 0	5745 0
Do. Eastern do. ...	1834 40	...	416 0	2250 40
Do. Northern do. ...	1782 25	...	607 50	2389 75
Harbour Department, Colombo ...	6152 50	500 0	2590 0	9242 50
Do. Galle ...	11310 0	...	3716 50	15026 50
Do. Trincomalee ...	6317 0	...	3109 50	9426 50
Post Office ...	25993 50	1035 0	21397 50	48426 0
Service Tenures Commission... ..	5035 0	...	900 0	5935 0
Botanic Garden ...	8787 0	...	2080 0	10867 0
Agent, Colonial Steamer "Serendib" ...	21680 0	5060 0	...	26740 0
Registry of the Supreme Court ...	100 0	...	150 0	250 0
Queen's Advocate ...	2400 0	...	460 0	2860 0
Deputy Queen's Advocate ...	...	...	50 0	50 0
District Courts, Courts of Requests, and Police Courts ...	21225 0	1000 0	5360 70	27585 70
Registration Department, Lands ...	...	...	13220 0	13220 0
Do. do. Marriages, Births, and Deaths ...	...	30000 0	9000 0	39000 0
Fiscal for the Western Province ...	7337 0	...	928 50	8265 50
Do. North-Western do. ...	5360 0	...	590 0	5950 0
Do. Southern do. ...	6410 0	...	1805 0	8215 0
Do. Eastern do. ...	842 0	...	240 0	1082 0
Do. Northern do. ...	5650 0	...	1095 0	6745 0
Do. Central do. ...	12029 0	...	475 0	12504 0
Loan Board ...	...	...	200 0	200 0
Ecclesiastical Establishments (Treasurer)	2340 0	11150 0	...	13490 0
Public Instruction ...	125999 0	...	...	125999 0
Medical Department ...	46178 50	9157 50	35600 0	90936 0
Police ...	287764 0	6020 0	2880 0	296664 0
Prisons ...	...	...	140 0	140 0
Convict Establishments ...	5608 0	...	300 0	5908 0
Colonial Store Establishment ...	...	583 33	50 0	633 33
Railway ...	328917 0	16540 0	33580 0	379037 0
Crown Agents in London ...	4000 0	1250 0	...	5250 0
	1257318 40	94932 50	240351 37	1592602 27

No. 2.—PENSIONS, RETIRED ALLOWANCES AND GRATUITIES.							Rs.	Cts.	Rs.	Cts.
Treasurer	...	...	...	...	...	...	117963	18		
Government Agent for the Western Province	...	...	...	...	...	...	2200	0		
Do. North-Western	do.	...	...	...	...	...	3320	0		
Do. Southern	do.	...	...	...	...	...	19200	0		
Do. Eastern	do.	...	...	...	...	...	4230	0		
Do. Northern	do.	...	...	...	...	...	7000	0		
Do. Central	do.	...	...	...	...	...	8480	0		
Crown Agents in London	...	...	...	...	...	...	251020	0		
Director of Public Works	...	...	...	...	...	...	25974	0		
Governments and Agents in India	...	...	...	...	...	...	102087	50		
No. 3.—REVENUE SERVICES.										
Government Agent for the Western Province	...	...	...	...	...	...	28080	0		541474 68
For the collection, &c., of Grain	...	...	...	...	...	11700	0			
„ half share of Fines to Informers	...	...	...	...	...	50	0			
„ expenses of removing Timber, &c.	...	...	...	...	...	1030	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	...	12200	0			
„ Law Prosecutions	...	...	...	...	...	1000	0			
„ Commission on Stamps	...	...	...	...	...	—
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	600	0			
„ the collection of Tolls	...	...	...	...	...	1500	0			
						28080	0			
Government Agent for the North-Western Province	...	...	...	...	...	...	59170	0		
For collecting and storing, &c., Salt	...	...	...	...	...	51000	0			
„ the collection, &c., of Grain	...	...	...	...	...	3050	0			
„ charges on account of Arrack Farm	...	...	...	...	...	—
„ removal of confiscated Timber	...	...	...	...	...	3550	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	...	670	0			
„ Law Prosecutions	...	...	...	...	...	500	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	400	0			
„ the collection of Tolls	...	...	...	...	...	—
						59170	0			
Government Agent for the Southern Province	...	...	...	...	...	...	36100	0		
For collecting and storing, &c., Salt	...	...	...	...	...	28000	0			
„ the collection, &c., of Grain	...	...	...	...	...	1750	0			
„ removal of confiscated Timber, &c.	...	...	...	...	...	3550	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	...	2050	0			
„ Law Prosecutions	...	...	...	...	...	500	0			
„ Commission on Stamps	...	...	...	...	...	—
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	250	0			
						36100	0			
Government Agent for the Eastern Province	...	...	...	...	...	...	27440	0		
For collecting and storing, &c., Salt	...	...	...	...	...	17200	0			
„ the collection, &c., of Grain	...	...	...	...	...	4130	0			
„ the Inspection of the Pearl Banks, &c.	...	...	...	...	...	—
„ expenses attending the confiscation and sale of Timber, &c.	...	...	...	...	...	4470	0			
„ Assessment Tax, and Remuneration to Assessors	...	...	...	...	...	1500	0			
„ Law Prosecutions	...	...	...	...	...	50	0			
„ Commission on Stamps	...	...	...	...	...	10	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	80	0			
						27440	0			
Government Agent for the Northern Province	...	...	...	...	...	...	7515	0		
For collecting and storing, &c., Salt	...	...	...	...	...	29350	0			
„ the collection, &c., of Grain	...	...	...	...	...	23745	0			
„ Commission to Retailers on Arrack, &c.	...	...	...	...	...	700	0			
„ the Inspection of the Pearl Banks at Arippu, &c.	...	...	...	...	...	10000	0			
„ Commission to Headmen on the receipts from Timber telled, &c.	...	...	...	...	...	5900	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	...	5450	0			
„ Law Prosecutions	...	...	...	...	...	220	0			
„ Commission on Stamps	...	...	...	...	...	200	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	250	0			

No. 3.—REVENUE SERVICES—(continued.)				Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
			[Brought forward—	...		226605	0		
Government Agent for the Central Province	...	...	...	...		18600	0		
For the collection, &c., of Grain	...	...	...	12100	0				
„ half share of Fines to Informers	...	...	...	100	0				
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	4300	0				
„ Law Prosecutions	...	...	...	700	0				
„ Commission on Stamps	...	...	...	300	0				
„ Tin Plates for Licensed Carts, &c.	...	...	...	600	0				
„ Collecting Hospital Bills	...	...	...	500	0				
				18600	0			245205	0
No. 4.—ADMINISTRATION OF JUSTICE.									
Government Agents	...	...	...	...		2430	0		
Registrar of the Supreme Court	...	...	...	...		15000	0		
Queen's Advocate	...	...	...	...		200	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...		3260	50		
Fiscals	...	...	...	...		48075	0	68965	50
No. 5.—ECCLESIASTICAL.									
Treasurer	...	...	...	...		—		4000	0
No. 6.—CHARITABLE ALLOWANCES.									
Government Agent for the Western Province	...	...	...	...		24080	0		
Do. North-Western do.	...	...	...	...		1364	0		
Do. Southern do.	...	...	...	...		8400	0		
Do. Eastern do.	...	...	...	...		3800	0		
Do. Northern do.	...	...	...	...		6600	0		
Do. Central do.	...	...	...	...		3930	0	48174	0
No. 7.—EDUCATION.									
Director of Public Instruction	...	...	...	...		—		140415	0
No. 8.—HOSPITALS.									
Government Agent for the Western Province	...	...	...	...		84750	0		
Do. North-Western do.	...	...	...	...		9538	0		
Do. Southern do.	...	...	...	...		18790	0		
Do. Eastern do.	...	...	...	...		5374	50		
Do. Northern do.	...	...	...	...		13950	0		
Do. Central do.	...	...	...	...		58596	17		
Inspector-General of Police	...	...	...	...		550	0	191548	67
No. 9.—POLICE AND GAOLS.									
Government Agents	...	...	...	...		2640	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...		695	0		
Inspector-General of Police	...	...	...	...		2780	0		
Fiscal for the Western Province	...	...	...	...		9420	0		
Do. North-Western do.	...	...	...	...		13460	0		
Do. Southern do.	...	...	...	...		36750	0		
Do. Eastern do.	...	...	...	...		5080	0		
Do. Northern do.	...	...	...	...		23510	0		
Do. Central do.	...	...	...	...		30420	0		
Superintendent, Colombo Convict Establishments	...	...	...	...		69448	0		
Governments of India	...	...	...	...		30000	0	224203	0

No. 10.—RENT.

							Rs.	Cts.	Rs.	Cts.
Treasurer	...	...	...	...	...	...	5775	0		
Government Agent for the Western Province	...	...	...	...	...	...	500	0		
Do. Southern do.	...	...	...	...	...	...	540	0		
Do. Eastern do.	...	...	...	...	...	...	320	0		
Do. Northern do.	...	...	...	...	...	...	180	0		
Do. Central do.	...	...	...	...	...	...	500	0		
Collector of Customs for the Southern Province	...	...	...	...	...	...	150	0		
Do. Eastern do.	...	...	...	...	...	...	75	0		
Director of Public Works	..	...	...	...	...	...	2220	0		
Postmaster-General	...	...	...	...	...	...	906	0		
Queen's Advocate	...	...	...	...	...	...	90	0		
District Judge of Kandy	...	...	...	...	...	...	90	0		
Commissioner of the Court of Requests and Police Magistrate of Kandy	...	...	...	...	...	...	240	0		
Fiscal for the Western Province	...	...	...	...	...	...	1140	0		
Do. Eastern do.	...	...	...	...	...	...	120	0		
Registrar-General	...	...	...	...	...	...	2750	0		
Director of Public Instruction	...	...	...	...	...	...	10500	0		
Principal Civil Medical Officer and Inspector-General of Hospitals	...	...	...	...	...	...	1200	0		
Inspector-General of Police	...	...	...	...	...	...	11673	0		

38969 0

No. 11.—TRANSPORT.

Governor	...	...	...	...	...	...	7250	0		
Colonial Secretary	...	..	...	...	...	...	1500	0		
Treasurer	...	...	...	...	...	...	21300	0		
Auditor-General	...	...	...	...	...	...	1500	0		
Government Agent for the Western Province	...	...	...	...	...	...	7680	0		
Do. North-Western do.	...	...	...	...	...	...	5430	0		
Do. Southern do.	...	..	...	...	...	...	6800	0		
Do. Eastern do.	...	..	...	...	...	...	4460	0		
Do. Northern do.	...	...	...	...	...	...	8600	0		
Do. Central do.	...	...	...	...	...	...	8600	0		
Director of Public Works	...	...	...	...	...	...	59000	0		
Surveyor-General	...	...	...	...	...	...	13240	0		
Postmaster-General	...	...	..	...	...	...	1500	0		
The Service Tenures Commissioner	...	...	...	...	...	..	1000	0		
Director of the Royal Botanic Garden	...	...	...	...	...	...	1500	0		
Collector of Customs for the Western and North-Western Provinces	..	...	...	...	...	...	2000	0		
Do. Southern Province	...	...	..	...	...	...	300	0		
Do. Eastern do.	...	...	...	...	...	...	50	0		
Do. Northern do.	...	...	...	...	...	...	250	0		
Master Attendant, Trincomalee	...	...	...	...	...	...	240	0		
Queen's Advocate	...	...	...	...	...	...	600	0		
Deputy Queen's Advocate	...	...	...	...	...	...	200	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...	...	...	12916	50		
Registrar-General of Lands, &c.	...	...	...	...	...	...	2000	0		
Fiscal for the Western Province	...	..	...	...	...	Rs. 500	0			
Do. North-Western do.	...	...	...	...	...	450	0			
Do. Southern do.	...	...	...	...	...	10	0			
Do. Eastern do.	...	...	...	...	...	900	0			
Do. Northern do.	...	...	..	...	...	300	0			
Do. Central do.	...	...	..	...	...	500	0			
Director of Public Instruction	...	...	...	...	...	...	2660	0		
Principal Civil Medical Officer and Inspector-General of Hospitals	...	...	...	...	...	...	9000	0		
Inspector-General of Police	...	...	...	...	...	...	4720	0		
Inspector-General of Prisons	22270	0		
							2000	0		

199566 50

No. 12.—CONVEYANCE OF MAILS.

Postmaster-General				
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No. 13.—WORKS AND BUILDINGS.*

DIRECTOR OF PUBLIC WORKS.

NEW WORKS AND BUILDINGS.

	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
For building a Museum, Colombo ...	50000	0				
For building New Hospitals ...	55000	0				
For building New Schools ...	34000	0				
For building new Police Stations ...	5000	0				
For opening a second entrance to the Fort of Galle	11284	0				
For operations in connection with Galle Harbour	10000	0				
For rebuilding the Export and Import Jetties, and for a new landing place to the Beach Store at Galle	20707	0				
For erecting a Grain Shed at Kankesanturai ...	4232	0				
For building two Witness Sheds at Mullaittivu ..	1004	0				
For building a wall round the old Burying Ground at Kandy ...	1983	0				
For a boundary wall round the proposed Cemetery at Mahhaiyawa Kandy ...	21647	0				
For a wall round the old Palace boundaries, Kandy	3500	0				
For building a House for the Assistant Government Agent at Badulla ...	17227	0				
For erecting two Latrines near the Courts and Cus- toms premises, Colombo ...	6176	0				
For erecting a Latrine behind the Public Offices in the Fort, Colombo ...	2275	0				
For building a wall along three sides of the ground of the Female Orphan Asylum, Kollupitiya ...	2308	0				
For building a wall round the Protestant Burial Ground at Puttalam ...	1628	0				
For building a wall round the Cemetery at Negombo	2950	0				
For laying iron piping to the supply of water to the Royal Botanic Gardens at Péradeniya ...	8585	0				
For building a plain wall on the northern boundary of the Pavilion Grounds, Kandy ...	2062	0				
For building a house at Dambulla for two Inspec- tors on the Coolie Immigrant Establishment ...	1000	0				
For erecting two Witness' Sheds at the Court, Gampola ...	548	0				
For building a dry earth Latrine at Batticaloa ...	608	0				
For constructing three Latrines at Trincomalee ...	1377	0				
For erecting Public Latrines at Jaffna ...	3235	0				
For building a set of Latrines for public use at Matara	1167	0				
For Water Supply, Taygalla ...	9859	0				
For building a wall round the Burial Ground at Hambantota ...	1888	0				
For erecting a Coast-Guard Bungalow at Batticaloa Bar	416	0				
For building a Post Office and Registrar's Office, Trincomalee ...	3917	0				
			285583	0		

ALTERATIONS AND ADDITIONS TO BUILDINGS.

For improvements, &c., to the Court House at Galle	2773	0				
For additions to the Matalé Kachchéri ...	2976	0				
For certain improvements to the Surveyor-General's Office ...	6325	0				
For improvements, &c., to the Police Magistrate's House at Gampola ...	3185	0				
For building a Record Room to the District Court, Jaffna ...	3760	0				
			19019	0		

REPAIRS TO BUILDINGS.

For repairs to Government Buildings and Works, the cost of which shall not exceed Rs. 2000 for each work ...	50000	0				
For repairs to Customs Buildings, Colombo ...	25000	0				
For repairs to the Queen's House, Colombo ...	5000	0				
			110000	0		

Total, Works and Buildings ...

414602 0

* Abstract of No. 13.—Works and Buildings.

New Works and Buildings ...	Rs. 285,583	0
Alterations and Additions to do. ...	19,019	0
Repairs to Buildings ...	110,000	0

Total...Rs. 414,602 0

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.

DIRECTOR OF PUBLIC WORKS.

For Ordinary and Necessary Repairs.

IRRIGATION WORKS.

For upkeep of Irrigation Works	...	..	Rs. Cts.	Rs. Cts.
			22,000	0

Works to be undertaken under the Road Ordinance.

ROADS.

		Days'			
WESTERN PROVINCE.	Miles.	Labour.	Rs.	Cts.	
Colombo to Bentota	... 34	40,000	24,000	0	
Grandpass to Avisáwella	... 27	32,000	13,600	0	
Grandpass to Tóppu	... 24	20,000	7,000	0	
Branch roads in Negombo	... 5	4,000	1,000	0	
Avisáwella to Ratnapura	... 26	14,000	22,500	0	
Ratnapura to Pelmaðulla	... 13·25	—	21,200	0	
Pelmaðulla to Gurukapdura	... 31·50	18,100	58,475	0	
Dolosbágé to Rambukkana road	... 20	10,000	9,500	0	
Avisáwella to Karawanella	... 9	3,200	1,000	0	
Karawanella to Ginigathéna	... 17	8,000	9,900	0	
Negombo to Giriulla	... 24	10,000	4,700	0	
Kótté road	... 7	4,002	2,150	0	
Véyangoda and Já-ela roads	... 25	12,000	5,000	0	
Pelmaðulla to Rakwána	... 16	16,240	8,740	0	
U'rugodawatta road	... 5	4,002	2,750	0	
Grandpass to Kadugannáwa	... 58·75	74,000	28,500	0	
Ambépassa to Alawwa	... 5	400	150	0	
Kínadeniya road	... 3·25	400	95	0	
Kégalla to Polgahawela	... 7·50	8,000	2,500	0	
			222,760	0	
NORTH-WESTERN PROVINCE.					
Polgahawela to Galagedara	... 25·50	61,758	3,686	0	
Kurunégala to Nikaweratiya	... 25	40,008	4,998	0	
Nikaweratiya to Puttalam	... 29	6,888	11,328	0	
Road to Puttalam Salt-pans	... 5	—	3,250	0	
Kurunégala to Beligamuwa	... 22	12,000	303	0	
Puttalam to Kalá Oya	... 23·50	9,372	4,657	0	
Puttalam to Mañurañkuli	... 8	1,344	1,264	0	
Mañurañkuli to Tóppu	... 48	8,064	10,984	0	
Puttalam to Madurugama	... 41	4,320	120	0	
Kurunégala to Giriulla	... 22·50	12,000	10,500	0	
			51,090	0	
SOUTHERN PROVINCE.					
Bentota to Goyyápána	... 44	36,804	30,399	0	
Goyyápána to Kemagoda	... 30	42,004	11,999	0	
Kemagoda to Hambantota	... 33	20,400	11,592	0	
Akuressa to Uduwaka	... 28	—	28,000	0	
Hambantota to Tanamalwila	... 21	2,400	1,500	0	
Doðandúwa to Baddégama	... 7	4,200	1,050	0	
Galle to Akuressa	... 22	32,000	14,000	0	
			98,540	0	
EASTERN PROVINCE.					
Gravets of Trincomalee	... 15	8,000	2,500	0	
Trincomalee to Habarana	... 56·50	5,000	8,750	0	
Coast road to Trincomalee District	... 82	4,792	2,902	0	
Trincomalee to Anurádhapura	... 27	—	3,240	0	
Coast road, Batticaloa District	... 152	14,000	5,620	0	
New Badulla road between Maduru Oya and Eraur	... 41	8,000	18,500	0	
Kiddanke to Kalmunai	... 2	—	600	0	
			42,112	0	
			436,502	0	

No. 14—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.***For Ordinary and Necessary Repairs.—***continued.*Rs. Cts.
436,502 0ROADS.—*continued.*

NORTHERN PROVINCE.	Miles.	Days' Labour.	Rs.	Cts.
[Brought forward...]		...	...	...
Gravets of Jaffna	... 28	13,333	2,760	0
Semmañi road	... 4	2,667	400	0
Jaffna to Káraitívu	... 11·50	6,000	940	0
Punnalai road	... 10	4,667	800	0
Kápkésanturái road	... 11·50	7,333	1,200	0
Mánippáy to Kaitadi	... 8	4,667	740	0
Jaffna and Point Pedro	... 21	12,000	1,980	0
Jaffna and Kaitadi	... 6	4,000	780	0
Vaḷukkaiyáru to Kayts	... 7·50	2,667	500	0
Point Pedro to Tondaimanáru	... 7	3,333	690	0
Do. to Kodikamam	... 8·50	6,667	1,125	0
Vallai to Valluveditturái	... 3·50	1,333	290	0
Kaitadi to Elephant Pass	... 27	46,666	6,500	0
Elephant Pass and Kokavil	... 15	6,667	1,250	0
Kokavil and Notchemottai	... 35	—	5,250	0
Notchemottai and Kalkandomedu	... 12	4,320	900	0
Kalkandomedu and Mirisgoni Oya	... 59	30,106	2,578	0
Mullaíttívu to Central road	... 31	6,595	486	0
Mihintalé towards Trincomalee	... 33	6,720	580	0
Mihintalé to Kala Oya	... 31	6,240	560	0
Coast road to Colombo	... 69	7,653	1,560	0
Mattakachchi to Pésálai	... 64	9,024	7,720	0
Puttúr to Koḍikámam	... 8·50	1,333	1,075	0
Elephant Pass to Kanagarayan	... 34	—	1,700	0
			<hr/>	
			42,364	0
CENTRAL PROVINCE.				
Kaḍugannáwa to Pérádeniya	... 6	6,796	2,501	0
Pérádeniya to Badulla	... 81	12,000	105,000	0
Gampola to Ginigathéna	... 18	15,166	28,209	0
Kaṭugastota to Galagedara	... 11	8,184	4,554	0
Do. to Balakaduwa	... 7	18,378	5,582	0
Kandy to Hāragama	... 8·50	6,920	8,470	0
Ginigathéna towards Kitulgala to boundary of Province	... 8	—	6,400	0
Náwalapitiya to Tispané	... 11·50	23,200	14,808	0
Kaṭugastota to Teldeniya and Galmal Oya	... 16·50	—	17,096	0
Teldeniya to Raṅgalla	... 8·25	—	6,505	0
Maḍawala to Maḍulkélé	... 14	—	13,552	0
Dimbula road (Government moiety)	20·50	—	25,999	0
Dik Oya road do.	... 20·25	—	13,143	0
Punḍalu Oya road do.	... 9·25	—	5,175	0
Pupuressa road do.	... 10	—	3,850	0
Madawala to Dótalé road do.	... 10·25	—	6,150	0
Maḍulkélé to Kabaragala do.	... 3·25	—	1,000	0
Maḍulkélé to Bambara Ella do.	... 7·75	—	3,332	0
Haldummulla to Lémas-tota do.	... 8	—	8,000	0
Deltota road do.	... 19	—	12,750	0
Dimbula road between Cragie Lea and Koṭagal Oya	... 2·07	—	828	0
			<hr/>	
			292,904	0
			<hr/>	
			478,856	0

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.*For Ordinary and Necessary Repairs.—*continued.*Rs. Cts.
478,866 0ROADS.—*continued.*CENTRAL PROVINCE.—*continued.*

	Miles.	Days' Labour.	Rs.	Cts.	
[Brought forward...	...	...	292,904	0	
Dikwella to Náulla	.. 5.50	—	9,900	0	
Náulla to Gurukandura	.. 28	8,748	76,213	0	
Badulla to Batticaloa new road	.. 55	10,884	41,279	0	
Balakađuwa to Mátalé	.. 7	10,312	6,165	0	
Mátalé to Rattota	.. 6.75	—	5,400	0	
Háragama to Bilihul Oya	.. 16.50	6,684	22,731	0	
Náulla to Tanamalwila	.. 42	15,774	2,947	0	
Badulla to Taldena	.. 10	6,246	1,829	0	
Dikwella to Mađulla	.. 16	1,524	419	0	
Mátalé to Mirisgóni Oya	.. 29	8,684	24,222	0	
Habaraņa to Beligamuwa	.. 28	—	5,600	0	
					489,609 0
BRIDGES.					
Upkeep of Iron and Timber Bridges throughout the Island, exceeding 50 feet in length	...	—	80,000	0	
For renewing woodwork of the Polattumodera Bridge near Mátara	...	—	12,000	0	
For cleaning out and preventing silt in Kandy Lake	...	—	1,000	0	
Instalment of cost of forming a lake at Nuwara Eliya on an Estimate of Rs. 28,000	..	—	5,000	0	
					98,000 0
CANALS.					
WESTERN PROVINCE.					
Colombo to Kammal	.. 24	24,000	6,000	0	
Do. to Kalutara	.. 30	12,000	7,000	0	
					13,000 0
NORTH-WESTERN PROVINCE.					
Tóppú to Puttalam	.. 66	7,314	23,172	0	
Canals through Northern Salt-pans	.. 1.50	—	600	0	
Do. to Nachikali Salt-pans	.. 2	—	600	0	
Repairing and clearing Tank at Kurunégala	..	—	2,507	0	
					26,879 0
NORTHERN PROVINCE.					
Boat Channel, Jaffna Lake	... 40	6,667	1,000	0	
					1,000 0
		2,420.57	...		
TOLL GRANTS ON MINOR ROADS.					
Western Province	...	...	14,230	0	
Southern Province	...	...	3,215	0	
North-Western Province	...	...	2,760	0	
Central Province	...	...	6,010	0	
					26,215 0
Total for ordinary and necessary Repairs of 2,420.57 miles of Roads, and Canals, including upkeep of Bridges, Irrigation Works, and Toll Grants on Minor Roads, and for clearing a Tank at Kurunégala					1,133,569 0
REST-HOUSES.					
Western Province	...	—	44,280	...	
North-Western Province	...	—	10,002	...	
Southern Province	...	—	20,000	...	
Eastern Province	...	—	10,000	...	
Northern Province	...	—	46,734	...	
Central Province	...	—	45,506	...	

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.*

	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
[Brought forward... ..		...		...	1,133,569	0
Departmental Charges.						
Cost of Tools to be supplied to the Provincial Road Committees, and for Minor Works to be undertaken in the several Provinces ...	50000	0				
Surveying and tracing new roads, and taking borings	6000	0				
Keep of sick Bullocks	500	0				
Elephant Establishment	5000	0				
Purchase of Carts and Bullocks	1500	0				
Repair of Ferry Boats and Iron pontoons	2000	0				
Working of the Factory	5000	0				
Implements	25000	0				
General Service	15000	0				
Stationery and Books for Pioneer Schools ..	150	0				
Purchase of Iron Hand-carts	2500	0				
Recruiting Pioneers	5000	0				
Drawing Materials	500	0				
Surveying and Drawing Instruments	500	0				
			118650	0		
New Undertakings other than Buildings.						
ROADS.						
Maskeliya road (Government moiety)	37065	0				
Extension of Dimbula road (Government moiety)	19974	0				
Extension of Cheneyya Street, Jaffna	3140	0				
For forming the first mile of road from Mullaitivu to the Central Road, Jaffna	2680	0				
			62859	0		
Additions and Improvements to existing Roads.						
For the improvement of the Upper Lake road, Kandy, which lies beyond the limits of the Municipality	2261	0				
For improvement of Pupuressa road (Government moiety)	6000	0				
For do. Dotalé road (Govt. moiety)...	4552	0				
For do. Kotmalé road	2850	0				
For do. Pelmaçulla and Gurukandura road	3000	0				
For do. of Dikwella and do.	3000	0				
For do. Gampola and Nuwara Eliya road	10000	0				
For metalling road between Debedde and 13th milestone	29586	0				
For improvement of road from Mátalé to Dambulla	20000	0				
For do. of road from Habarane to Trincomalee	20000	0				
For do. of the Central road, Jaffna...	40000	0				
For rebuilding a Culvert on the Kótté road	3170	0				
For rebuilding two Culverts on the Urugodawatte road	3010	0				
For additions and improvements to existing roads, the cost of which shall not exceed Rs. 2000 each.—	Eastern Province, 25,402 days' labour.		30000	0		
			177429	0		
For Irrigation Works			200000	0		
For Inland Navigation			50000	0		
					608,938	0
Total, Roads, Streets, Bridges, &c.—Rs.					1,742,507	0

SUMMARY.

HEADS OF SERVICE.				Amount.		Total.	
				Rs.	Cts.	Rs.	Cts.
WORKS AND BUILDINGS.							
New Works and Buildings	...	...	...	295583	0		
Alterations and Additions to Buildings	...	...	...	19019	0		
Repairs to Buildings	...	...	...	110000	0	414,602	0
ROADS, STREETS, BRIDGES, AND CANALS.							
Upkeep of Roads, &c.	...	...	...	1133569	0		
Departmental Charges	...	...	...	118650	0		
New Roads	...	...	...	62859	0		
Additions and improvements to existing Roads	...	...	...	177429	0		
Irrigation Works	...	...	...	200000	0		
Inland Navigation	...	...	...	50000	0	1,742,507	0
				TOTAL...Rs.		2,157,109	0

No. 15.—MISCELLANEOUS SERVICES.

				Rs.	Cts.	Rs.	Cts.
Treasurer	...	...	...	14000	0		
Government Agent for the Western Province	...	...	...	8400	0		
Do. North-Western do.	...	...	...	4921	0		
Do. Southern do.	...	...	...	2852	0		
Do. Eastern do.	...	...	...	4650	0		
Do. Northern do.	...	...	...	15608	0		
Do. Central do.	...	...	...	15780	0		
Surveyor-General	...	...	...	65600	0		
Collector of Customs	...	...	...	960	0		
Postmaster-General	...	...	...	64000	0		
Director of the Botanic Garden	...	...	...	2500	0		
Inspector-General of Police	...	...	...	26916	0		
Crown Agents in London	...	...	...	45000	0		
Governments and Colonial Agents in India	...	...	...	4000	0	275,187	0

No. 16.—INTEREST.

Treasurer	...	...	...	26500	0		
Crown Agents in London	...	...	...	613	75	27,113	75

No. 17.—COLONIAL STORE.

Colonial Storekeeper	...	...	...	151100	0		
Crown Agents in London	...	...	...	273460	0		
Colonial Agents in India	15000	0	439,560	0

No. 19.—GOVERNMENT VESSELS.

Agent, Colonial Steamer "Serendib"		46,000	0
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No. 20.—REFUND OF DUTIES, DRAWBACKS, &c.						Ra.	Cts.	Ra.	Cts.
Treasurer	4172	0		
Government Agent for the Western Province	12000	0		
Do.	North-Western	do.	...	...	...	60	0		
Do.	Southern	do.	...	...	...	2300	0		
Do.	Eastern	do.	...	...	...	—
Do.	Northern	do.	...	...	...	100	0		
Do.	Central	do.	...	...	...	150	0		
								18,782	0
No. 21.—LANDS TAKEN FOR GOVERNMENT PURPOSES.									
Government Agent for the Western Province	...	...	...	...	...	10000	0		
Do.	Southern	do.	...	...	...	75	0		
Do.	Northern	do.	...	...	...	1200	0		
Do.	Central	do.	...	...	...	1000	0		
								12,275	0
No. 22.—IMMIGRATION.									
Government Agent for the Western Province	...	...	...	...	...	222	0		
Do.	Northern	do.	...	...	...	91683	0		
Do.	Central	do.	...	...	...	1632	0		
								93,537	0
No. 23.—RAILWAY SERVICES.									
<i>Treasurer.</i>									
Working Expenses	...	...	...	...	...	...		532,440	0
No. 24.—RAILWAY CONSTRUCTION.									
Treasurer	...	...	...	...	...	...		150,000	0

Passed in Council, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

HENRY T. IRVING,
Colonial Secretary.

No. 4.—1873.

No. 4.—1873.

*An Ordinance to facilitate the recovery of the sums assessed under
"The Branch Roads' Ordinance, 1866."*

WHEREAS considerable difficulty has been experienced, in some instances, in the recovery of the sums assessed under "*The Branch Roads' Ordinance, 1866,*" and payable by the proprietors of estates, and it is expedient to facilitate the means for securing such recovery: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON,** with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1. THE provisions in section 8 of the said Ordinance, to the effect that the assessment shall be a first charge on the estates therein referred to, and in section 13 to the effect, that if an estate shall have been seized and sold for the recovery of the sum for which it shall have been assessed, the proprietor thereof shall stand free from all further demands, and shall not be liable to have his other property or his person seized for the balance, if any, of such assessment, are hereby repealed. His person however shall continue to be exempt from seizure.

Provisions in "*Branch Roads' Ordinance, 1866,*" making the assessment a first charge and exempting proprietors from further liability after the sale of the estate, are repealed.

No. 4.—1873.

Crops, live-stock, implements, furniture on estate, and other movables of proprietor may be seized: failing these, the timber and buildings thereon.

If above insufficient, estate may be sold subject to mortgages.

If the estate cannot be sold, then deficiency to be charged against other proprietors.

Proviso.

Sale of property seized.

Defaulting proprietors made liable in interest.

Removal of property seized for safe custody.

Costs and charges of seizure and sale.

2. WHEN the Provincial Committee shall order proceedings for the recovery of the sum for which any estate shall have been assessed, it shall be lawful for the Chairman of such Committee, or any person authorized by writing under his hand, to seize, once or oftener, all the crops, live stock, and implements found on such estate, or any other movable property whatsoever belonging to the proprietor, until the full amount due by such estate shall be recovered. If there be no crop, live-stock, and implements on such estate, or any other such property, belonging to the proprietor of the estate in default as aforesaid, or if there shall not be sufficient to realize the sum due by such estate, it shall be lawful for such Government Agent or other person as aforesaid, to cause the timber on the said estate to be cut, or the materials of the buildings erected thereon to be removed. And, unless the sum due shall be sooner paid, with the costs and charges incurred in respect of such seizure, it shall be lawful for such Government Agent or any person as aforesaid, to sell moveable property so seized by public auction at any time after thirty days from the date of seizure.

3. IF, after seizing and selling property enumerated in the preceding section, the assessment upon the estate shall still remain unsatisfied, it shall be lawful for the Chairman of the Provincial Committee, or the person authorised as aforesaid, to seize the estate or any other immovable property belonging to the proprietor of the estate in default, and sell the same subject to the existing mortgages and incumbrances thereon. If the estate or other property cannot be sold for want of bidders, or from any other cause, or if the same be sold but the proceeds are insufficient to satisfy the assessment, it shall be lawful for the Provincial Committee to charge the sum still remaining due proportionately against the other proprietors and estates in the district under assessment for the construction and repair of the branch road therein, and, if need be, to enforce the payment thereof as if such proprietors and estates were originally liable therefor. PROVIDED that the right of the Provincial Committee to seize and sell the property of the original defaulter, should any be traced to him, shall in no way be affected by its proceeding against such other proprietors and estates as aforesaid, but it shall be obligatory on such Provincial Committee to seize and sell such property, paying over from the proceeds the sums recovered from the other proprietors to make up the sum for which the original defaulter was liable, and handing the balance, if any, to the original defaulter.

4. THE sale of any movable property seized for non-payment shall not take place till after thirty days from the date of seizure. Immovable property shall be sold within the time prescribed by section 13 of the said Ordinance for the sale of the assessed estate.

5. IF any proprietor shall neglect or refuse to pay his proportion of the moiety due by proprietors for the construction, completion, or repair of branch roads under the said *Branch Roads' Ordinance*, 1866, he shall be liable to pay interest at and after the rate of nine per centum per annum from the time fixed for such payment, and such interest shall, with the principal and other due costs and charges, be recovered from him in manner specified in the said Ordinance.

6. ANY movable property so seized, as aforesaid, may be removed for safe custody, pending the sale thereof, to such place as the person directing the seizure may think fit.

7. SECTION 15 of the *Branch Roads' Ordinance*, 1866, is hereby repealed, and it is enacted instead thereof that it shall be lawful for the Chairman of the Provincial Committee, or any person authorized by him as aforesaid, to demand, take and receive from the person by whom money may be due as commutation, or from the owner or any joint owner of any property which may be lawfully seized for such non-payment as aforesaid, the several sums of money mentioned, as follows:—

- (1.) For cost of proceeding to the house or land of the party in default in order to seize property,—a charge not exceeding eight per centum on the amount due.
- (2.) For removal of the goods seized, in case such removal takes place,—a charge not exceeding eight per centum on the amount due.
- (3.) For keeping the same in safe custody in case of such detention,—a charge not exceeding Five Cents per day.

- (4.) For keeping a person in possession, or if the goods seized are not removed, —a charge not exceeding Fifty Cents per day.
- (5.) For the expenses of sale, where any takes place,—a charge not exceeding two-and-a-half per centum on the net produce of the sale.

No. 4.—1873.

8. IT shall be lawful for the Chairman of the Provincial Committee, or any person specially authorized as aforesaid, to break open, or cause to be broken open in the daytime, any house or building, for the purpose of seizing property in pursuance of this Ordinance.

Buildings may be broken open for purposes of seizure.

9. SECTION 16 of the said Ordinance is repealed, and it is enacted instead thereof, that in the event of a sale of property seized, the Chairman of the Provincial Committee, at whose instance such seizure was made, shall, after deducting the amount due by the defaulter, and also all due costs and charges (which said costs and charges such Chairman is hereby authorized to retain) restore the overplus arising from such sale, if any there be, to the owner or joint owner of the property sold.

Return of overplus to owner.

10. THIS Ordinance and “*The Branch Roads’ Ordinance, 1866*,” shall be read as one Ordinance.

This Ordinance and Ordinance No. 18 of 1866 to be read as one.

Passed in Council, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Fifteenth day of January, One thousand Eight hundred and Seventy-three.

HENRY T. IRVING,
Colonial Secretary.

No. 5.—1873.

No. 5.—1873.

An Ordinance to facilitate the construction and regulate the working of Tramways in Ceylon.

WHEREAS the Municipal Council of the town of Colombo are under treaty with the promoters of a tranway scheme for that town, and it is expedient to pass an Ordinance to give the said promoters, or any other person or company, the necessary powers and facilities to make tramways, and to construct the necessary works therefor, and regulate the working thereof: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

- 1. THIS Ordinance shall come into operation on the date of the passing thereof.
- 2. THE following expressions in this Ordinance shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:—

Commencement.

Interpretation clause.

- (1.) “Government” shall mean the Governor of this Island, acting with the advice of the Executive Council.
- (2.) “Promoters” shall mean any person, corporation or company, authorized by Proclamation in the *Government Gazette*, to be issued by the Governor, with the advice of the Executive Council, for that purpose, to construct and work tramways in any part of this Island, and any person, corporation, or company claiming under the said promoters.
- (3.) “Council” shall mean any Municipal Council in this Island.
- (4.) “Road” shall mean any carriage-way being a public highway, and the carriage-way of any bridge forming part of or leading to the same.
- (5.) “Road authority” shall mean the local authority, board, council, committee, or other body or persons in whom a road is vested, or who have the power to repair such road.

Sec 5.—1873.

Power to break up streets, &c.

3. THE promoters from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway duly proclaimed, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations :—

- (1.) They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given fourteen days at least before the commencement of the work :
- (2.) They shall not open, or break up, or alter the level of any road, except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work :
- (3.) They shall pay all reasonable expenses to which the road authority is put on account of such superintendence :
- (4.) They shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the promoters shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Completion of works and re-instatement of road.

4. WHEN the promoters have opened or broken up any portion of any road, they shall be under the following further obligations; namely,

- (1.) They shall, with all convenient speed, and in all cases within four weeks at the most (unless the road authority otherwise consent in writing) complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road to as good a condition as that in which it was before it was opened or broken up, and clear away all surplus paving or metalling material or rubbish occasioned thereby :
- (2.) They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night :
- (3.) They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the promoters fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance, or to any other remedy against them) be liable to a penalty not exceeding Two Hundred Rupees, and to a further penalty not exceeding Fifty Rupees for each day during which any such failure continues after the first day on which such penalty is incurred.

Repair of part of road where tramway is laid.

5. THE promoters shall, at their own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the road authority shall direct, and to their satisfaction, so much of any road whereon any tramway belonging to them is laid as lies between the rails of the tramway and (where two tramways are laid by the same promoters in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway. If the promoters (with the consent of the Council, under treaty with whom such tramway shall have been laid down, or the Government,) abandon their undertaking, or any part of the same, and take up any tramway, or any part of any tramway belonging to them, they shall with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consent in writing), fill in the ground and make good the surface, and, to the

satisfaction of the road authority, restore the portion of the road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving or metalling material or rubbish occasioned by such work; and they shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night. PROVIDED always, that if the promoters fail to comply with the provisions of this section, the road authority, if they think fit, may themselves at any time, after seven days' notice to the promoters, open and break up the road, and do the works necessary for the repair and maintenance or restoration of the road, to the extent in this section above mentioned, and the expense incurred by the road authority in so doing shall be repaid to them by the promoters.

6. IF any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or damages or destroys any property of any promoters, he shall for every such offence be liable to a penalty not exceeding Fifty Rupees.

Penalty for obstruction of promoters in laying out tramway.

7. IF any person without lawful excuse (the proof whereof shall lie on him) wilfully

Penalty for wilful injury or obstruction to tramways, &c.

- (1) interferes with, removes, or alters any part of a tramway or of the works connected therewith; or
- (2) places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway; or
- (3) does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon; or
- (4) knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceeding by way of indictment or otherwise to which he may be subject) to a penalty not exceeding Fifty Rupees.

8. IF any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding Twenty Rupees.

Penalty on passengers practising frauds on promoters.

9. IT shall be lawful for any officer or servant of the promoters of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a Justice of the Peace, or until he be otherwise discharged by due course of law.

Transient offenders.

10. NO person shall be entitled to carry, or to require to be carried, on any tramway, any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding Two Hundred Rupees for every such offence, and it shall be lawful for such promoters to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for bringing dangerous goods on the tramway.

11. IF any person (except under a lease from or by agreement with the promoters) uses a tramway or any part thereof with carriages having flange wheels, or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding Two Hundred Rupees.

Penalty for persons using tramways with carriages with flange wheels, &c.

No. 5.—1873.

Promoters, &c., to be responsible for all damages.

12. THE promoters shall be answerable for all accidents, damages, and injuries happening through their act or default or through the act or default of any person in their employment, by reason or in consequence of any of their works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages and injuries.

Right of user only.

13. NOTWITHSTANDING anything in this Ordinance contained, the promoters of any tramway shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway, nor shall anything contained in this Ordinance exempt the promoters of any tramway, or any other person using such tramway, from the payment of such tolls as may be levied in respect of the use of such road.

Power of road authority to widen road reserved.

14. NOTHING in this Ordinance shall take away or affect any power which any road authority, or the owners, commissioners, undertakers, or lessees of any railway, tramway, or inland navigation, may have to widen, alter, divert, or improve any road, railway, tramway, or inland navigation.

Power of local Police to regulate traffic reserved.

15. NOTHING in this Ordinance shall limit the powers of the Police or of the officers of the Municipal Council in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such Police or officers as aforesaid may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the promoters as to the traffic of other persons.

Right of public to use road reserved.

16. NOTHING in this Ordinance shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flanged wheels or wheels suitable only to run on the rail of the tramway.

Specification of offences and penalties to be affixed to carriages.

17. THE promoters shall be bound to affix to some conspicuous part of their carriages a paper in the English, Sinhalese, and Tamil languages, specifying the offences and penalties created by the 8th, 9th, and 10th clauses of this Ordinance, together with the table of fares.

Power of sale.

18. IT shall be lawful for the promoters, with the consent of the Government, but not otherwise, to sell their undertaking to any person, corporation or company; and when any such sale has been made all the rights, powers, authorities, obligations and liabilities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by, and shall attach to the person, corporation or company to whom the same has been sold in like manner as if such tramway was constructed by such person, corporation or company, and in reference to the same they shall be deemed to be the promoters.

Proceeding if promoters discontinue working of tramway, or of insolvency of promoters.

19. IF at any time after the opening of any tramway for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of three months (such discontinuance not being occasioned by circumstances beyond the control of such promoters, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), and such discontinuance is proved to the satisfaction of the Government, or, if at such time as aforesaid, it appears to the Government that the promoters are insolvent, so that they are unable to maintain such tramway, or work the same with advantage to the public, the said Government, if they think fit, may by order declare that the powers and privileges of the promoters in respect of such tramway or the part thereof so discontinued, or of such promoters so become insolvent shall, from the date of such order, be at an end, and thereupon the said powers of the promoters shall cease and determine. Where any such order has been made, the Government, or (if the tramway shall have been laid down in a Municipal town under treaty with the Council thereof.) such Council may, with the sanction of Government, at any time after the date of such order, take up and work the tramway, or cause the same to be removed, as it may consider right in the interests of the public. If the removal of the tramway, or part thereof be determined upon, the Government or Council as aforesaid shall cause the same to be removed, and the promoters shall pay to such Government or Council the cost of such removal

and of making good the road, and any damage sustained in consequence of any such discontinuance, such cost shall be certified by some officer authorized by the Government, whose certificate shall be final and conclusive, and shall form a first charge on the property of the promoters ; and if the promoters fail to pay the amount so certified within one month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum, and to such person, as the Government or Council may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost of sale ; and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.

20. IF the Government or Council determine upon working the said tramway, as provided in the preceding section, such Government or Council shall pay to the promoters the value (exclusive of any allowance for past or future profits of the undertaking or other consideration whatsoever of all lands, buildings, works, materials and plant of the promoters suitable to and used by them for the purposes of their undertaking, such value to be in case of difference determined by two arbitrators, one to be chosen by the Government or Council taking over the tramway and the other to be chosen by the promoters, and in case of difference between the arbitrators, of an umpire to be chosen by them. And for the purposes of such arbitration the provisions of " *The Arbitration Ordinance, 1866,*" (or any other Ordinance to be hereafter enacted in its stead), so far as the same are applicable hereto, shall be deemed to be in force and applicable to such arbitration as if the same were inserted herein.

Value how to be determined.

21. NOTHING in section 19 contained shall be held to prevent the Government or, with its sanction, the Council, under treaty with whom any tramway shall have been laid down, (if the Government shall be satisfied that it will be for the convenience of the Public that it should continue to work the tramway), to assume charge of and work such tramway, at the expense of the promoters and on their account, immediately any tramway or part thereof is discontinued, or immediately the Government has reason to believe that the promoters of any tramway are insolvent, so that they are unable to maintain such tramway or work the same with advantage to the public, and until the expiration of the three months in the said section specified. And the promoters shall pay to the Government or Council, as the case may be, the cost of such working, which said cost shall be certified by some authorized officer of the Government, whose certificate shall be final and conclusive, and shall form a first charge on the property of the promoters; and if the promoters fail to pay the amount so certified within one month of the delivery to them of such certificate or a copy thereof, the Government may (but without prejudice to any other remedy which they may have for the recovery of the amount) seize and sell and dispose of any property of the promoters not wanted for the working of the said tramway, and reimburse themselves the cost of the working certified as aforesaid, and of the cost of sale ; and the balance, if any, of the proceeds of the sale, shall be paid over by the road authority for and on account of the promoters.

Council or Government may however work the tramway pending the three months specified in section 19.

22. IT shall be lawful for the Government, from time to time, to make such regulations as shall be necessary for the due working of tramways and the traffic connected therewith, and the prevention of accidents.

Government to make regulations.

Passed in Council, the Third day of February, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Third day of February, One thousand Eight hundred and Seventy-three, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

An Ordinance to prescribe the order in which the property of public defaulters may, in certain cases, be seized and sold.

Preamble.

WHEREAS "*The Police Ordinance, 1865,*" and the Ordinance No. 5 of 1866, entitled "*An Ordinance to facilitate the recovery of moneys due as commutation of the Paddy tax and of the performance of labour*" authorize the seizure and sale of the property of persons making default in the payment of the tax for the maintenance of the Police, or the commutation of the Paddy tax, or the commutation for the performance of labour, and it is expedient to prescribe the order in which such property may be seized and sold: **IT IS THEREFORE HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—**

Order to be observed in seizing and selling property for recovery of tax or commutation.

1. **WHENEVER** it shall be necessary to seize and sell the property of any person making default in the payment of the said tax or commutation, it shall be the duty of the officer authorized by the said Ordinances to seize and sell property to observe the following order in carrying out such seizure and sale:—

(1.) Movable of defaulter wherever found, and, in the case of the Police tax, of any person in the premises for which tax is due.

Proviso; property of others may not be seized for arrears of tax beyond two quarters.

Exceptions.

(1.) The movable property of the defaulter, wheresoever the same may be found, sufficient in the opinion of the officer seizing and selling the property to cover the amount of the tax due and the charges incurred in the recovery of the same. **PROVIDED** that in the case of default in the payment of the tax due for the maintenance of the Police under "*The Police Ordinance, 1865,*" any movable property, to whomsoever the same may belong, which shall be found in or upon any house, building, land, or tenement for which such tax shall be due, may be seized and sold. But it shall not be lawful to seize any movable property which may be found in or upon any house, building, land, or tenement, in respect of which such tax shall be due, for any arrears of tax due beyond two quarters next preceding such seizure, unless such movable property shall belong to any person who was the owner or a joint owner of the said house, building, land, or tenement, at the time the arrears beyond such two quarters accrued and became due; or unless such movable property shall belong to any person who shall have occupied the said house, building, land, or tenement at the time when the said last-mentioned arrears accrued and became due.

(2.) Rents and profits.

(2.) Failing such movable property, the rents and profits of the house, building, land, or tenement for which such tax or commutation shall be due, for a term sufficient, in the opinion of the officer seizing and selling the property, to cover the amount of the tax or commutation due and the charges incurred in the recovery of the same.

(3.) Building materials and timber.

(3.) Failing such rents and profits, the materials of any house or building standing on the land for which such tax or commutation shall be due, and the timber growing thereon, sufficient, in the opinion of the officer seizing and selling the property, to cover such tax or commutation and the charges as aforesaid. And the purchaser of such materials or timber shall be entitled to pull down or cut and remove the same within the time allowed him for that purpose by the officer carrying out such seizure and sale.

(4.) Premises on which tax is due, a portion thereof.

(4.) Failing such building materials and timber, the house, building, land, or tenement for which such tax or commutation shall be due, or, if a portion thereof sufficient to cover such tax or commutation and the charges as aforesaid can, in the opinion of the officer seizing and selling the property, be conveniently separated from the rest, such portion only.

Proviso.

PROVIDED however that no officer shall be liable in damages by reason of his not duly observing such order, unless the person claiming such damages shall establish to the satisfaction of the Court that the defaulter, or some person on his behalf, pointed out to such officer at the time he was making the seizure of such defaulter's property free and unclaimed property sufficient to cover the amount of the tax or commutation, and charges as aforesaid, which was liable to seizure, in the first instance, according to the order hereby established, but which such officer nevertheless failed to seize.

2. THIS Ordinance shall come into operation at the date of the passing thereof.

No. 6.—1873.

Passed in Council, the Third day of February, One thousand Eight hundred and Seventy-three.

Commencement of Ordinance

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Third day of February, One thousand Eight hundred and Seventy-three, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

No. 7.—1873.

An Ordinance for regulating the Sale of Intoxicating Liquors.

No. 7.—1873.

WHEREAS it is expedient to amend the law for the sale by retail of intoxicating liquors, and the regulation of the places in which such liquors are sold, and to make further provision in respect of the grant of licenses for the sale of such liquors, and the better prevention of drunkenness: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows :—

Preamble.

1. THIS Ordinance shall come into operation on the First day of July, One thousand Eight hundred and Seventy-three.

Commencement of Ordinance.

2. THIS Ordinance may be cited as "*The Licensing Ordinance, 1873.*"

Short title.

3. THE sections of Ordinances in the Schedule A. hereto annexed are repealed, except as to liabilities which shall have been incurred, acts which shall have been done, and all proceedings or matters which shall have taken place before this Ordinance comes into operation.

Repeal of certain sections of Ordinances.

4. THE following expressions in this Ordinance shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:—

Interpretation clause.

- (1.) "Intoxicating Liquor" shall include wine, beer, porter, cider, perry, and sweets, and any fermented, distilled, or spirituous liquor, not being the produce of the cocoanut or other description of palm, or sugar cane, but not ginger beer or spruce beer.
- (2.) "Government Agent" shall include the Assistant Government Agent of the Province, or, where there is any Assistant Government Agent for the district in which any proceeding contemplated by this Ordinance is taken, such Assistant Government Agent.
- (3.) "Retail" shall mean the sale of goods not in gross, but in parcels not exceeding a dozen quart bottles or two gallons of the same kind of liquor.
- (4.) "Hotel" shall mean a place kept for the accommodation of travellers and others where they are furnished for payment with lodging, food, and intoxicating liquor, but not any rest-house in charge of the Provincial Committee or refreshment rooms on premises connected with Railway stations duly authorized as such by the Traffic Manager.
- (5.) "Tavern" shall mean tavern or shop licensed for the sale of arrack, rum, and toddy, under the Ordinance No. 10 of 1844, or any other Ordinance to be hereafter enacted instead of it.
- (6.) "Keeper of Tavern" shall mean the keeper of tavern or shop in the preceding article specified.
- (7.) "Licensed Person" shall mean a person holding a license, as defined by this Ordinance.
- (8.) "Superintendent of Police" shall mean any Superintendent or any Assistant Superintendent of Police, or any person not under the rank of Inspector, having chief Police authority in the district.

No. 7.—1873.

Sale by retail of intoxicating liquor, without license, prohibited.

Application for license.

When Government Agent may refuse a license.

Issue of license.

Duration of license. Proviso as to licenses for 1873.

No license to be given except to house or room having entrances facing the street, or to hotel having suitable accommodation.

License not transferable.

Stamp duties payable on licenses.

Proviso; license to apply to one place only.

5. NO person shall sell or expose for sale by retail any intoxicating liquor, without being duly licensed as is hereinafter provided.

6. ANY person who may be desirous to sell intoxicating liquor by retail, or to keep an hotel, shall make an application in writing to the Government Agent of the Province, within which such sale is intended to be carried on, or such hotel is to be kept, which application shall contain a true and full description of the name and residence of the person making the same, and of the place at which such sale is intended to be carried on, or such hotel to be kept, and (in the case of an application to sell intoxicating liquor) whether he purposes to sell intoxicating liquor generally, or only beer and porter, and whether or not such liquor is intended to be consumed on the premises within which the same is sold. PROVIDED that where the application is one to sell intoxicating liquor by retail he shall cause notices signifying his intention to apply to be affixed in the English, Sihaliese and Tamil languages on the premises in which he means to sell the liquor, and on the walls of the Kachchéri and Police Court of the District within which the application is to be made, one month before he shall make such application. Any person objecting to any application to sell intoxicating liquor, may state his objection to the said Government Agent at any time during the month that the notice shall be affixed as above provided. And it shall be lawful to the Government Agent to enquire into such objection and either to refuse or issue such license as to him shall seem fit. The license when issued shall specify the name and residence of the person to whom it is granted, the place where such hotel is to be kept, or where such liquor is to be sold, whether intoxicating liquor generally is to be sold in such place or any particular description thereof, and whether or not it is to be consumed on the premises within which it is sold. It shall be open to any person to whom a license shall have been refused, or to any person whose objection shall have been overruled, to apply to the Governor, who shall be entitled to confirm or reverse such refusal or such overruling of any objection as to him, with the advice of the Executive Council, shall seem fit. Nothing however in this or any other section contained shall be held to prevent the Government Agent from allowing any person or persons licensed to sell intoxicating liquor by retail, to expose the same for sale on one or more days in any place other than the place specified in the license, on the occasions of large gatherings of people for purposes of reasonable recreation, and under conditions to be imposed by such Government Agent.

7. THE license shall be in force on and from the day on which the same shall be granted until the thirtieth day of June next thereafter inclusive. PROVIDED that the license to be granted for the year 1873 in pursuance of the 30th section of the said Ordinance No. 10 of 1844, shall have force only until the 30th June of that year, and, on that account, the payment to be made for such license shall be Ten Rupees only.

8. NO license shall be granted for the sale of intoxicating liquor in any house or room except in a house or room having entrances facing the street, and open as much as possible to public view. No license shall be granted for the keeping of an hotel unless in premises containing suitable accommodation for travellers, and decent places of convenience on or near the premises for their use, so as to prevent nuisances and offences against decency. Every license shall particularly set forth and describe the house, room, or premises licensed, or intended to be licensed, and such license shall in no case be assignable or transferable, nor shall any person be deemed entitled to sell under any license except the person actually named in such license, and persons *bonâ fide* in his employment or service.

9. THE licenses hereunder specified shall be subject to the following stamp duties:—

License to sell beer or porter only	Rupees 10
License to sell intoxicating liquor generally not to be consumed on the premises	„ 25
License to sell intoxicating liquor generally to be consumed on the premises	„ 50
License for keeping an hotel	„ 100

PROVIDED that each such license shall apply to the keeping of one hotel only, or to the sale of intoxicating liquor, generally, or of beer and porter, at one place of sale only; and if licenses are wanted for more than one hotel or for the sale of intoxicating liquor in more premises than one, additional licenses shall be obtained for each of such places.

10. ANY person selling or exposing for sale by retail any intoxicating liquor which he is not licensed to sell, or selling or exposing for sale any intoxicating liquor at any place where he is not authorized by his license to sell the same, or selling or exposing for sale any intoxicating liquor contrary to the tenor of his license, in any particular not otherwise specially provided for in this Ordinance, shall be guilty of an offence, and be subject to the following penalties:—

- (1.) For the first offence, he shall be liable to a fine not exceeding Fifty Rupees, or to imprisonment, with or without hard labour, for a term not exceeding One month.
- (2.) For the second offence, he shall be liable to a fine not exceeding One Hundred Rupees, or to imprisonment, with or without hard labour, for a term not exceeding Three months.
- (3.) For the third and any subsequent offence, he shall be liable to a fine not exceeding Five Hundred Rupees, or to imprisonment, with or without hard labour, for a term not exceeding Six months.

In addition to the other penalties imposed by this section, the Court before which any person is convicted of a second or any subsequent offence, may, if it thinks expedient so to do, declare all intoxicating liquor found in the possession of any such person as last aforesaid, and the vessels containing such liquor, to be forfeited.

11. NO penalty shall be incurred under section 10 by the heirs, executors, administrators or assigns, of any licensed person who dies before the expiration of his license, or by the assignee or trustee of any licensed person adjudged an insolvent, or whose affairs are liquidated by arrangement before the expiration of his license in respect of the keeping of an hotel or of sale or exposure for sale of any intoxicating liquor, so that such keeping and sale be according to the terms of the license, and be not continued beyond the unexpired term of the license.

12. THE occupier of any unlicensed premises on which any intoxicating liquor, including the produce of the cocoanut, or other description of palm, or sugar cane, (hereinafter described as including such produce as aforesaid,) is sold by retail, or, if such premises are occupied by more than one person, every occupier thereof, shall, unless he can prove that he was not privy or assenting to the sale, be subject to the penalties of fine and imprisonment imposed upon persons for the sale, or exposure for sale, of intoxicating liquor without license.

13. IF any purchaser of intoxicating liquor by retail from a person who is not licensed to sell the same to be drunk on the premises, drinks such liquor on the premises where the same is sold, or on any highway, lane, or garden adjoining or near such premises, the seller of such liquor shall, unless he shall prove that such drinking did not take place with his privity or consent, be subject to the following penalties:—

- (1.) For the first offence, he shall be liable to a fine not exceeding Fifty Rupees.
- (2.) For the second and any subsequent offence, he shall be liable to a fine not exceeding One Hundred Rupees.

For the purposes of this section the expression, "premises where the liquor is sold," shall include any premises adjoining or near the premises where the liquor is sold, if belonging to the seller of the liquor, or under his control, or used by his permission.

14. IF any person having a license to sell intoxicating liquor (including such produce as aforesaid) by retail not to be drunk on the premises, himself takes or carries, or employs or suffers any other person to take or carry, any intoxicating liquor out of or from the premises of such licensed person for the purpose of being sold on his account, for his benefit or profit, and of being drunk or consumed in any other house, or in any tent, shed, building, or other place of any kind whatever, belonging to such licensed person, or hired, used, or occupied by him, such intoxicating liquor shall be deemed to have been consumed by the purchasers thereof on the premises of such licensed person, with his privity and consent, and such licensed person shall be punished accordingly in manner provided by this Ordinance. In any proceeding under this section it shall not be necessary to prove that the premises or place to which such liquor is taken to be drunk belonged to or were hired, used, or occupied by the seller, if proof be given to the satisfaction of the Court hearing the case that such liquor was taken to be consumed thereon or therein with intent to evade the conditions of his license.

No. 7.—1873.

Penalty for selling or exposing for sale intoxicating liquor without license.

Forfeiture of liquor and vessels containing the same.

Penalty not to attach to representative of deceased or insolvent licenses for sale on the licensed premises during the unexpired term of the license.

Occupier of unlicensed premises liable for sale of liquor.

Seller liable for liquor being on premises contrary to license.

Evasion of law as to drinking on premises contrary to license.

No. 7.—1873.

Sale prohibited to children.

15. EVERY holder of a license under this Ordinance, or the keeper of a tavern, who sells or allows any person to sell, to be consumed on the premises, any description of spirits (including such produce as aforesaid) to any person apparently under the age of fifteen years, shall be liable to a fine not exceeding Ten Rupees for the first offence, and Twenty Rupees for the second and any subsequent offences.

Village Councils may prohibit sale to females.

16. IT shall be lawful for the inhabitants of any sub-division brought within the operation of "*The Village Communities' Ordinance, 1871,*" by bye-rules to be by them made for that purpose, to make it an offence for any such holder of license or keeper of tavern to sell, or allow any person to sell such spirits (including such produce as aforesaid) to females.

Penalty on internal communication between licensed and unlicensed premises.

17. EVERY person who makes or uses, or allows to be made or used, any internal communication between any licensed premises and any unlicensed premises or places which are used for public entertainment or resort, or as a place for refreshment, shall be liable to a fine not exceeding One Hundred Rupees for every day during which such communication remains open.

Places for sale of liquor and taverns to be properly lighted; no food to be sold or music or dancing allowed in taverns, and no person to be allowed to sit or loiter therein.

18. EVERY licensed person and every keeper of a tavern shall keep his place during the time that it is open properly lighted up; keepers of taverns shall on no pretext sell food or have music or dancing in taverns, or allow any person to sit or loiter therein. Any person offending against any of these provisions shall be liable to a fine not exceeding Fifty Rupees.

Penalty on illicit storing of liquor.

19. IF any licensed person or keeper of tavern, has in his possession, on the premises in respect of which his license is granted, any description of intoxicating liquor (including such produce as aforesaid) which he is not authorized to sell, unless he shall account for the possession of the same to the satisfaction of the Court by which he is tried, he shall forfeit such liquor and the vessels containing the same, and shall be liable to a fine not exceeding Fifty Rupees for the first offence, and not exceeding One Hundred Rupees for any subsequent offences.

Names of licensed persons to be affixed to premises.

20. EVERY licensed person and every keeper of a tavern shall cause to be painted or affixed, and shall keep painted or affixed on the premises in respect of which his license is granted, in a conspicuous place and in such form and manner as the Government Agent may from time to time direct, his name, with the addition, after the name, of the word "licensed," and of words sufficient, in the opinion of the said Government Agent, to express the business for which his license has been granted, and in particular of words expressing whether the license authorizes the sale of intoxicating liquor to be consumed on or off the premises only, as the case may be; and no person shall have any words or letters on his premises importing that he is authorized as a licensed person to sell any intoxicating liquor which he is not in fact duly authorized to sell. Every person who acts in contravention of the provisions of this section shall be liable to a fine not exceeding, for the first offence, Fifty Rupees, and not exceeding, for the second and any subsequent offence, One Hundred Rupees.

Penalty on persons found drunk.

21. EVERY person found drunk or incapable of taking care of himself in any thoroughfare or public place, whether a building or not, or on any licensed premises, or tavern, shall be liable to a fine not exceeding Five Rupees, and on second conviction within a period of twelve months shall be liable to a fine not exceeding Ten Rupees, and on a third or subsequent conviction within such period of twelve months be liable to a fine not exceeding Twenty Rupees, any former law or custom to the contrary notwithstanding. Every person who in any thoroughfare or other public place, whether a building or not, is guilty while drunk of riotous or disorderly behaviour, or who is drunk while in charge, on any thoroughfare or other public place, of any carriage, horse, or cattle, or who is drunk when in possession of any loaded firearms, may be apprehended, and kept in custody until he gets sober, and shall be liable, in addition, to a fine not exceeding Twenty Rupees, or to imprisonment, with or without hard labour, for any term not exceeding One month.

Penalty for permitting drunkenness.

22. IF any licensed person, or any keeper of a tavern, permits drunkenness or any violent, quarrelsome, or riotous conduct to take place on his premises, or sells any intoxicating liquor (including such produce as aforesaid), to any drunken person, or any habitual drunkard, he shall be liable to a fine not exceeding, for the first offence, Fifty Rupees, and for the second and any subsequent offence, One Hundred Rupees.

Penalty for keeping disorderly house.

23. IF any licensed person, or any keeper of a tavern, knowingly permits his premises to be the habitual resort or place of meeting of reputed prostitutes, whether the object of their so resorting or meeting is or is not prostitution, he shall be liable to a fine not exceeding, for the first offence, Fifty Rupees, and for the second and any subsequent offence, One Hundred Rupees.

24. IF any licensed person, or any keeper of a tavern, is convicted of permitting his premises to be a brothel, or to be used on any occasion as such, he shall be liable to a fine not exceeding Two Hundred Rupees, and shall forfeit his license, and he shall be disqualified for ever from holding any license for the sale of intoxicating liquor or for keeping a tavern.

No. 7.—1873.

Penalty for permitting premises to be a brothel.

25. IF any licensed person or any keeper of a tavern shall sell any intoxicating liquor (including such produce as aforesaid) on credit or trust, or shall take or receive any thing in pledge, barter or exchange for the same, he shall be liable to a fine not exceeding Fifty Rupees for every such offence, and every such credit, pledge, barter, or exchange shall be illegal and void, and such licensed person or keeper of tavern shall not be entitled to recover the sum for which credit shall have been given, and shall be bound to restore any thing which he might have received in pledge, barter, or exchange, or if the same shall have been destroyed or lost, to pay its value to the person from whom he shall have received the same.

Penalty for selling on credit or taking any thing in pledge, barter or exchange.

26. IF any licensed person, or the keeper of a tavern,—

Penalty for harbouring constable.

- (1.) Knowingly harbours or knowingly suffers to remain on his premises any constable during any part of the time appointed for such constable being on duty, unless for the purpose of keeping or restoring order or in execution of his duty; or
- (2.) Supplies any liquor or refreshment, whether by way of gift or sale, to any constable on duty, unless by authority of some superior officer of such constable; or
- (3.) Bribes or attempts to bribe any constable;

he shall be liable to a fine not exceeding, for the first offence, Fifty Rupees, and for the second or any subsequent offence, One Hundred Rupees.

27. ANY licensed person or keeper of a tavern may refuse to admit to, and may turn out of the premises in respect of which his license is granted, any person who is a habitual drunkard or drunken, violent, quarrelsome, or disorderly, and any person whose presence on his premises would subject him to a penalty under this or any other Ordinance. Any such person who, upon being requested in pursuance of this section by such licensed person, or keeper of tavern, or his agent or servant, or by any constable, to quit such premises, refuses or fails so to do, shall be liable to a fine not exceeding Fifty Rupees; and all constables are required on the demand of such licensed person, keeper of tavern, agent, or servant, to expel, or assist in expelling, every such person from such premises, and may use such force as may be required for that purpose.

Powers to exclude drunkards from licensed premises.

28. ANY officer of the Police may seize and convey to the nearest Police Office all intoxicating liquor (including such produce as aforesaid) carried about or exposed in any thoroughfare or other place whatever, and which he may reasonably suspect is being carried about for or exposed for sale, and every vessel containing or used for drinking or measuring the same, and every vehicle and every animal, and every boat or vessel, carrying or drawing the same. Every person employed in so carrying about for sale such intoxicating liquor (including such produce as aforesaid) shall be liable to a fine not exceeding Fifty Rupees; and every such vessel, vehicle, animal, or boat shall be forfeited.

Hawking of intoxicating liquor prohibited.

29. EVERY person who mixes or causes to be mixed with any intoxicating liquor (including such produce as aforesaid), sold or exposed for sale by him, whether by wholesale or retail, any deleterious ingredients, that is to say, any of the ingredients specified in Schedule B. to this Ordinance, or added to such Schedule by any Proclamation issued by the Governor with the advice of the Executive Council (which Proclamation the Governor is hereby empowered to issue) and published in the *Government Gazette*, or any ingredient deleterious to health; and every person who knowingly sells or keeps or exposes for sale any intoxicating liquor, (including as aforesaid,) whether by wholesale or retail, mixed with any deleterious ingredient (in this Ordinance referred to as adulterated liquor) shall be liable, for the first offence, to a fine not exceeding Fifty Rupees, or to imprisonment for a term not exceeding One month, with or without hard labour; and for the second and any subsequent offence, to a fine not exceeding Two Hundred Rupees, or to imprisonment for a term not exceeding Three months, with or without hard labour, and to be declared to be a person disqualified for ever to hold a license, and shall also, in the case of the first as well as any subsequent offence, forfeit all adulterated liquor (including such produce as aforesaid) in his possession, with the vessels containing the same.

Penalty on adulteration of intoxicating liquor.

No. 7.—1873.

Possession of adulterated liquor or deleterious ingredients.

30. EVERY licensed person or keeper of tavern who has in his possession or in any part of his premises for sale any adulterated liquor (including such produce as aforesaid) or any deleterious ingredient specified in the Schedule C hereto, or added to such Schedule by any Proclamation issued by the Governor, with the advice of the Executive Council, (which Proclamation the Governor is hereby empowered to issue,) for the possession of which he is unable to account to the satisfaction of the Court, shall be deemed knowingly to have exposed for sale adulterated liquor (including as aforesaid) on such premises.

Superintendent of Police may require samples for analysis.

31. ANY Superintendent of Police or other officer of Police authorized in writing by the Superintendent so to do, may procure samples of any intoxicating liquor (including such produce as aforesaid) from any person selling or keeping or exposing the same for sale (referred to in this and three following sections as the vendor); he may procure such samples either by purchasing the same, or by requiring the vendor to shew him and allow him to inspect all or any of the vessels in which any such intoxicating liquor (including such produce as aforesaid) in the possession of the vendor is stored, and the place of the storage thereof, and to give him samples of such intoxicating liquor (including such produce as aforesaid) on payment or tender of the value of such samples. If the vendor or his agent or servant, when required in pursuance of this section, refuses or fails to admit the officer, or refuses or wilfully omits to shew all or any of the vessels in which intoxicating liquor (including such produce as aforesaid) is stored, or the place of the storage thereof, or to permit the officer to inspect the same, or to give any samples thereof, or to furnish the officer with such light or assistance as he may require, he shall be liable to the same fine and forfeiture as if he knowingly sold or exposed for sale adulterated liquor.

Such samples shall be analysed, and certificate given of liquor adulterated.

32. WHEN the Police officer has, by either of the means aforesaid, procured samples of intoxicating liquor (including such produce as aforesaid) he shall cause the same to be analysed at such convenient place and time, and by such person as the Governor may appoint; provided always, that a reasonable notice shall have been given by such officer to the vendor by whom such sample was furnished, to enable such vendor, if he think fit, to attend at the time when such sample is open for analysis; and if it appear to the person so analysing that the said samples of intoxicating liquor (including such produce as aforesaid) are adulterated liquor within the meaning of this Ordinance, he shall certify such fact, and the certificate so given shall be receivable as evidence in any proceedings that may be taken against any person in pursuance of this Ordinance, subject to the right of any person against whom proceedings are taken to require the attendance of the person making the analysis for the purpose of cross-examination.

Vendor may require samples to be sealed.

33. THE vendor may require the officer, in his presence, to annex to every vessel containing any samples for analysis the name and address of the vendor, and to secure with a seal or seals belonging to the vendor the vessel containing such samples, and the name and address annexed thereto, in such manner that the vessel cannot be opened, or the name and address taken off, without breaking such seals; and a corresponding sample sealed by such officer with his own seal shall, if required, be left with the vendor for reference in case of disputes as to the correctness of the analysis or otherwise; and the certificate of the person who analyses such samples shall state the name and address of the vendor, and that the vessels were not open, and that the seals securing to the vessels the name and address of the vendor were not broken until such time as he opened the vessels for the purpose of making his analysis; and in such case as aforesaid no certificate shall be receivable in evidence unless there is contained therein such statement as above, or to the like effect.

Cost of analysis.

34. ANY expenses incurred in analysing any intoxicating liquor (including such produce as aforesaid) of a vendor in pursuance of this Ordinance shall, if such vendor be convicted of selling or keeping, or exposing for sale, or having in his possession, adulterated liquor (including as aforesaid) in contravention of this Ordinance, be deemed to be a portion of the costs of the proceedings against him, and shall be paid by him accordingly.

Importation of white or methylated spirit prohibited.

35. THE importation of white or methylated spirit, whether coloured or otherwise, is hereby prohibited, except for medical or scientific purposes and under a license from the Colonial Secretary, which license shall specify the quantity to be imported. If any such spirit shall be imported into Ceylon, or brought for importation, it may be seized and shall be forfeited, and the person concerned in importing or bringing the same may be proceeded against for importing or bringing prohibited goods as in the Customs' Laws provided.

36. ANY Justice of the Peace for the district where any riot or tumult happens, or is expected to happen, or on the requisition of the officer in charge of troops on march, may order every licensed person or every keeper of a tavern in or near the place where such riot or tumult happens, or is expected to happen, or where the troops are on march, to close his premises during any time which the Justice may order; and any person who keeps open his premises for the sale of intoxicating liquor (including such produce as aforesaid) during any time at which the Justice has ordered them to be closed, shall be liable to a penalty not exceeding Five Hundred Rupees; and it shall be lawful for any person acting by order of any Justice to use such force as may be necessary for the purpose of closing such premises.

37. SUBJECT as hereinafter mentioned, all premises excepting *bonâ fide* hotels, in which intoxicating liquor is sold or exposed for sale by retail, shall be closed after the hour of eight at night and before the hour of five in the morning. Provided that it shall be lawful for the Governor from time to time, with the advice of the Executive Council, by Proclamation published in the *Government Gazette*, to alter the said closing hours and appoint other hours instead. PROVIDED that it shall also be lawful for the inhabitants of any sub-division or portion thereof brought within the operation of "*The Village Communities Ordinance, 1871*," by rules to be by them made in manner provided by the said Ordinance, to alter the said closing hours and appoint others instead, in such sub-division or portion thereof. Any person who sells or exposes for sale, or opens or keeps open any premises for the sale of intoxicating liquor during the time that such premises are directed to be closed by or in pursuance of this section, or during such time as aforesaid allows any intoxicating liquor to be consumed on such premises, shall, for the first offence, be liable to a fine not exceeding Fifty Rupees, and for any subsequent offence, to a fine not exceeding One Hundred Rupees.

38. IF, during any period during which any premises are required under the provisions of this Ordinance to be closed, any person is found on such premises, he shall, unless he satisfies the Court that he was an inmate, servant, or that otherwise his presence on such premises was not in contravention of the provisions of this Ordinance, with respect to the closing of licensed premises, be liable to a penalty not exceeding Twenty Rupees. Any constable may demand the name and address of any person found on any premises during the period during which they are required by the provisions of this Ordinance to be closed; and if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address, or such evidence, apprehend him without warrant, and carry him, as soon as practicable, before a Justice of the Peace. Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a fine not exceeding Fifty Rupees.

39. A CONSTABLE authorized in writing by the Superintendent of Police, or headman authorized in writing by the Government Agent in any district in which there is no Police Force stationed, may at all times enter on any licensed premises and taverns, he may also examine every room and part of such premises, and take an account of all intoxicating liquor (including such produce as aforesaid) stored therein. Any Justice of the Peace, if satisfied by information on oath that there is reasonable ground to believe that any intoxicating liquor (including as aforesaid) is sold by retail or exposed or kept for sale by retail at any place within his jurisdiction, whether a building or not, in which such liquor (including as aforesaid) is not authorized to be sold by retail, may, in his discretion, grant a warrant under his hand, by virtue whereof it shall be lawful for any constable or headman named in such warrant, at any time within one month from the date thereof, to enter, and, if need be, by force, the place named in the warrant, and every part thereof, and examine the same and search for intoxicating liquor (including as aforesaid) therein, and seize and remove any intoxicating liquor (including as aforesaid) found therein, which there is reasonable ground to suppose is in such place for the purpose of unlawful sale at that or any other place, and the vessels containing such liquor (including as aforesaid). Every person who, by himself, or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit any constable or headman demanding to enter in pursuance of this section into any premises or place occupied by or under the control of such person, or who having admitted such constable or

No. 7.—1873.

Any Justice of the Peace may require premises to be closed where riot or tumult is apprehended, or where troops are on march.

Hour of closing.

Proceedings against persons found on premises after closing hours.

Entry on premises.

No. 7.—1873.

headman, refuses or fails to allow him to take an account of any intoxicating liquor (including as aforesaid) found therein, or to furnish him with such light or assistance as he may require, shall be liable to a fine not exceeding for the first offence, Fifty Rupees, and for the second and every subsequent offence, One Hundred Rupees.

Delivery evidence of sale, proof of license on licensee.

40. IN any proceedings under this Ordinance the delivery of any intoxicating liquor (including such produce as aforesaid) shall be deemed and taken to be good and sufficient evidence of the same having been sold, unless the defendant shall prove the contrary, and the proof of the license shall in all cases rest upon the licensee.

Person deprived of his license not to be employed by licensed person, or to be allowed any interest therein.

41. IF any person licensed to sell intoxicating liquor in any premises, or to keep an hotel, or any keeper of a tavern, shall employ or permit any person who, from misconduct or bad character may have been refused or deprived of his license, under this or the Ordinance No. 10 of 1844, to be employed in any capacity in such licensed premises, hotel, or tavern, or to be his partner or to participate in the profits of such licensed premises, hotel, or tavern, or to have any interest therein, such licensed person or keeper shall be liable to a fine not exceeding Fifty Rupees.

Agent may withdraw license.

42. IF any licensed person or keeper of a tavern shall be convicted of an offence against any of the provisions of this Ordinance, or of sections 15, 16 and 19 of the Ordinance No. 4 of 1841, or if any licensed person or keeper of a tavern shall be deemed and taken to be a keeper, holder, occupier or user of a house or place for the purposes of common or promiscuous gambling under section 17 of the said last named Ordinance, it shall be lawful for the Government Agent, if he shall see fit to do so, to withdraw his license, and to publish such withdrawal in the *Government Gazette*, and such license shall thereupon be deemed and taken to be withdrawn, and shall be of no further force or effect.

Military and Naval canteens excluded from this Ordinance.

43. NOTHING in this Ordinance contained shall be held to apply to any canteen, shop or tavern, opened or kept under Military or Naval regulations, and subject to the supervision of Military or Naval officers.

Informer's share.

44. THE informer shall be entitled to such portion not exceeding half of the fine actually recovered and realized as the Court shall award.

SCHEDULE.

A. (§ 3.)

- Section 14 of Ordinance No. 4 of 1841.
- Section 30 of Ordinance No. 10 of 1844.
- Article 6 of Section 53 of Ordinance No. 16 of 1865.
- Section 76 of Ordinance No. 16 of 1865.

B. (§ 29.)

Opium; Bang; or Ganja; Coculus Indicus; Tinospora Cordifolia; Datura Stramonium; Tobacco; Arcanut; Nux Vomica; Strychnine; Turpentine; the Salts of Lead, Zinc, Copper and Iron; Salts of Tartar; Oil of Vitriol or Sulphuric Acid; Cayenne Pepper; Cassia; Cinnamon; Nutmeg; Assafœtida; Coriander seed; Grains of Paradise; Angelica root; Calken root; Almond cake; Orris root; Cardamum seed; Orange seed; common Salt, or Chloride of Sodium; Rock Salt; Sal Ammonica; Alum; Cream of Tartar; Capsicum; Ginger; Quassia; Samadara; Wormwood; Calamus root; Carraway; Liquorice; Gentian; Aniseed; Honey; Oyster Shells; Hartshorn shavings; Fabia Amara; Beans for fining; Darnel seeds; Logwood, Sapan-wood, Catechu, Chiretta, Margosa, Sandal-wood, Hamidesmus Indicus or Eroomoos, Buted kino or Bengal kino, and any extract or compound of any of the above ingredients; and the Spirit known as White or Methylated Spirit, whether coloured or otherwise.

C. (§ 30.)

Opium; Bang; or Ganja; Coculus Indicus; Tinospora Cordifolia; Datura Stramonium; Nux Vomica; Strychnine; the Salts of Lead, Zinc, Copper and Iron; Salts of Tartar; Oil of Vitriol or Sulphuric Acid; Assafœtida; Grains of Paradise; Angelica root; Calken root; Almond cake; Orris root; Sal Ammonica; Alum; Samadara; Wormwood; Calamus root; Carraway; Aniseed; Oyster Shells; Hartshorn shavings; Fabia Amara; Beans for fining; Darnel seeds; Logwood, Sapan-wood, Catechu, Chiretta, Sandal-wood, Hamidesmus Indicus or Eroomoos, Boted kino or Bengal kino, and the Spirit known as White or Methylated Spirit, whether coloured or otherwise, and any extract or compound of any of the above ingredients.

Passed in Council, the Third day of February, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Third day of February, One thousand Eight hundred and Seventy-three, and published by his order.

HENRY T. IRVING,
Colonial Secretary.

C
CEYLON.

ORDINANCES

ENACTED DURING THE SESSION

OF

1873.



COLOMBO:

PRINTED BY WILLIAM HENRY HERBERT, GOVERNMENT PRINTER, CEYLON.

1874.

ORDINANCES

PASSED BY THE LEGISLATIVE COUNCIL OF CEYLON DURING THE SESSION OF 1873.

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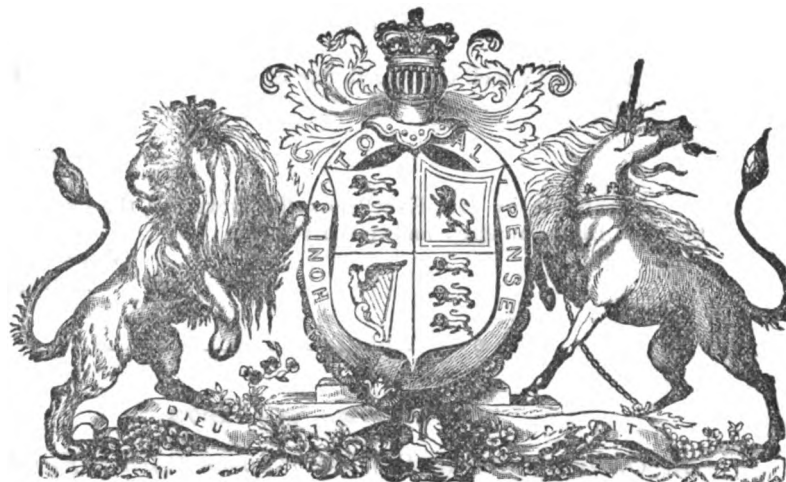
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CEYLON.



ORDINANCES ENACTED BY THE GOVERNOR OF CEYLON, WITH THE ADVICE AND
CONSENT OF THE LEGISLATIVE COUNCIL THEREOF.

No. 8.—1873.

No. 8.—1873.

To apply a portion of the Surplus Revenues of past years to Works and Services of acknowledged Public utility.

WHEREAS it is expedient to apply a portion of the funds which have accrued from the Surplus Revenues of past years, to the execution of Works and Services of acknowledged Public utility:

Preamble.

1. IT IS THEREFORE HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Five hundred and Eighty-four thousand Seven hundred and One Rupees out of the said Surplus Revenues shall be issued and applied to the execution of the several Public Works and Services hereinafter mentioned, in conformity with the details of the Estimates to be submitted:—

Rs. 584,701 to be charged upon the Surplus Revenues of the Island.

Náwalapitiya Railway extension	Rs. 150,000
Improvement of Customs premises	120,000
Bridging the Northern and Trincomalee roads	126,701
Towards the construction of a road from Lémastota to Wellawáya	65,000
For the building of certain new Prisons, and improvements to existing ones	100,000
For gratuities to the men of the Ceylon Rifles who are to be disbanded without pension	23,000

Total Rs.... 584,701

2. THE Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore mentioned, in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall, from time to time, order and direct; and the payments so to be made shall be charged upon and payable out of the said Surplus Revenues of the said Island.

Treasurer to pay the above at such time as the Governor, by warrant, shall order.

B

No. 8.—1873.

And to receive credit in his accounts for the payments made in pursuance thereof.

3. THE said Treasurer shall, in his accounts, from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer, in passing his said accounts, for any such sum or sums as shall be therein mentioned, and he shall and may receive credit for the same accordingly.

Passed in Council the Fourth day of June, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Fourth day of June, One thousand Eight hundred and Seventy-three.

JOHN DOUGLAS,
Acting Colonial Secretary.

No. 9.—1873.

No. 9.—1873.

An Ordinance to abolish the Pioneer Pension Fund, and to devote the money to the extension of the Railway to Návalapitiya, the Pensions to Pioneers being paid out of the general revenue.

Preamble.

WHEREAS it is expedient to abolish "The Pioneer Pension Fund" created by the Ordinance No. 3 of 1855, entitled, An Ordinance "To provide for the security of the Pioneer Pension Fund," and to appropriate the moneys belonging thereto for the purposes of the Návalapitiya Railway extension, making the general revenue of the Colony liable for the payment of the gratuities and pensions heretofore paid out of the said Fund: IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Pioneer Pension Fund to be abolished, and money paid to the Treasury.

1. THE said Ordinance No. 3 of 1855 is hereby repealed, and the Trustees are empowered and directed to pay over the money belonging to the said Pioneer Pension Fund, amounting, on the 30th day of June last, to the sum of Rs. 209,226.94, with all further interest due thereon up to the date of payment into the Colonial Treasury; and the receipt of the Treasurer shall be a full and valid discharge to the said Trustees for such sum of money as shall be therein mentioned, and they shall and may receive credit for the same accordingly.

Money to be carried to general revenue, which is charged with payment of pensions to Overseers.

2. THE said sum of money, with interest as aforesaid, so paid by the Trustees as above directed, shall be carried to the account of the general revenue; and such general revenue is hereby charged with the payment of such gratuities and pensions as are now or shall hereafter be payable out of the said Pension Fund, had the same not been abolished.

Money to be applied to Návalapitiya Railway extension.

3. THE said sum of money so paid by the Trustees to the Treasurer, and carried to the account of the general revenue, shall be issued and applied to the extension of the line of Railway from Pérádeniya to Návalapitiya.

Treasurer to pay such pensions as the Governor shall direct.

4. THE Treasurer shall, from time to time, out of the general revenue, pay such gratuities and pensions, to such worn out and disabled members of the Pioneer and Elephant departments, and Overseers employed in the Department of Public Works, and in such manner, as he shall be directed by any order or instruction from time to time in that behalf given to him by the Governor, with the advice of the Executive Council.

Treasurer to pay the above at such time as the Governor by warrant shall order.

5. THE Treasurer shall issue and pay the said sum to such persons, for the purpose hereinbefore mentioned, in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall, from time to time, order and direct; and the payments so to be made shall be charged upon and payable out of the said general revenue of the said Island.

6. THE said Treasurer shall, in his accounts, from time to time, be allowed credit for any sum of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer, in passing his said accounts, for any such sum as shall be therein mentioned; and he shall and may receive credit for the same accordingly.

Passed in Council, the Tenth day of September, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventeenth day of September, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 9.—1873.

And to receive credit in his accounts for the payments made in pursuance thereof.

No. 10.—1873.

No. 10.—1873.

An Ordinance to provide for the recovery of the cost of treating sick Coolies in Government Hospitals.

WHEREAS much difficulty is experienced in recovering the cost of sick coolies in Government Hospitals from Superintendents of estates for the time being, and much money due to the Government has thereby been lost, and it is expedient that the estates themselves should be made liable for such cost: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1. **WHENEVER** a cooly is sent to or admitted in any Government hospital, the estate in which such cooly served when he was taken ill shall be, and is hereby declared, liable for the cost of the treatment of the cooly in such hospital.

Estate in which cooly took ill made liable for the cost of treatment.

2. **THE** Medical Officer in charge of the hospital in which such cooly shall have been treated shall forward to the Government Agent or Assistant Government Agent of the Province or District in which such hospital is situate, a certificate of the cost of the treatment within one month after the discharge from hospital of such cooly, and it shall be the duty of such Government Agent or Assistant Government Agent to cause written notice to be served upon the proprietor or agent of the estate in which the cooly was serving when he was taken ill, informing him of the sum due for the treatment in hospital of the cooly, and requiring him to pay such sum to the Kachchéri named therein at such time as shall be specified in such notice. If the proprietor or agent be not known, or be absent from the Colony, the notice may be issued to the superintendent, and if there be no superintendent, the notice shall be affixed to some conspicuous part of the estate.

Notice of claim to be served on proprietors.

Mode of service.

3. **IF** any proprietor or agent or superintendent shall neglect or refuse to pay the sum at the time specified in such notice, it shall be lawful for the Government Agent, or Assistant Government Agent, or any person authorized by him, to seize the property found on such estate, and sell the same in the order specified in section 13 of the Ordinance No. 14 of 1872, entitled "*An Ordinance to provide for the Medical Wants of the Coffee Districts*," and subject to the provisions in such section contained. Provided that if any such bill or charge be not presented to the parties aforesaid, or the amount recovered under the provisions of this Ordinance, within two years after the discharge of the cooly from hospital, all claims on this account shall be and are hereby prescribed.

Mode of recovering if proprietor neglect or refuse to pay.

4. **WITH** a view to such seizure and sale, the 14th, 15th, 16th, 17th, and 18th sections of the said Ordinance shall be deemed parts of this Ordinance, as if they were expressly inserted herein.

Sections 14 to 18 of Ordinance 14 of 1873 incorporated herein.

No. 10.—1873.

Existing arrears not to be affected.

5. NOTHING herein contained shall affect the recovery of arrears due at the time of the passing of this Ordinance.

Passed in Council, the Tenth day of September, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventeenth day of September, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 11.—1873.

Preamble.

Short title.

Commencement of Ordinance.

Governor to establish a Museum.

To appoint a Curator, and to make rules.

Power to purchase books, medals, coins, specimens, and to exchange them for others, and to sell them and appropriate proceeds for the purchase of other books or objects.

Curator to lay annually before the Governor proceedings of meetings, catalogue of objects, and account of moneys expended.

Asiatic Society may transfer their books and collections to the Museum.

Members of the Society to have access to Museum, and the use of a room for meetings, &c.

Collections so transferred to be labelled and inventoried, but kept in charge of Curator.

No. 11.—1873.

An Ordinance to provide for the establishment and regulation of a Public Museum in Colombo.

WHEREAS it is expedient to provide for the establishment and regulation of a Public Museum in Colombo for the instruction and recreation of the people, and this Council has voted a sum of money for such purpose: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:--

1. THIS Ordinance may be cited for all purposes as "*The Museum Ordinance, 1873.*"

2. THIS Ordinance shall come into operation on such day as shall be named by the Governor in a Proclamation to be by him for that purpose issued.

3. IT shall be lawful for the Governor, with the advice of the Executive Council, from such sums as shall be voted for such purpose by the Legislative Council, to establish a Public Museum in Colombo, to be called "*The Colombo Museum,*" to be devoted to the illustration of the Archæology, Natural History, and products of Ceylon, and to the collection of a Library of books of general information, and to appoint a Curator, and to make such rules and regulations for the safety and use of the said Museum, for the admission of visitors and others, for the payment of fees, and for such other matters in connection with the said Museum, as to them shall seem fit.

4. IT shall be lawful for the Governor, with the advice of the Executive Council, from such votes as aforesaid, to purchase books, medals, coins, specimens of Natural History and other objects for the use of the said Museum, and, if need be, to allow them to be exchanged for other books and other objects of interest, or to direct such books and objects to be sold, and the money arising from such sales to be employed in the purchase of other books or objects that may be proper to the said Museum.

5. THE Curator shall lay annually before the Governor, on or before the 31st day of March in each year, a general report of the condition and progress of the Museum during the preceding year, together with a catalogue of the various objects acquired, and also an account of all moneys received and expended during the said period. Such report, catalogue, and account shall be annually published.

6. SHOULD the Branch of the Royal Asiatic Society established in Ceylon desire to transfer their collections and library to the said Museum, such of the objects and books of the said Society as shall be considered by the Curator as proper to the Museum may be transferred to the said Museum.

7. IN case of the transfer of the collections and books of the said Branch to the said Museum, the Members of the said Branch shall have access to the Museum on all days of the week within the hours which shall be fixed by bye-laws, and they shall have the use of a room, for the regular meetings of the Branch. The collections and books transferred shall be labelled as belonging to the Branch, and an inventory shall be kept of the same, but they shall be under the sole charge of the Curator, and shall not be removed from the Museum excepting in pursuance of the rules and regulations made for the Museum, as hereinbefore provided; and should the said Branch be dissolved, the books and collections belonging to it shall be considered as appertaining to the Museum. PROVIDED that the Curator shall, with the consent of the Governor, have power from time to time to remove such specimens as may no longer be required, in which case they shall be re-transferred to the Branch.

8. THE rules and regulations made, and fees established under section 3, shall be published in the *Government Gazette*, and, on such publication, they shall have the same force and effect as if they were embodied herein, and shall be binding upon and observed by all parties, and taken judicial notice of by Courts, Judges, and Magistrates. Any breach of such rules and regulations shall subject the offender to a fine not exceeding Fifty Rupees.

9. ANY person damaging any work or object of art, or book, or other property appertaining to the said Museum, shall be civilly liable to pay double the value of such work, object, book, or other property ; and if the damage shall be shewn to be wilful, he shall be further liable to a fine not exceeding One Thousand Rupees, or to imprisonment, with or without hard labour, for a term not exceeding one year, or to both.

Passed in Council, the Tenth day of September, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventeenth day of September, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 11.—1873.

Rules and regulations to be published in *Gazette*.

Breaches of rules.

Fine for injuring any work of art, or object, or book or other property of Museum.

No. 12.—1873.

An Ordinance for the prevention of Accidents by Gunpowder.

WHEREAS large quantities of Gunpowder are held by private dealers, and others in boutiques, dwelling-houses, and other places in this Island, stowed in a manner dangerous to the public safety, and it is expedient to provide for the safe stowage of such Gunpowder, and to make other regulations in respect thereof: IT IS ENACTED BY THE GOVERNOR OF CEYLON, by and with the advice and consent of the Legislative Council thereof, as follows:—

1. THIS Ordinance shall come into force on the date of the passing thereof.
2. THE Ordinance No. 14 of 1862 entitled, "*An Ordinance for the prevention of Accidents by Gunpowder*," is hereby repealed.
3. THE word "Gunpowder" shall be taken to include blasting powder, and all other explosive mixtures.
4. THE Governor may, with the advice of the Executive Council, erect or set apart magazines or places for the deposit of gunpowder in any district, and by Proclamation in the *Government Gazette*, may declare any such district, the limits of which shall be set forth and defined in such Proclamation, to be brought within the operation of this Ordinance. Proclamations already issued under section 2 of the Ordinance No. 14 of 1862 shall continue to be in force, and the districts therein named shall be deemed districts brought within the operation of this Ordinance.
5. THE Governor may, with the advice of the Executive Council, make regulations prescribing the rent and fees to be paid for the use of any public magazine, and providing for the proper management thereof, the storage therein, and removal therefrom of gunpowder, and all other matters relating thereto. And the said regulations shall be published in the *Government Gazette*, and shall thereupon become as legal, valid and effectual as if the same had been inserted herein. Regulations already made under section 4 of the Ordinance No. 14 of 1862, shall continue to be in force until the same are repealed.
6. ANY person may deposit gunpowder in a public gunpowder magazine, or other place as aforesaid, subject to the regulations herein authorized to be made in respect of such magazine.

No. 12.—1873.

Commencement of Ordinance.

Repeal of Ordinance No. 14 of 1862.

Interpretation clause.

Public gunpowder magazine to be erected or set apart.

Governor may make regulations, and prescribe fees.

Gunpowder to be deposited in public magazine.

No. 12.—1873.

When possession of more than 50 lbs. of powder shall be unlawful.

7. IT shall not be lawful for any person to hold, keep, or possess, at any one time in any place, other than in such public gunpowder magazine, more than fifty pounds of powder in all,—and such gunpowder must be contained in one-pound metal canisters or in barrels close joined and hooped, without any iron about them, and properly secured, and in such manner or subject to such precautions as shall be prescribed in the license, and as the Inspector-General or Superintendent of Police shall, from time to time, prescribe.

Removal of gunpowder.

8. IT shall not be lawful for any person to convey, without a license for that purpose to be obtained from the Inspector-General or Superintendent of Police, at any one time more than 50 pounds of gunpowder, except in vessels with gunpowder imported from, or to be exported to, any place beyond the sea, or going coastwise, or when transported under military escort or by license from the Governor; and all gunpowder conveyed on land or water, except in such vessels for importation or exportation of gunpowder, or going coastwise, shall be in barrels close joined and hooped, without any iron about them, and properly secured.

Power reserved to Governor to grant special license.

9. NOTHING in this Enactment contained shall be held to prevent the Governor, with the advice of the Executive Council, from granting a special license to any one to convey, or hold, keep or possess a larger quantity of gunpowder than fifty pounds, subject to such conditions as shall be prescribed in such license. And such special license shall protect the person holding the same from the penal provisions of this Ordinance.

Gunpowder not to be sold without a license.

10. IT shall not be lawful for any person to sell gunpowder in any district, whether proclaimed under this Ordinance or not, unless he shall have previously obtained a license from the Government Agent of the Province in which such district is situated, or some Assistant Government Agent thereof; and such license shall be written or printed on a stamp of Five rupees, and shall be substantially of the Form in the Schedule to this Ordinance annexed. PROVIDED that it shall be lawful for the Government Agent or Assistant Government Agent to refuse issuing a license if he shall consider that there is a sufficient number of licensed persons in the neighbourhood; that the applicant is not a fit person; or that he has not provided a safe place wherein to keep gunpowder. And the Government Agent may at any time recall and put an end to such license, should he see fit so to do.

To refuse license.

To recall license.

Notice of license to be affixed.

11. THE owner or occupier of any premises licensed for the sale or storage of gunpowder shall affix to such premises in some conspicuous place a notice to the effect that the premises are so licensed.

Offences.

12. ANY person committing any act contrary to this Ordinance or declared to be unlawful, or any breach of any regulation made in virtue hereof, shall be guilty of an offence, and shall, on conviction, be liable to a fine not exceeding Five Hundred rupees. And any powder beyond the quantity hereby allowed to be kept or removed, and any powder not kept or removed in the manner herein prescribed, and the barrels or canisters or other vessels containing it, shall, upon the conviction of the offender, be forfeited to and for the use of Her Majesty.

Houses, &c., may be searched for gunpowder.

13. IT shall be lawful for any Inspector of Police, or other officer of Police above the rank of Inspector, to search any premises, or carriage or vessel in which gunpowder is suspected to be kept or carried contrary to this Ordinance; and all gunpowder found upon such search to be so kept or carried, and also the barrel, canister, or other vessel holding the said gunpowder, shall be immediately seized by the searcher, who shall, with all convenient speed after the seizure, remove such gunpowder to a place of safety.

SCHEDULE.

I, *A. B.*, Government Agent (or Assistant Agent, as the case may be) of Province (or of District in Province, as the case may be) hereby license *C. D.*, boutique keeper (or of any other business) to sell gunpowder under the provisions of Ordinance No. 14 of 1862, entitled "An Ordinance for the prevention of Accidents by Gunpowder." (Here insert the conditions, if any, to which the license shall be made subject.)

day of A. D. 187 (Signature) A. B.

Passed in Council, the Tenth day of September, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Seventeenth day of September, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 13.—1873.

An Ordinance for making final provision for the Supplementary Contingent Charges for the year 1872.

No. 13.—1873.

Preamble.

WHEREAS by an Ordinance No. 13 of 1872 it was enacted that a sum of 779,784 rupees and 18 cents should be charged upon the revenue of this Island for the Supplementary Contingent Service of the year One Thousand Eight hundred and Seventy-two, in addition to the sum of 6,807,928 rupees and 66 cents provided by the Ordinance No. 25 of 1871, and whereas an expenditure of 24,098 rupees and 18 cents was incurred and brought to account for the Contingent Service of the year 1872, for which provision is not made by the aforesaid Ordinances:

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Twenty-four thousand and Ninety-eight Rupees and Eighteen Cents shall be and the same is hereby charged upon the revenue of this Island of the said year One thousand Eight hundred and Seventy-two, for the services hereinafter mentioned; the said expenditure being in conformity with the Schedule hereunto annexed, whereof the following is an abstract:—

24,098 rupees and 18 cents charged upon the revenue of this Island of the year 1872, for the Final Supplementary Contingent Service of that year.

ESTABLISHMENTS.		Rs.	Cts.	Rs.	Cts.
Office Contingencies		53	41		
		<hr/>		53	41
SERVICES, <i>exclusive of Establishments.</i>					
Pensions.....		419	78		
Charitable Allowances.....		65	89		
Roads, Streets, Bridges, and Canals.....		2,360	79		
Miscellaneous Services.....		21,198	31		
		<hr/>		24,044	77
		TOTAL...Rs...		24,098	18

SCHEDULE.

	Provisional and Temporary.		Allowances.		Office Contingencies.		Total.	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
No. 1.—Civil Establishments.								
Survey Department...	53	41		
<hr/>							53	41
<i>Services, exclusive of Establishments.</i>								
No. 2.—Pensions.								
Government Agent, North-Western Province	419	78		
No. 6.—Charitable Allowances.								
Government Agent, Eastern Province	65	89		
No. 14.—Roads, Streets, Bridges, and Canals.								
Director of Public Works	2360	79		
No. 15.—Miscellaneous services.								
Registration Department	1411	70		
Crown Agents	19786	61		
					21198	31	24044	77
TOTAL...Rs.....							24098	18

Passed in Council, the Twenty-fourth day of September, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Eighth day of October, One thousand Eight hundred and Seventy-three.

ARTHUR N BIRCH,
Colonial Secretary.

An Ordinance relating to the Annual Pilgrimage to Kataragam.

Preamble.

WHEREAS the collection of a large number of persons to proceed annually in a pilgrimage to Kataragam, and their march thither from different places in the Island, are proving a source of danger to the pilgrims themselves, and to the inhabitants of the villages and towns through which the pilgrims pass ; and the efforts of Government to induce the pilgrims and others promoting or connected with such pilgrimage to submit voluntarily to such restrictions as are necessary to prevent the spread of contagious diseases, have proved ineffectual : **IT IS THEREFORE HEREBY ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows :—

Government empowered to make certain orders, and to appoint officers to enforce them.

1. **IT** shall be lawful for the Governor, with the advice of the Executive Council, from time to time by notification in the *Government Gazette*, to make orders for any of the following purposes, and to appoint officers to enforce the observance of such orders :—

- (1.) To restrict the number of persons who shall be allowed to proceed in such pilgrimage from the different parts of this Island, and the period of their stay at Kataragam.
- (2.) To regulate the collection of people at the different starting and halting places, and their march to and from Kataragam.
- (3.) To impose such conditions and restrictions as may be necessary to promote cleanliness, and to check the breaking out and spread of infectious diseases.

Disobedience of such orders or obstructing officers enforcing them, made penal.

2. **IF** any person shall knowingly and wilfully disobey or contravene any such order given under the authority of the preceding section, or shall obstruct, hinder or resist any officer appointed to enforce any such order, he shall be guilty of an offence, and be liable, on conviction thereof, to a fine not exceeding One Thousand Rupees, or to imprisonment with or without hard labour for a term not exceeding one year.

Officers to assist in enforcing orders.

3. **IT** shall be the duty of the officers appointed to enforce the orders given under the authority of the preceding section, and of all officers of the Police force, and of all headmen, police and peace officers generally, to aid and assist in the prevention of offences against this Ordinance or the orders made thereunder; and every officer or headman who, being made cognizant of any such offence, shall fail to make complaint thereof, or shall fail to act promptly and vigorously thereupon, or who shall wantonly exceed or abuse his authority in the execution of any act, or the exercise of any power under this Ordinance or the orders made thereunder, shall be guilty of an offence, and be liable, on conviction thereof, to a fine not exceeding Five Hundred Rupees.

Liability of such officer.

Cases may be tried before Police Courts, though otherwise out of their jurisdiction.

4. **WHEREAS** the punishments assigned to offences under this Ordinance are beyond the jurisdiction of Police Courts, but it would be frequently more advantageous that such offences should be brought to trial before such Courts, in order that the punishment of offenders may be more prompt, even though it should be less severe, it is therefore enacted that it shall be lawful for any Justice of the Peace before whom the offender shall be brought, to direct that any offence committed under this Ordinance, or the orders made thereunder, may be prosecuted before a Police Court; and such Court shall thereupon take cognizance of such offence or act, and award in respect thereof so much of the punishment assigned thereto as Police Courts are empowered by law to award.

Passed in Council, the Twenty-ninth day of October, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Fifth day of November, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 15.—1873.

No. 15.—1873.

*An Ordinance for making provision for the Supplementary
Contingent Charges for the year 1873.*

WHEREAS by an Ordinance No. 3 of 1873 it was enacted that a sum not exceeding Seven millions One hundred and Fifty-two thousand Two hundred and Forty-three Rupees and Ninety-nine Cents should be charged upon the Revenue of this Island for the Contingent Service of the year One thousand Eight hundred and Seventy-three, and it has become necessary to make further provision for the service of the said year:

Preamble.

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding One million Five hundred and Thirty-five thousand Six hundred and Twenty-eight Rupees and Thirty-four and-a-half Cents shall be, and the same is, hereby charged upon the Revenue of this Island, for the service hereinafter mentioned; and the said expenditure shall be in conformity with the details of the Estimates specified in the Schedule A. hereunto annexed, whereof the following is an abstract:—

Rs. 1,535,628 and 34½ cts.
to be charged upon the Revenue of this Island for the Supplementary Contingent Service of the year 1873.

ESTABLISHMENT.	Rs.	Cts.	Rs.	Cts.
Salaries, Provisional and Temporary	47,913	14		
Allowances	10,191	7		
Office Contingencies	10,203	34		
			68,307	55
<i>SERVICES, exclusive of Establishments.</i>				
Pensions, Retired Allowances, and Gratuities	5,400	0		
Revenue Services	31,754	18		
Administration of Justice	15,137	43		
Charitable Allowances	300	0		
Education	1,083	32		
Hospitals	9,877	25		
Police and Gaols	22,107	0		
Rent	1,637	36		
Transport	10,376	34		
Conveyance of Mails	756	98		
Works and Buildings	94,157	50		
Roads, Streets, Bridges, and Canals	691,240	34		
Miscellaneous Services	230,284	19½		
Interest	1,460	0		
Colonial Store	80,000	0		
Government Vessels	—			
Refund of Duties, Drawbacks, &c.	21,160	75		
Lands taken for Government purposes	7,664	76		
Immigration	140	0		
Railway Services	54,033	39		
Railway Extension	188,750	0		
			1,467,320	79½
			Total—Rs.	1,535,628 34½

2. THE Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any Warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the Revenues of the said Island.

Treasurer to pay the above at such time as the Governor by Warrant shall order.

C

No. 15.—1873.

And to receive credit in his accounts for the payments made in pursuance thereof.

3. THE said Treasurer shall in his Accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such Warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer in passing his said Accounts for any such sum or sums as shall be therein-mentioned; and he shall and may receive credit for the same accordingly.

SCHEDULE A.

No. 1.—	Provisional and Temporary Salaries.		Allowances.		Office Contingencies.		Total.	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
Civil Establishments:								
The Governor	255	75	—	—	126	82	—	382 57
Secretariat	—	—	—	—	1,512	0	—	1,512 0
Treasury	—	—	—	—	—	—	—	—
Audit Office	—	—	—	—	100	0	—	100 0
Provincial Agencies:								
Agent, Western Province	—	—	—	—	—	—	—	—
Do. North-Western Province	420	0	—	—	—	—	—	420 0
Do. Southern Province	170	0	—	—	—	—	—	170 0
Do. Eastern Province	450	0	—	—	—	—	—	450 0
Do. Northern Province	—	—	—	—	30	0	—	30 0
Do. Central Province	1,212	50	—	—	267	78	—	1,480 28
Do. North-Central Province	1,486	9	—	—	—	—	—	1,486 9
Public Works Department	1,188	12	—	—	—	—	—	1,188 12
Survey Department	6,270	0	—	—	2,650	0	—	8,920 0
Customs	—	—	—	—	—	—	—	—
Harbour Department	300	0	—	—	—	—	—	300 0
Post Office	644	94	—	—	268	0	—	912 94
Service Tenures Commission	555	83	—	—	—	—	—	555 83
Botanic Garden	—	—	—	—	—	—	—	—
Agent, Colonial Steamer "Serendib"	—	—	—	—	—	—	—	—
Judicial Establishments:								
Queen's Advocate	—	—	—	—	—	—	—	—
District Courts, Courts of Requests, and Police Courts	3,809	78	485	96	776	40	—	5,072 14
Registration Department	—	—	8,686	25	—	—	—	8,686 25
Fiscals in the Provinces, including Gaols	1,325	93	—	—	1,060	0	—	2,385 93
Ecclesiastical	—	—	—	—	—	—	—	—
Public Instruction	—	—	—	—	—	—	—	—
Medical	—	—	535	0	2,360	0	—	2,895 0
Police	28,812	50	—	—	—	—	—	28,812 50
Prisons	495	0	—	—	—	—	—	495 0
Colonial Store	—	—	483	86	1,052	34	—	1,536 20
Superintendent of the Colombo Convict Establishments	516	70	—	—	—	—	—	516 70
Rs...	47,913	14	10,191	7	10,203	34	Carried forwd.	68,307 55

[Brought forward...Rs.]

Rs. Cts. Rs. Cts.

No. 15.—1873.

No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

DIRECTOR OF PUBLIC WORKS.

For payment of Pioneer Pensions in India

5400 0

No. 3.—REVENUE SERVICES.

PROVINCIAL AGENCIES.

Agent, Western Province 1163 32

*Timber.*To meet expenses towards the preservation of Government
forests in the Western Province 663 32*Assessment.*

Tax on Government buildings and lands 500 0

Agent, North-Western Province 10000 0

Salt.

Cost of collecting, manufacturing, and storing salt .. 10000 0

Agent, Southern Province 5784 0

Salt.

Cost of collecting and storing salt 5000 0

*Timber.*Rewards to informers of timber being illicitly felled or
removed 300 0

Stamps and dies for marking timber 400 0

Licenses.

Cost of tin labels for Carts 34 0

Plumbago.

Pay of watchers to prevent the illicit removal of Plumbago 50 0

Agent, Northern Province 14695 36

*Grain.*Hire of persons casually engaged in renewing and revising
the Assessment Registers, and in taking Agreement
Bonds and writing Commutation Receipts ... 225 0*Pearl Fishery.*To meet the cost of the new Steam Launch purchased for
the use of the Pearl Fishery 14034 0To meet charges connected with the inspection of the
Pearl Banks 350 0*Licenses.*

For tin plates for Carts and registered Boats ... 86 36

Agent, Central Province 111 50

*Tolls.*To meet expenses on account of aumany collection of the
Yaṭawatta toll, from 1st Jany., to 30th Sept., 1873 ... 111 50

31754 18

No. 4.—ADMINISTRATION OF JUSTICE.

Agent, Western Province 100 0

Agent, Eastern Province 5 0

Registrar of the Supreme Court 5000 0

District Judges, Commissioners of the Courts of Requests, and Police

Magistrates 1118 24

Fiscals 8914 19

15137 43

No. 6.—CHARITABLE ALLOWANCES.

Agent, Eastern Province — 300 0

Carried forward...Rs.

120899 16

						Rs.	Cts.	Rs.	Cts.
								120899	16
No 7.—EDUCATION.									
Director of Public Instruction ...	...	...	...	...	...	---		1083	32
No. 8.—HOSPITALS.									
Agent, Western Province ...	...	...	...	...	...	702	25		
Do. North-Western Province ...	...	...	...	...	...	3000	0		
Do. Southern do. ...	...	...	...	...	...	4000	0		
Do. Northern do. ...	...	...	...	...	...	1075	0		
Do. Central do. ...	...	...	...	...	...	900	0		
Fiscals ...	...	...	...	...	...	200	0		
								9877	25
No. 9.—POLICE AND GAOLS.									
District Judges, Commissioners of the Courts of Requests and Police Magistrates	...	...	...	...	...	47	0		
Fiscal, Western Province ...	...	...	...	...	...	2000	0		
Do. Eastern do. ...	...	...	...	...	...	69	0		
Do. Northern do. ...	...	...	...	...	...	1600	0		
Do. Central do. ...	...	...	...	...	...	3500	0		
Inspector-General of Police ...	...	...	...	...	...	500	0		
								22107	0
No. 10.—RENT.									
Treasurer ...	...	...	...	...	...	192	36		
Agent, Southern Province ...	...	...	...	...	...	480	0		
Postmaster-General ...	...	...	...	...	...	45	0		
Principal Civil Medical Officer and Inspector-General of Hospitals	...	...	...	...	...	240	0		
Inspector-General of Police ...	...	...	...	...	...	680	0		
								1637	36
No. 11.—TRANSPORT.									
His Excellency the Governor ...	...	...	...	...	...	500	0		
Agent, North-Western Province ...	...	...	...	...	...	500	0		
Do. Northern do. ...	...	...	...	...	...	2650	0		
Do. Southern do. ...	...	...	...	...	...	100	0		
Do. Central do. ...	...	...	...	...	...	850	0		
Director of Public Works ...	...	...	...	...	...	—
Collector of Customs, Galle ...	...	...	...	...	...	70	0		
Master Attendant, Colombo ...	...	...	...	...	...	500	0		
District Judges, Police Magistrates, &c. ...	...	...	...	...	...	2358	84		
Fiscal, Western Province, Colombo ...	...	...	...	...	...	250	0		
Do. North-Western Province ...	...	...	...	...	...	200	0		
Inspector-General of Police ...	...	...	...	...	...	360	0		
Superintendent of the Colombo Convict Establishments	...	...	...	...	...	2037	50		
								10376	34
No. 12.—CONVEYANCE OF MAILS.									
Postmaster-General ...	...	...	...	...	...	—		756	98
No. 13.—WORKS AND BUILDINGS.									
<i>DIRECTOR OF PUBLIC WORKS.</i>									
<i>New Works and Buildings.</i>									
For completing the four cooly sheds with hospitals between Periyakaddu and Mihintale ...	...	...	...	...	...	4444	0		
For building a wall round the site proposed for future executions at Galle ...	...	...	...	...	...	409	0		
For putting a wall round the District Judge's house, Ratnapura ...	...	...	...	...	...	1134	0		
For completing the cooly sheds, hospitals, and Medical Officer's quarters at Vaykálai and Pésálái ...	...	...	...	...	...	6632	0		
For constructing a step-ladder at the end of Amsterdam Bastion, Colombo Fort ...	...	...	...	...	...	285	0		
For new latrines for the Government Boys' school at Galle	...	...	...	...	...	827	0		
For building a set of latrines in accordance with type drawings for public use near the jetties at Galle ...	...	...	...	...	...	1386	0		
For completing the General and Cholera hospitals at Mannár	...	...	...	...	...	2342	0		
For building a masonry wall round the site for future public executions at Mátara ...	...	...	...	...	...	659	0	18118	0
Carried forward...Rs.								166737	41

No. 13.—WORKS AND BUILDINGS.—*contd.*DIRECTOR OF PUBLIC WORKS.—*contd.*

	Rs.	Cts.	Rs.	Cts.
[Brought forward...Rs.	18118	0	—	166737 41
<i>New Works and Buildings.—contd.</i>				
For building a set of latrines for public use at Mátara, on estimate No. 522	34	0		
For completing the hospitals and Medical Officer's quarters at Puiyaddy Errakkum	3969	0		
For completing the Gal-oya Rest-house	134	0		
For purchase of a house at Urugala for the use of the Police Magistrate	1000	0		
For building a temporary Court-house at Kalutara	345	0		
For materials required for building a temporary Small-Pox hospital at Negombo	657	50		
For building a residence for the Assistant Government Agent at Badulla, balance of estimate	7823	0		
For building a well at the Kalmunai Court House	110	0		
For removing end wall of the Nuwara Eliya Prison, and providing stove and piping for warming the building	1625	0		
For building quarters for the Medical Officers at Galle, balance of estimate	5000	0		
For building a Record room to the Court House at Anurádhapura	2340	0		
For building a Powder Magazine, Galle	10965	0		
			52060	50
<i>Alterations and Additions to Buildings.</i>				
For building a vaulted store at the Fiscal's Office, Kandy... ..	1077	0		
For converting the Barrack, eastern side of Fort Canal, into offices for the Public Works, Prison, and Registration Departments	10530	0		
For converting the School House at Nuwara Eliya into a Hospital	790	0		
For certain alterations and improvements to the Government Civil hospital, Badulla	1466	0		
For providing stable accommodation and quarters for the mounted orderlies	4770	0		
For converting the Hospital at Nuwara Eliya into a School House	355	0		
For certain additions to the Agent's residence, Anurádhapura	3242	0		
			22230	0
<i>Repairs to Buildings.</i>				
For repairs to Government buildings and works the cost of which shall not exceed Rs. 2000 for each work	4400	0		
For certain repairs to the Kew barracks, Colombo	6075	0		
For certain repairs to St. Peter's Church, Fort	4238	0		
For the restoration of the boundary wall in front of the old palace, Kandy	2391	0		
For repairs and improvements to the Octagon, Kandy	2763	0		
			19867	0
				94157 50
No. 14. —ROADS, STREETS, BRIDGES, AND CANALS.				
<i>For ordinary and necessary repairs.</i>				
<i>Irrigation Works.</i>				
For upkeep of irrigation works			1800	0
<i>Roads.</i>				
For upkeep of the Negombo, Vécangoda, and Já-éla roads	6000	0		
For upkeep of the road between Gampola and Giniathéna.	18000	0		
For upkeep of the road between Pelmadulla and Gurukan-dura	14999	98		
For upkeep of the road between Rakwána and Pelmadulla.	3000	0		
For upkeep of the Dimbula road, Government moiety	5000	0		
For upkeep of the portion of road between Her Majesty's Dockyard and the Admiralty House, Trincomalee	792	0		
			47791	98
<i>Toll Grants on Minor Roads.</i>				
Western Provinces			350	0
Carried forward...Rs.	49941	98	260894	91

No. 15.—1873. No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.
—continued.

		Rs.	Cts.	Rs.	Cts.
	[Brought forward...Rs.]	49941	98	260894	91
<i>Departmental Charges.</i>					
For purchase of tools for the use of the Public Works					
Department	...	5000	0		
For purchase of carts and bullocks	...	1000	0		
For surveying and tracing new roads and taking borings	...	3000	0		
For the conveyance of a blind pioneer to Mysore	...	35	20		
				9035	20
<i>New Undertakings (other than Buildings.)</i>					
<i>New Roads.</i>					
For the extension of the Dikoya road from Elbedde to Tien-tsin, (Government moiety)	...	41895	50		
For the completion of the Dikoya road from Glencairn to Elbedde (Government moiety)	...	1164	1		
For making a road in the Cinnamon Gardens, Colombo	...	3200	0		
For opening and metalling certain roads in the town of Ratnapura	...	350	0		
For forming and completing the Pachuvalaikaraterro road...	...	1740	0		
For the additional work executed on the construction of the Dimbula road between Tillicoultry and Deyanellakandura on estimate No. 183 of 1872 (Government moiety)	...	477	60		
For opening a line of road in the Cinnamon Gardens, Colombo	...	290	0		
For do. do. do.	...	8416	0		
				57533	11
<i>For Additions and Improvements to existing Roads.</i>					
For improvements to the Kandy and Trincomalee road between 10 $\frac{3}{4}$ and 14th mile-posts	...	9564	0		
For improvements to the road between Nuwara Eliya and Badulla	...	9178	0		
For improvement of the road from Dikwella towards Haputalé	...	23985	0		
For completing the work provided for in estimate No. 548 of 1872, viz., re-building the bridge over the Rakwáne Oya	...	750	0		
				43477	0
<i>New Bridges.</i>					
For building a bridge on the Negombo road	...	32570	0		
For do. do. near the 5th mile, Kandy road	...	15255	0		
For do. do. do. 8th do. do.	...	16000	0		
For the re-construction of the Welimada bridge on Nuwara Eliya and Badulla road...	...	6011	0		
For the re-construction of the Moratota bridge on Nuwara Eliya and Badulla road...	...	6952	0		
For constructing a bridge over the Kahawatura Oya, Ambegamuwa	...	12045	0		
For erecting a temporary pile bridge at Talla Kola Hena on the Puttalam and Kurunégala road	...	754	0		
For building a stone arch bridge between the 23rd and 24th mile, Nuwara Eliya road	...	7312	0		
For erecting an iron lattice bridge at Talla Kola Hena on the Puttalam and Kurunégala road	...	17035	95		
For building a bridge over the river at Kalutara	...	300000	0		
For a bridge on the Northern road	...	20000	0		
				433934	95
<i>Repair of Bridges.</i>					
For repairing the tappal bridges on the Central road	...	842	0		
For completing the Bridge over the Walawé River at Amblantota	...	510	0		
				1352	0
<i>Irrigation Works.</i>					
For the construction of a head sluice on the irrigation channel from Deduru Oya to Chilaw (unexpended balance of estimate in 1872)	...	503	27		
For the completion of Divilane tank do.	...	140	65		
For the extension of the Mutur channel from its present termination to the fields at Mutur	...	1238	57		
				1882	49
<i>Inland Navigation.</i>					
For additional compensation and restoring damage caused by a flood in the Maha Oya, in April, 1873	...	862	0		
For the repair of the embankment along the right bank of the Kelani Ganga	...	750	0		
For the payment of compensation for lands taken for certain improvements to the Kaymal Canal	...	660	0		
				2272	0

ROADS, STREETS, BRIDGES, AND CANALS—*contd*

No. 15.—1873.

		Rs.	Cts.	Rs.	Cts.
[Brought forward...Rs. Cts.]		599428	73	260894	91
<i>Miscellaneous.</i>					
For constructing a lake at Nuwara Eliya, balance on estimate for Rs. 28310	...	23310	0		
For improvements to the Kandy lake (balance on estimate for Rs. 6792)	...	5792	0		
For improvements to the Colombo lake	...	22267	0		
For improvements to the Killepenna canal...	...	38400	0		
For refund of tools paid by Messrs. Reid and Mitchell, Contractors, from January to April, 1873	...	146	34		
For fitting the lamps in the carriage drive to Queen's House, Colombo, for consumption of gas and for the purchase of a gas metre	...	546	27		
For opening a new mouth, Kelani river	...	750	0		
For do. do. Kalutara do.	...	600	0		
Total, Roads, Streets, Bridges, and Canals		91811	61	691240	34
Works to be undertaken under the Road Ordinance for the ordinary and necessary repairs	Days' Labour.				
For opening a trace from Vanikeni to Pamchankeni on the road from Batticaloa to Trincomalee	4000 0				
No. 15.—MISCELLANEOUS SERVICES.					
Treasurer	...	203335	21½		
Agent, Western Province	...	2040	0		
Do. North-Western do.	...	800	0		
Do. Southern do.	...	3200	0		
Do. Eastern do.	...	301	20		
Do. Northern do.	...	3356	60		
Do. Central do.	...	2483	86		
Do. North-Central do.	...	400	0		
Survey Department	...	3600	0		
Customs	...	1843	0		
Master Attendant, Colombo	...	638	6		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	103	50		
Registrar-General	...	542	76		
Inspector-General of Police	...	7640	0		
				230284	19½
No. 16.—INTEREST.					
<i>Treasurer.</i>					
Interest on purchase-money of House at Nuwara Eliya	...			1460	0
No. 17.—COLONIAL STORE.					
Colonial Storekeeper	...			80000	0
No. 20.—REFUND OF DUTIES, DRAWBACKS, &c.					
Treasurer	...	8810	22		
Agent, North-Western Province	...	225	2		
Do. Southern Province	...	10442	45		
Do. Eastern Province	...	64	0		
Do. Northern Province	...	20	0		
Do. Central Province	...	1599	6		
				21160	75
No. 21.—LANDS TAKEN FOR GOVERNMENT PURPOSES.					
Agent, Southern Province	...	2250	0		
Do. Eastern do.	...	715	0		
Do. Central do.	...	4699	76		
				7664	76
No. 22.—IMMIGRATION.					
Agent, Central Province	...			140	0
No. 23.—RAILWAY SERVICES.					
Railway Services	...			54033	39
No. 24.—RAILWAY EXTENSION.					
Railway Extension	...			188750	0
Total...Rs				1535628	34½

Passed in Council, the Third day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Tenth day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

An Ordinance to amend the Law relating to Notaries.

Preamble.

WHEREAS it is expedient to amend the law relating to Notaries, with the view to prevent the admission of men not properly qualified in respect of character and professional attainments to fill the office : **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON**, by and with the advice and consent of the Legislative Council thereof, as follows :—

Sections 3, 4, 5, 6, 7, and 12 of Ordinance No. 16 of 1852 repealed.

Proviso as to persons already serving.

1. SECTIONS 3, 4, 5, 6, 7, and 12 of the Ordinance No. 16 of 1852 are hereby repealed. PROVIDED however that the repeal of section 3 shall not apply to candidates bound, before the 15th day of October in the present year, by contract in writing to serve as clerk for and during the term of three years to a practising Notary in this Island, and who shall have *bona fide* served as such, and who shall further have obtained, on or before the 31st day of December in the present year, a certificate from the District Judge having jurisdiction over the district in which such candidate shall have served as aforesaid, that such contract has been produced to him. Such candidate shall be entitled to apply at the end of his term, and, if (after examination as prescribed by this Ordinance) he shall be found to be of good repute and qualified as prescribed by the Ordinance No. 16 of 1852, he shall be admitted to practise as Notary.

Qualifications to be admitted a Notary.

2. NO person shall be capable of being admitted to practise as a Notary in this Island, unless he possesses the following qualifications:

- (1.) He shall be of good repute.
- (2.) He shall be of the full age of twenty-one years.
- (3.) He shall have been previously admitted as an Advocate or Proctor of the Supreme Court, and shall have practised as such therein, or he shall have been an articled clerk of an Advocate or Proctor of the Supreme Court, and shall have duly served as such for three years. PROVIDED that, if the applicant intends to practise in either of the native languages, he should serve as articled clerk of such Advocate or Proctor for two years, and should serve his last year in the office of a Notary practising in the language in which the applicant intends to practise.
- (4.) He shall (unless in the case of an Advocate or Proctor of the Supreme Court) be reported duly qualified by any person or board to whom the application shall have been referred by the Governor, as hereinafter provided, as to the above qualifications, and further as to his competency to perform the duties of Notary, and his knowledge of the language in which he means to practise as such.

Proviso as to districts where there is a paucity of Notaries.

PROVIDED that nothing herein contained shall be held to prevent the Governor, with the advice of the Executive Council, granting a warrant empowering a person of good repute and full age, and who shall pass such an examination as the Governor, with the like advice, shall prescribe, to practise as Notary in districts where, from the paucity of duly qualified Notaries, it is expedient, with a view to the convenience of the inhabitants thereof, to relax the ordinary rule as to the qualifications of a Notary.

Notice to be given before, and form of application.

3. EVERY person who shall intend to apply for admission as a Notary shall, three months at least before he shall so apply, give notice of such his intention to the District Court of the district in which he resides and in which he means to practise, and shall cause notice of his intended application in the English and native languages to be affixed in some conspicuous part of such Courts, and to be published three times in the *Government Gazette* between the dates of notice and of application. Every such application shall be in the form of a petition to the Governor, and shall contain the following particulars :—

- (1.) The place in which the applicant resides, and the district in which he means to practise ;
- (2.) The language in which he proposes to draw, authenticate, or attest deeds or other instruments ;
- (3.) The nature of the security he means to offer, and all particulars connected therewith.

4. IT shall be lawful for the Governor, on receipt of any such petition from any person, to refer the same to some person or board, to be named by the Governor, to enquire into and report upon the fitness and capacity of the applicant to be appointed a Notary. PROVIDED that such reference shall not be necessary where the applicant is an Advocate or Proctor of the Supreme Court.

No. 16.—1873.

Reference of application to person or board to report upon fitness of applicant.

5. EVERY article clerk preparing himself for the office of Notary shall, on or before the 30th day of June in each year, furnish to the Registrar of the Supreme Court a statement setting out his name and address, the date of his articles, the Advocate or Proctor under whom he serves, and the district and language in which he means to practise. It shall be the duty of such Registrar to forward, on or before the 31st day of July in each year, an abstract of such statements, distinguishing them into Provinces and Districts, for publication in the *Government Gazette*. Any article clerk failing to furnish such statement shall not be allowed, unless he can explain such failure to the satisfaction of the person or board to whom his application to be admitted to practise as Notary shall be referred by the Governor as hereinbefore provided to count the year or years in which he shall have so failed, but shall be required to serve another year for every fresh year of failure.

Article clerk bound to furnish yearly on or before the 30th June, particulars as to their articles to Registrar of the Supreme Court.

The Registrar shall forward such statements for publication in the *Gazette* on or before 30th July in each year.

Consequence of not furnishing statements.

6. EVERY appointment for the office of Notary shall be by warrant under the hand and seal of the Governor, and shall specify the district within which alone the person thereby appointed is to practise, and the language in which alone he is authorised to draw, authenticate, or attest deeds or other instruments.

Appointment by Warrant.

7. EVERY Notary shall be bound to reside and have his office within the district in which he is allowed to practise. In the case of Notaries already admitted to practise as such in more than one district, he shall elect within three months after this Ordinance shall come into operation the place in which he means to reside and have his office, and shall give written notice of such election to the District Court having jurisdiction over such district, and shall cause the same to be published in the *Government Gazette*. Any person residing or having his office in any place other than that in which he is allowed to practise, or any person who shall fail to elect as aforesaid, or who, having elected to reside and have his office within any district shall fail to give notice thereof as herein provided, or shall reside or have his office elsewhere, shall be liable to have his Warrant withdrawn by the Governor, with the advice of the Executive Council.

Notary shall be bound to reside in district for which he is appointed.

8. IF any person who now is or hereafter may be authorized to act as a Notary in this Island shall be lawfully convicted of any crime which, in the opinion of the Governor, with the advice of the Executive Council, renders him unfit to be entrusted with any responsible office in the district, or of any crime or offence punishable under the provisions of the 22nd section of the Ordinance No. 16 of 1852, or if any such person, being an Advocate or Proctor, shall be duly removed from his office as such, every such person shall become *ipso facto* disqualified for the said office of Notary, and the warrant granted to him shall thereupon be cancelled. The power of suspension granted by the 15th section of the said Ordinance shall be exercisable in case any person shall be committed to take his trial for any crime or offence indicated in this section.

Notary when disqualified for his office.

Suspension of Notary.

9. THIS Ordinance and the Ordinance No. 16 of 1852 shall be read and construed together as one Ordinance.

This Ordinance and Ordinance No. 16 of 1852 to be deemed one.

Passed in Council, the Third day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Tenth day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

D

No. 17.—1873.

No. 17.—1873.

An Ordinance relating to Carriages let for hire, and to Coaches.

- Preamble.** WHEREAS it is expedient to amend the law relating to Carriages let for hire, and to Coaches, and for the licensing and regulating thereof: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows :—
- Ordinance to be in force on such date and at places as shall be hereafter proclaimed.** 1. THIS Ordinance shall come into operation on such day and at such town or place or along such line of road as the Governor, with the advice of the Executive Council, by any proclamation to be by him for that purpose issued, shall from time to time appoint.
- Short title.** 2. THIS Ordinance may be cited for all purposes as "*The Carriage Ordinance, 1873.*"
- Repeal of Ordinances No. 7 of 1848, No. 1 of 1853, and No. 7 of 1870.** 3. THE Ordinance No. 7 of 1848, "*For registering Palanqueen and other Carriages let to hire,*" the Ordinance No. 1 of 1853, "*To extend to the Town of Kandy the provisions of the Ordinance No. 7 of 1848,*" and the Ordinance No. 7 of 1870, entitled "*An Ordinance to extend the provisions of the Ordinance No. 7 of 1848,*" are hereby repealed, except as to liabilities which shall have been incurred, acts which shall have been done, and all proceedings or matters which shall have taken place before this Ordinance comes into operation.
- Interpretation clause.** 4. THE following expressions shall have the meanings hereby assigned to them, unless there be any thing in the context repugnant to such construction :—
- "Carriage" shall mean any carriage or vehicle for the conveyance of passengers for hire, but not coaches under the Ordinance No. 14 of 1865.
- "Coach" shall mean any mail coach, or other public conveyance by land for the conveyance of passengers or goods.
- "Government Agent" shall mean the Government Agent of the Province, or the Assistant Government Agent of the District, in any town or place in which carriages shall be licensed to be let to hire.
- No person to let for hire a carriage without license.** 5. IT shall not be lawful for any person to let for hire by the job to any person, any carriage at any town or place or line of road in which this Ordinance shall be in force, or to convey thereby for hire any person in such carriage, or to keep the same for the purpose of letting it for hire by the job or conveying any person as aforesaid, in such town or place, or line of road, unless such person shall have had a license in manner hereinafter mentioned.
- Who shall license.** 6. IT shall be lawful for the Chairman of the Municipal Council, acting on behalf of the said Council, in any town or place or along any line of road in which such Council shall be established, and, where no such Council is established, for the Government Agent, to issue licenses to authorise any person to let or convey for hire any person in a carriage in any town or place or along any line of road in which this Ordinance shall be in force; and such license shall be subject to the following provisions:
- Stamp on license.** (1.) Each license for a carriage or vehicle other than a hackery shall be on a stamp of Ten rupees, and for a hackery Five rupees, such stamp to be supplied by the party applying for the same. It shall be substantially in the form in the Schedule A. hereto annexed, and shall be numbered consecutively, commencing at the beginning of every year with the number one. Each license shall be in force until the thirty-first day of December in the year in or for which the same shall be granted, and no longer.
- Form A.
Number.
Duration.**
- Declaration of ownership.** (2.) Before any license shall be granted, a declaration of ownership substantially in the form B. in the Schedule hereto annexed shall be made and signed by the proprietor, or by one of the proprietors, of the carriage in respect of which such license shall be applied for.
- (3.) The license shall specify the number of persons whom such carriage may carry.

(4.) The said Chairman and the ~~Governor~~ Agent shall, and they are hereby required, to keep a book in which shall be registered all the particulars stated in the license granted by them; and every entry in such register shall be numbered in accordance with the number of the license to which it has reference. Any authenticated copy or ~~extract~~ from the register shall be deemed *prima facie* evidence of the facts stated therein.

No. 17.—1873.

Register of license.

Extract therefrom *prima facie* evidence.

Power to refuse or ~~revoke~~ license.

7. IT shall be lawful for such Chairman or Government Agent to revoke a license after the same shall have been issued, if the proprietor of any carriage shall not keep it or the animals drawing it in good order, or if he shall allow the same to be driven by any person not competent to drive, or if he shall commit any breach of the provisions of this Ordinance, or the bye-laws made thereunder.

Numbered plates to be affixed to carriages.

8. AT the time when any carriage shall be licensed, the official empowered to grant the same shall issue to the applicant, a plate on which shall be legibly painted or marked a number corresponding with the number of such carriage mentioned in the license for the same, together with figures or letters denoting the year in which such license has been granted; and the plate shall be placed and fixed upon such carriage in such manner that the number and year shall be at all times plainly and distinctly visible and legible, and shall be kept and continued so fixed during the continuance of such license; and the proprietor of such carriage shall, at the expiration of the period for which the said license shall have been granted, return the said plate to the Office from which he received it.

Mode of giving up licenses.

9. WHEN any person to whom any license shall have been granted shall determine to give up such license, and to discontinue letting for hire the carriage referred to therein, such person shall give notice in writing to the Office from which he obtained the same, of such his determination; and when the time for giving up such license according to such notice shall have expired, such license shall cease to be any longer in force. And such license shall be returned to the Office from which the same was issued.

Bye-laws as to carriage and coaches.

10. BYE-LAWS for any of the following purposes may be made by the Governor, with the advice of the Executive Council, as respects coaches, and by the Municipal Council in any town where such Council shall exist, or by the Government Agent where there is no Municipal Council, as respects carriages.

- (1.) For regulating the number of persons to be carried in any carriage or coach, the number and description of lights to be carried by such carriage or coach after dark and before daylight, and for the periodical inspection of the condition of such carriages or coaches and of the animals drawing the same.
- (2.) For fixing public stands for carriages, the distances to which such carriages may be compelled to take passengers, and the persons to attend at such stands, the hours within which carriages are to remain at the stands, and all other matters relating thereto.
- (3.) For fixing the rates or fares, as well for time as distance, to be paid for carriages, and for securing the due publication of such fares.
- (4.) For forming a table of distances, as evidence for the purpose of any fare to be charged by distance.
- (5.) For securing the safe custody and re-delivery of any property accidentally left in carriages or coaches, and fixing the charges to be paid in respect thereof, with power to cause such property to be sold or to be given to the finder, in the event of its not being claimed within a stated time.

Rules to be approved, amended, or disallowed by the Government.

11. THE bye-laws when made by the Municipal Council or the Government Agent as aforesaid, shall be transmitted to the Governor, for the approval, or disallowance thereof by the Governor, with the advice of the Executive Council, and such of the rules as are approved shall be published in the *Government Gazette*, and thereupon become as legal, valid, and effectual, as if the same had been inserted herein.

Bye-laws to be binding on all, and to be taken judicial notice of.

12. SUCH regulations, when published, shall be binding upon and observed by all parties acting under the same; and all Courts, Judges, and Magistrates shall take judicial notice thereof.

No. 17—1873.

Fines may be imposed for breach of bye-laws.

Penalties for commission of certain acts.

13. ANY person committing a breach of such regulations shall be liable to a fine not exceeding Twenty rupees for each breach of such regulations, and, in case of a continued breach, further fines not exceeding Ten rupees for each day such breach is continued after notice to the offender. And it shall be competent for Police Courts to award such offences although the aggregate of the fines may exceed the sum which it is competent to Police Courts in the exercise of their ordinary jurisdiction to award.

14. ANY person committing any of the following acts shall be held to be guilty of an offence, and to be liable to a fine not exceeding Twenty rupees :—

- (1.) Neglecting or omitting to specify truly in the declaration of ownership required by section 6, article 2, the name of any person who shall be a proprietor or part proprietor of any carriage ;
- (2.) Neglecting or omitting to fix the plate issued under section 8 in such manner that the number thereon shall be at all times plainly and distinctly visible and legible, or to keep and continue the same so fixed during the continuance of such license ;
- (3.) Failing to return the plate to the Office from which he received it within six days after the expiration of the period for which the license shall have been granted, or using the said plate, or suffering it to remain fixed on such carriage after such period ;
- (4.) Letting for hire a carriage without having a license, or after such license shall cease to be in force ;
- (5.) Refusing, he being a proprietor of a carriage, or having the charge or care thereof, without reasonable cause (the proof of which shall rest on him) to let a carriage to any person desirous of hiring the same, for the legal fare allowed by any regulations issued under the authority of this Ordinance, or exacting or demanding for the hire thereof more than the proper sum allowed by such regulations.
- (6.) Employing, he being a proprietor of a carriage or coach, incompetent persons to drive a carriage or coach.

Misbehaviour of proprietor, driver, horsekeeper, or other person in charge of carriage or coach.

15. IF any proprietor, driver, or horsekeeper of any carriage, or coach or any other person having the charge or care thereof, owing to intoxication or wanton or furious driving or running with such carriage, or any other wilful misconduct, injure or endanger any person in his life, limbs, or property; or if any such proprietor, driver, horsekeeper, or other person as aforesaid, make use of any abusive or insulting language, or be guilty of other rude behaviour to or towards any person whatsoever; or assault or obstruct any officer of Police in the execution of his duty, he shall be held liable to a fine of Fifty rupees, or to imprisonment with or without hard labour, for any period not exceeding three months.

Penalty on person refusing to pay the fine or defacing or injuring any carriage or coach.

16. IF any person shall refuse or omit to pay to the proprietor or other person authorised to recover the same, the sum justly due for the hire of a carriage or coach, or shall deface or in any manner injure any such carriage or coach, it shall be lawful for the Police Court having jurisdiction in the place in which any of the acts aforesaid were committed, upon complaint of the proprietor and summary proof of the facts, to award reasonable satisfaction to the party so complaining for his fare, or for his damages and costs, and also a reasonable compensation for his loss of time in attending to make and establish such complaint; and upon the neglect or refusal of such defaulter or offender to pay the same, the same shall be recovered as if it were a fine imposed by such Court.

Penalty for forging or counterfeiting license or plate.

17. IF any person shall forge or counterfeit, or shall cause or procure to be forged or counterfeited, any license or plate issued under the provisions of this Ordinance, or if any person shall knowingly and without lawful excuse (the proof of which excuse shall lie on the party accused) have in his possession any false, forged, or counterfeit license or plate, he shall be liable to the pains and penalties of forgery.

Proof of obtaining license or making declaration of ownership.

18. IF in any proceeding under this Ordinance any question shall arise as to whether a license has been obtained, or whether any declaration of ownership has been made, the proof of having obtained such license and made such declaration, shall lie on the party against whom such proceeding shall be had.

SCHEDULE.

A.

Colombo the day of 187 .

WHEREAS A. B., occupying premises No. in the Street in has applied for a license under the Ordinance No. of and has made and signed the declaration of ownership thereby required, license is hereby granted unto him to keep the said Carriage (describe) bearing No. for the purpose of letting the same for hire by the job [or conveying any person for hire thereby as the case may be] from the date hereof until the 31st day of December next. Provided that such Carriage shall not carry more than persons.

Given under my hand the day and year first above written.

B.

I, A. B., do hereby declare that I reside at No. in the Street in and that I am the sole proprietor (or proprietor with as the case may be) of the Carriage which I have applied to be registered under the Ordinance No. of and which is about to be registered under No.

Declared at Colombo, this day of 187 . A. B.

Passed in Council, the Fifteenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN, Clerk to the Council.

Assented to by His Excellency the Governor, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH, Colonial Secretary.

No. 18.—1873.

No. 18.—1873.

An Ordinance for making provision for the Contingent Services of the Year 1874.

WHEREAS the Contingent Expenditure required for the service of the Government of this Island for the year One thousand Eight hundred and Seventy-four, and not otherwise provided for, has been estimated at the sum of Seven Millions, Eight hundred and Twelve thousand, One hundred and Forty-one Rupees, and Eighteen Cents:

Preamble.

1. IT IS ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, that a sum not exceeding Seven Millions, Eight hundred and Twelve thousand, One hundred and Forty-one Rupees, and Eighteen Cents, shall be and the same is hereby charged upon the revenue of this Island for the Contingent service of the year One thousand Eight hundred and Seventy-four, and the said expenditure shall be in conformity with the details of the Estimates specified in the Schedule A. hereunto annexed, whereof the following is an abstract :—

Rs. 7,812,141 Cts. 18 to be charged upon the revenue of this Island for the Contingent service of the year 1874

1. ESTABLISHMENTS

	Rs.	Cts.	Rs.	Cts.
Salaries, Provisional and Temporary	1,418,189	50		
Allowances.....	94,811	17		
Office Contingencies.....	243,868	12		
			1,786,868	79

[Carried forward... .. 1,786,868 79

No. 18.—1873.

SERVICES, *exclusive of Establishments.*

	[Brought forward...Rs. 1,786,868	79
2.	Pensions, Retired Allowances and Gratuities	516,734 89
3.	Revenue Services.....	268,660 0
4.	Administration of Justice	74,297 50
5.	Ecclesiastical	4,000 0
6.	Charitable Allowances	49,124 0
7.	Education.....	156,815 0
8.	Hospitals.....	191,521 17
9.	Police and Gaols	195,565 0
10.	Rent.....	37,368 0
11.	Transport.....	204,289 36
12.	Conveyance of Mails.....	106,083 25
13.	Works and Buildings	289,052 23
14.	Roads, Streets, Bridges, and Canals.....	2,253,714 0
15.	Miscellaneous Services	295,400 0
16.	Interest.....	22,155 0
17.	Colonial Store	453,050 0
19.	Government Vessels.....	46,000 0
20.	Refund of Duties, Drawbacks, &c.....	18,905 99
21.	Lands taken for Government purposes.....	7,275 0
22.	Immigration.....	96,042 0
23.	Railway Services	589,220 0
24.	Railway Construction..	150,000 0
		6,025,272 39
	TOTAL—Rs.	7,812,141 18

Expenditure of unexpended balances of 1870, 1872, and 1873.

2. AND whereas from the sums voted for Public Works in the Supply Ordinances for the years 1870, 1872, and 1873, a balance of Nine hundred and Eight thousand Seven hundred and Ninety-four rupees and Forty-nine cents will remain unexpended at the end of 1873, and the same has been brought forward for expenditure during the year 1874: IT IS ENACTED that it shall be lawful for the Governor to authorize the expenditure of the said amount during the year 1874, for the completion of the works for which the same was voted.

Amount of Labour to be supplied under the Ordinance No. 10 of 1861.

3. AND whereas by the 18th section of the Ordinance No. 10 of the year 1861, intituled "*To consolidate and amend the Laws relating to Public Thoroughfares in this Colony,*" it is enacted that it shall be lawful for the Governor to propose the estimates prepared in pursuance thereof, or such of them as to him may appear expedient, in the Ordinance for making provision for the contingent expenditure of the Colony for the ensuing year, to be dealt with in like manner as any other estimate to be so proposed: And it is thereby also provided, that the amount of labour to be supplied under the provisions of the said Ordinance No. 10 of 1861, for the performance of any work or works for which an estimate or estimates may have been so proposed by the Governor, and approved of by the Legislative Council, shall be distinctly stated in the Ordinance enacted for the same, and that the same shall not exceed two-thirds of the whole amount of labour due from the district or districts within which it may be required to be performed: IT IS ENACTED that the amount of labour to be supplied under the provisions of the said Ordinance, shall be in conformity with the estimates specified in the Schedule A. hereunto annexed.

Treasurer to pay the above at such time as the Governor by warrant shall order.

4. THE Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore-mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the revenues of the said Island.

And to receive credit in his accounts for the payments made in pursuance thereof.

5. THE said Treasurer shall in his accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts, for any such sum or sums as shall be therein-mentioned; and he shall and may receive credit for the same accordingly.

SCHEDULE A.

	Provisional and Temporary Salaries.	Allowances.	Office Contingencies.	Total.
	Rs. Cts.	Rs. Cts.	Rs. Cts.	
No. 1.—ESTABLISHMENTS.				
His Excellency the Governor ...	7554 0	...	502 0	8056 0
Secretariat ...	15263 0	2000 0	22849 0	40112 0
Treasury ...	3830 0	2207 67	2073 0	8110 67
Audit Office ...	5560 0	...	2406 0	7966 0
Agency, Western Province ...	15204 0	1844 0	5280 0	22328 0
Do. North-Western do. ...	13994 0	2540 0	1300 0	17834 0
Do. Southern do. ...	6024 0	315 0	1870 0	8209 0
Do. Eastern do. ...	1850 0	...	1010 0	2860 0
Do. Northern do. ...	2572 0	...	2462 50	5034 50
Do. Central do. ...	11679 0	...	3695 0	15374 0
Do. North-Central do. ...	8750 0	...	3050 0	11800 0
Public Works Department ...	90791 0	3840 0	27950 0	122581 0
Survey Department ...	139833 0	...	12740 0	152573 0
Customs, Western and N.-W. Provinces	15123 0	750 0	4191 67	20064 67
Do. Southern do. ...	3195 0	...	2490 0	5685 0
Do. Eastern do. ...	690 75	...	416 0	1106 75
Do. Northern do. ...	1782 25	...	607 50	2389 75
Harbour Department, Colombo ...	6872 50	500 0	2626 0	9998 50
Do. Galle ...	11310 0	...	3716 50	15026 50
Do. Trincomalee ...	6092 0	...	3109 50	9201 50
Post Office ...	29414 0	990 0	22993 25	53397 25
Botanic Garden ...	11992 0	...	2080 0	14072 0
The Colombo Museum ...	5000 0	...	3000 0	8000 0
Agent, Colonial Steamer "Serendib" ...	21770 0	4877 50	...	26647 50
Registry of the Supreme Court ...	100 0	...	150 0	250 0
Queen's Advocate ...	2400 0	...	460 0	2860 0
Deputy Queen's Advocate ...	...	...	50 0	50 0
District Courts, Courts of Requests, and Police Courts ...	32825 0	...	5815 70	38640 70
Registration Department, Lands ...	...	...	13220 0	13220 0
Do. do. Marriages, Births, and Deaths ...	700 0	30000 0	6300 0	37000 0
Fiscal for the Western Province ...	7907 0	...	928 50	8835 50
Do. North-Western do. ...	6080 0	...	590 0	6670 0
Do. Southern do. ...	6460 0	...	1805 0	8265 0
Do. Eastern do. ...	842 0	...	250 0	1092 0
Do. Northern do. ...	5410 0	...	846 0	6256 0
Do. Central do. ...	9344 0	...	400 0	9744 0
Do. North-Central do. ...	1070 0	...	440 0	1510 0
Loan Board ...	...	...	200 0	200 0
Ecclesiastical Establishments (Treasurer)	1590 0	11150 0	...	12740 0
Public Instruction ...	135193 0	...	...	135193 0
Medical Department ...	78176 0	7580 0	35600 0	121356 0
Police ...	370684 0	6020 0	2880 0	379584 0
Prisons ...	570 0	...	100 0	670 0
Convict Establishments ...	6288 0	...	5300 0	11588 0
Colonial Store Establishment ...	...	...	250 0	250 0
Railway ...	342139 0	18864 0	35865 0	396868 0
Crown Agents in London ...	4266 0	1333 0	...	5599 0
	1448189 50	94811 17	243868 12	1786868 79

No. 2.—PENSIONS, RETIRED ALLOWANCES AND GRATUITIES.						Rs.	Cts.	Rs.	Cts.
Treasurer	...	...	...	...	...	146178	89		
Government Agent for the Western Province	...	...	...	...	...	1500	0		
Do. North-Western	do.	...	...	...	...	3500	0		
Do. Southern	do.	...	...	...	...	20000	0		
Do. Eastern	do.	...	...	...	...	5200	0		
Do. Northern	do.	...	...	...	...	6600	0		
Do. Central	do.	...	...	...	...	10000	0		
Director of Public Works	...	...	...	...	...	30000	0		
Crown Agents in London	...	...	...	...	...	267756	0		
Governments and Agents in India	...	...	...	...	...	26600	0		
								516734	89
No. 3.—REVENUE SERVICES.						Rs.	Cts.		
Government Agent for the Western Province	...	...	...	...	...	27400	0		
For the collection, &c., of Grain	...	...	...	...	10200	0			
„ half share of Fines to Informers	...	...	...	...	50	0			
„ expenses of removing Timber, &c.	...	...	...	...	1700	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	12850	0			
„ Law Prosecutions	...	...	...	...	1000	0			
„ Commission on Stamps	...	...	...	...	—
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	600	0			
„ the collection of Tolls	...	...	...	...	1000	0			
						27400	0		
Government Agent for the North-Western Province	...	...	...	...	...	55670	0		
For collecting and storing, &c., Salt	...	...	...	...	51000	0			
„ the collection, &c., of Grain	...	...	...	...	3050	0			
„ charges on account of Arrack Farm	...	...	...	...	—
„ removal of confiscated Timber	...	...	...	...	50	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	670	0			
„ Law Prosecutions	...	...	...	...	500	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	400	0			
„ the collection of Tolls	...	...	...	...	—
						55670	0		
Government Agent for the Southern Province	...	...	...	...	...	43770	0		
For collecting and storing, &c., Salt	...	...	...	...	33000	0			
„ the collection, &c., of Grain	...	...	...	...	1750	0			
„ removal of confiscated Timber, &c.	...	...	...	...	6170	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	2050	0			
„ Law Prosecutions	...	...	...	...	500	0			
„ Commission on Stamps	...	...	...	...	—
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	300	0			
						43770	0		
Government Agent for the Eastern Province	...	...	...	...	...	31880	0		
For collecting and storing, &c., Salt	...	...	...	...	18000	0			
„ the collection, &c., of Grain	...	...	...	...	4130	0			
„ the Inspection of the Pearl Banks, &c.	...	...	...	...	50	0			
„ expenses attending the confiscation and sale of Timber, &c.	...	...	...	...	7990	0			
„ Assessment Tax, and Remuneration to Assessors	...	...	...	...	1500	0			
„ Law Prosecutions	...	...	...	...	50	0			
„ Commission on Stamps	...	...	...	...	10	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	150	0			
						31880	0		
Government Agent for the Northern Province	...	...	...	...	...	85720	0		
For collecting and storing, &c., Salt	...	...	...	...	29550	0			
„ the collection, &c., of Grain	...	...	...	...	18215	0			
„ Commission to Retailers on Arrack, &c.	...	...	...	...	700	0			
„ the Inspection of the Pearl Banks at Arippu, &c.	...	...	...	...	12860	0			
„ Commission to Headmen on the receipts from Timber felled, &c.	...	...	...	...	18410	0			
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	5450	0			
„ Law Prosecutions	...	...	...	...	220	0			
„ Commission on Stamps	...	...	...	...	200	0			
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	315	0			

No. 3.—REVENUE SERVICES—(continued.)						Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
[Brought forward—						...		244440	0		
Government Agent for the Central Province	...	...	...	...	...	...		19110	0		
For the collection, &c., of Grain	...	...	...	...	...	12100	0				
„ half share of Fines to Informers	...	...	...	...	...	150	0				
„ Assessment Tax, and Remuneration to Assessors, &c.	...	...	...	...	...	4760	0				
„ Law Prosecutions	...	...	...	...	...	700	0				
„ Commission on Stamps	...	...	...	...	...	300	0				
„ Tin Plates for Licensed Carts, &c.	...	...	...	...	...	600	0				
„ Collecting Hospital Bills	...	...	...	...	...	500	0				
						19110	0				
Government Agent for the North-Central Province	...	...	...	...	...			5110	0		
For the collection, &c., of Grain	...	...	...	...	...	3950	0				
„ removal of confiscated timber, &c.	...	...	...	...	...	1010	0				
„ Tin Plates for licensed Carts, &c.	...	...	...	...	...	150	0				
						5110	0				
										268660	0
No. 4.—ADMINISTRATION OF JUSTICE.											
Government Agents	...	...	...	...	...			2530	0		
Registrar of the Supreme Court	...	...	...	...	...			18000	0		
Queen's Advocate	...	...	...	...	...			200	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...	...			3550	50		
Fiscals	...	...	...	...	...			50017	0		
										74297	50
No. 5.—ECCLESIASTICAL.											
Treasurer	...	...	...	...	...			—			4000 0
No. 6.—CHARITABLE ALLOWANCES.											
Government Agent for the Western Province	...	...	...	...	...			24080	0		
Do. North-Western do.	...	...	...	...	...			1514	0		
Do. Southern do.	...	...	...	...	...			9000	0		
Do. Eastern do.	...	...	...	...	...			4000	0		
Do. Northern do.	...	...	...	...	...			6600	0		
Do. Central do.	...	...	...	...	...			3930	0		
										49124	0
No. 7.—EDUCATION.											
Director of Public Instruction	...	...	...	...	...			—			156815 0
No. 8.—HOSPITALS.											
Government Agent for the Western Province	...	...	...	...	...			84450	0		
Do. North-Western do.	...	...	...	...	...			12300	0		
Do. Southern do.	...	...	...	...	...			18790	0		
Do. Eastern do.	...	...	...	...	...			5346	0		
Do. Northern do.	...	...	...	...	...			13612	0		
Do. Central do.	...	...	...	...	...			55948	17		
Do. North-Central do.	...	...	...	...	...			425	0		
Inspector-General of Police	...	...	...	...	...			650	0		
										191521	17
No. 9.—POLICE AND GAOLS.											
Government Agents	...	...	...	...	...			2695	0		
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...	...			745	0		
Inspector-General of Police	...	...	...	...	...			2910	0		
Fiscal for the Western Province	...	...	...	...	...			9770	0		
Do. North-Western do.	...	...	...	...	...			13668	0		
Do. Southern do.	...	...	...	...	...			36750	0		
Do. Eastern do.	...	...	...	...	...			5080	0		
Do. Northern do.	...	...	...	...	...			22594	0		
Do. Central do.	...	...	...	...	...			30420	0		
Do. North-Central do.	...	...	...	...	...			1485	0		
Superintendent, Colombo Convict Establishments	...	...	...	...	...			69448	0		
										195565	0

No. 10.—RENT.

								Rs. Cts.	Rs. Cts.
Treasurer	...	...	...	...	...	...	...	1492 0	
Government Agent for the Western Province	...	...	...	...	...	...	...	—
Do. Southern do.	...	...	...	...	...	...	...	1260 0	
Do. Eastern do.	...	...	...	...	...	...	...	300 0	
Do. Northern do.	...	...	...	...	...	...	...	180 0	
Do. Central do.	...	...	...	...	...	...	...	500 0	
Collector of Customs for the Southern Province	...	...	...	...	...	...	...	150 0	
Do. Eastern do.	...	...	...	...	...	...	...	75 0	
Director of Public Works...	...	...	...	...	...	...	...	2340 0	
Postmaster-General	...	...	...	...	...	...	...	1848 0	
Queen's Advocate	...	...	...	...	...	...	...	90 0	
District Judge of Kandy	...	...	...	...	...	...	...	90 0	
Commissioner of the Court of Requests and Police Magistrate of Kandy	...	...	...	...	...	...	...	240 0	
Fiscal for the Western Province	...	...	...	...	...	...	...	1140 0	
Do. Eastern do.	...	...	...	...	...	...	...	120 0	
Registrar-General	...	...	...	...	...	...	...	2750 0	
Director of Public Instruction	...	...	...	...	...	...	...	9000 0	
Principal Civil Medical Officer and Inspector-General of Hospitals	...	...	...	...	...	...	...	1680 0	
Inspector-General of Police	...	...	...	...	...	...	...	14113 0	

37368 0

No. 11.—TRANSPORT.

Governor	...	...	...	...	...	...	...	7250 0	
Colonial Secretary	...	...	...	...	...	...	...	1500 0	
Treasurer	...	...	...	...	...	...	...	21300 0	
Auditor-General	...	...	...	...	...	...	...	1500 0	
Government Agent for the Western Province	...	...	...	...	...	...	...	6700 0	
Do. North-Western do.	...	...	...	...	...	...	...	5430 0	
Do. Southern do.	...	...	...	...	...	...	...	7000 0	
Do. Eastern do.	...	...	...	...	...	...	...	4560 0	
Do. Northern do.	...	...	...	...	...	...	...	6180 0	
Do. Central do.	...	...	...	...	...	...	...	8600 0	
Do. North-Central do.	...	...	...	...	...	...	...	3050 0	
Director of Public Works	...	...	...	...	...	...	...	59000 0	
Surveyor-General	...	...	...	...	...	...	...	13240 0	
Postmaster-General	...	...	...	...	...	...	...	1500 0	
Director of the Royal Botanic Garden	...	...	...	...	...	...	...	1500 0	
Collector of Customs for the Western and North-Western Provinces	...	...	...	...	...	...	...	2000 0	
Do. Southern Province	...	...	...	...	...	...	...	300 0	
Do. Eastern do.	...	...	...	...	...	...	...	50 0	
Do. Northern do.	...	...	...	...	...	...	...	250 0	
Master Attendant, Trincomalee	...	...	...	...	...	...	...	240 0	
Queen's Advocate	...	...	...	...	...	...	...	600 0	
Deputy Queen's Advocate	...	...	...	...	...	...	...	200 0	
District Judges, Commissioners of the Courts of Requests, and Police Magistrates	...	...	...	...	...	...	...	13054 36	
Registrar-General of Lands, &c.	...	...	...	...	...	...	...	2000 0	
Fiscal for the Western Province	...	...	...	...	...	...	Rs. 500 0		
Do. North-Western do.	...	...	...	...	...	...	560 0		
Do. Southern do.	...	...	...	...	...	...	10 0		
Do. Eastern do.	...	...	...	...	...	...	900 0		
Do. Northern do.	...	...	...	...	...	...	275 0		
Do. Central do.	...	...	...	...	...	...	500 0		
Do. North-Central do.	...	...	...	...	...	...	100 0		
Director of Public Instruction	...	...	...	...	...	...	...	2845 0	
Principal Civil Medical Officer and Inspector-General of Hospitals	...	...	...	...	...	...	...	10720 0	
Inspector-General of Police	...	...	...	...	...	...	...	4720 0	
Inspector-General of Prisons	26000 0	
	2000 0	

204289 36

No. 12.—CONVEYANCE OF MAILS.

Postmaster-General	—	106083 25
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No. 13.—WORKS AND BUILDINGS.*

DIRECTOR OF PUBLIC WORKS.		Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
NEW WORKS AND BUILDINGS.							
For building Hospitals and Medical Officers' quarters		60000	0				
For building Schools	...	30000	0				
For building Police Stations	...	5000	0				
For operations in connection with Galle Harbour		20000	0				
For building a residence for the Assistant Government Agent at Anurádhapura	...	8000	0				
For building a wall from the well at the Government Agent's house to the steps leading up to the road to the Government Agent's Bungalow, Kandy	.. ..	3717	0				
For erecting a permanent Court-house, Kalpitiya	...	2404	0				
For erecting public latrines at Jaffna	...	3235	0				
For Water Supply to the town of Kurunégala	...	2000	0				
For erecting public latrines at Ratnapura	...	2695	0				
For building a Post Office at Madulkela	...	385	60				
For building a Post Office at Rakwana	...	314	0				
For building seven rubbish receptacles within the Gravets of Jaffna	...	462	0				
For building five rubbish receptacles, Kurunégala	...	500	0				
For Water Supply, Puttalam	.. ..	6000	0				
For building a residence for the Telegraph Master at Anurádhapura	...	4400	0				
For building a wall round the proposed site for a pauper burial ground at Dodella, Galle	...	3000	0				
For erecting a Post Office at Kalutara	...	2555	0				
						154667	60
ALTERATIONS AND ADDITIONS TO BUILDINGS.							
For building a new Store room at the Kachchéri, Kandy	... ..	2639	0				
For improvements to the Court House, Avisáwella	...	2466	0				
For alterations and additions to the Galle Post Office	... ..	5962	0				
For additions and alterations to the Nuwara Eliya Kachchéri	... ..	7533	0				
For additional Offices to the Kachchéri at Anurádhapura	... ..	3000	0				
						21600	0
REPAIRS TO BUILDINGS.							
For repairs to Government Buildings and Works, the cost of which shall not exceed Rs. 2,000 for each work	... ..	90000	0				
For repairing the Supervisor's House at Arippu	...	3919	63				
For repairs to Customs Buildings	...	5000	0				
For repairs to the Roman Catholic Church, Kandy, Government Grant	... ..	3500	0				
For repairs to the roof of the Small-pox Hospital at Borella	... ..	5365	0				
For repairs to the Kachchéri buildings at Mannár	...	3000	0				
For repairs to the Queen's House, Colombo, and Pavilion, Kandy	... ..	2000	0				
						112784	63
Total, Works and Buildings							
						289052	23

*Abstract of No. 13.—Works and Buildings.

New Works and Buildings	...	Rs. 154,667	60
Alterations and Additions to Buildings	...	21,600	0
Repairs to Buildings	...	112,784	63

Total...Rs 289,052 23

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.

DIRECTOR OF PUBLIC WORKS.

For Ordinary and Necessary Repairs.

IRRIGATION WORKS.

For upkeep of Irrigation Works

Rs. Cts.
28,500 0

Rs. Cts.

Works to be undertaken under the Road Ordinance.

ROADS.

WESTERN PROVINCE.

	Miles.	Days' Labour.	Rs.	Cts.
Colombo to Bentota	34	32,000	26,000	0
Grandpass to Avisáwélla	27	20,000	16,600	0
Grandpass to Tóppu	24	12,000	11,600	0
Branch roads in Negombo	5	2,000	1,500	0
Avisáwélla to Ratnapura	26	24,000	20,000	0
Ratnapura to Pelmaðulla	13.25	20,000	16,200	0
Pelmaðulla to Gurukapðura	31.5	60,000	73,000	0
Dolosbúgè to Rambukkana	20	16,000	12,000	0
Avisáwélla to Karawanélla	9	2,000	1,300	0
Karawanélla to Ginigathéna	17	16,000	13,000	0
Negombo to Giriulla	24	12,000	9,000	0
Kótté road	7	3,600	2,600	0
Véyangóða and Já-èla roads	25	13,600	9,400	0
Pelmaðulla to Rakwána	16	15,200	12,200	0
U'rugóðawatta road	5	5,200	3,700	0
Grandpass to Kaðugannáwa	58.75	46,000	35,500	0
Ambépussa to Alawwa	5	254	187	0
Kínadeniya road	3.25	200	145	0
Kégalla to Polgahawela	7.5	4,800	3,300	0
Wélsara to Rúgama	5	—	3,000	0
Grandpass to Wellawatta	7.25	—	29,975	0
Borella to Customs Wharf	3	—	18,768	0
Road within the Customs premises...	—	—	3,000	0

321,975 0

NORTH-WESTERN PROVINCE.

Polgahawela to Galagedara	25.5	49,758	6,686	0
Kurunégala to Nikaweratiya	25	32,008	1,998	0
Nikaweratiya towards Puttalam	11	10,116½	3,396	0
Road to Puttalam Salt-pans	5	—	2,675	0
Kurunégala to Beligamuwa	22	7,920	220	0
Puttalam to Mí Oya	6.75	2,556	797	0
Puttalam to Maðurakuli	8	1,058	536	0
Maðurakuli to Tóppu	48	8,350	5,913	0
Puttalam to Madurugama	41	4,320	120	0
Kurunégala to Giriulla	22.5	11,598	5,101	0
Pádeniya to Kalá Oya	34	11,682	2,180	0
Maðagalla to Atamanata	8	—	2,000	0
Mahawalagama to Koðigama	3	—	750	0

32,372 0

SOUTHERN PROVINCE.

Bentoða to Goyyápána	44	37,000	30,350	0
Goyyápána to Kemagóða	30	43,000	11,750	0
Kemagóða to Hambantoða	33	20,400	11,592	0
Galle to Kananke	12	12,000	9,000	0
Kananke to Uðuwaka	38	21,000	32,750	0
Hambantoða to Tanamalwila	21	2,400	1,500	0
Doðandúwa to Baddégama	7	4,200	1,050	0
Mátara to Hakmana	16	—	6,400	0

104,392 0

[Carried forward...

487,239 0

No. 14—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.***For Ordinary and Necessary Repairs.—*continued.***ROADS.—*continued.*

EASTERN PROVINCE.	Miles.	Days' Labour.	Rs.	Cts.	Rs.	Cts.
[Brought forward...	...	...	...	...	487,239	0
Gravets of Trincomalee ...	15	8,000	2,500	0		
Trincomalee to Kifuluttu ...	34.66	4,000	5,135	0		
Coast road, Trincomalee District ...	82	5,034½	2,842	0		
Trincomalee towards Anurádhapura ...	27	—	3,240	0		
Coast road, Batticaloa District ...	152	13,642	5,862	0		
Maduru Oya to Eraúr ...	41	8,000	18,500	0		
Kiddanke to Kalmunai ...	2	—	600	0		
Road between Her Majesty's Dock- yard and the Admiralty House, Trincomalee ...	1.23	—	396	0		
Road in Puliyantivu from the Kachchéri to the Bridge ...	41	—	895	0		
					39,970	0
NORTHERN PROVINCE.						
Gravets of Jaffna ...	28	17,333	2,160	0		
Semmani road ...	4	2,667	400	0		
Jaffna to Káraitívu ...	11.5	6,667	840	0		
Punnalai road ...	10	5,333	700	0		
Kápkésanturái road ...	11.5	8,000	1,100	0		
Mánippáy to Kaitadi ...	8	5,333	640	0		
Jaffna and Point Pedro ...	21	12,667	1,880	0		
Jaffna and Kaitadi ...	6	4,000	780	0		
Vallukkaiyáru to Kayts ...	7.5	3,333	400	0		
Point Pedro to Tondaimanáru ...	7	4,000	590	0		
Do. to Kodikamam ...	8.5	7,333	1,025	0		
Vallai to Vallueditturái ...	3.5	2,000	190	0		
Kaitadi to Elephant Pass ...	27	46,667	6,500	0		
Elephant Pass and Kokavil ...	15	6,667	1,250	0		
Kokavil and Notchemottai ...	35	—	5,250	0		
Notchemottai and Kalkandomedu ...	12	4,320	900	0		
Mullaíttívu to Central road ...	31	6,660	472	0		
Coast road to Colombo ...	69	8,133	1,460	0		
Mattakachchi to Pésálai ...	64	12,222	7,053	0		
Puttúr to Kodikámam ...	8.5	4,667	575	0		
Elephant Pass to Kanagarayan ...	34	—	1,700	0		
Drainage channels, Jaffna ...	10	—	2,000	0		
					37,865	0
NORTH-CENTRAL PROVINCE.						
Dekampulli to Habarane ...	5.25	—	1,313	0		
Haburane to Kituluttu ...	21.84	—	3,865	0		
Mirisgoni Oya to Kalkandomedo ...	59	28,320	2,950	0		
Namadua to Dikwewa ...	18	1,359½	9,355	0		
Mí Oya to Kallá Oya ...	16.75	1,760	3,124	0		
Kallá Oya to Mihintale ...	31	6,249	558	0		
Mihintale towards Trincomalee ...	33	5,544	825	0		
Anurádhapura towards Padeniya ...	18	3,864	995	0		
					22,985	0
CENTRAL PROVINCE.						
Kaḍugannáwa to Pérádeniya ...	6	6,720	2,520	0		
Pérádeniya to Badulla ...	81	—	105,204	0		
Gampola to Ginigathéna ...	18	27,706	26,410	0		
Kaṭugastota to Galagedara ...	10	7,256	5,186	0		
Carried over ...	...	...	139,320	0	588,059	0

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.***For Ordinary and Necessary Repairs.—*continued.***

Rs. Cts.

Rs. Cts.

ROADS.—*continued.*CENTRAL PROVINCE.—*continued.*

	Miles.	Days' Labour.	Rs.	Cts.		Rs.	Cts.
[Brought forward...	...	...	139,320	0		588,059	0
Katugastota to Balakaduwa	... 7.5	22,672	6,332	0			
Kandy to Háragama	... 8.5	6,928	7,618	0			
Ginigathéna towards Kitulgala to boundary of Province	... 8	—	6,400	0			
Náwalapitiya to Tispané	... 11.5	23,420	18,791	0			
Katugastota to Teldeniya and Galmal Oya	... 17	—	17,500	0			
Teldeniya to Rangalla	... 8.25	—	6,505	0			
Maḍawala to Maḍulkélé	... 14	—	13,552	0			
Dimbula road (Government moiety)	... 21.98	—	34,941	0			
Dik Oya road do.	... 20.25	—	19,125	0			
Punḍalu Oya road do.	... 9.25	—	4,400	0			
Pupuressa road do.	... 10	—	3,750	0			
Dótalé road do.	... 10.25	—	6,150	0			
Maḍulkélé to Kabaragala do.	... 3.25	—	1,000	0			
Maḍulkélé to Bambara Ella do.	... 7.75	—	3,332	0			
Haldummulla to Lémas- tota do.	... 8	—	8,810	0			
Deltoṭa road do.	... 19	—	11,650	0			
Koṭagal Oya road do.	... 2.07	—	1,035	0			
Belgravia Bridge road do.	... .27	—	135	0			
Maskeliya road do.	... 4.18	—	1,045	0			
Dikwella to Náulla	... 5.5	—	9,900	0			
Náulla to Gurukandura	... 28	8,748	76,213	0			
Badulla to Maduru Oya	... 55	10,884	27,529	0			
Balakaḍuwa to Mátalé	... 7	8,890	7,061	0			
Mátalé to Rattota	... 6.75	—	5,400	0			
Háragama to Bilihul Oya	... 16.5	6,856	14,006	0			
Náulla to Tanamalwila	... 42	14,628	4,845	0			
Badulla to Taldena	... 10	6,246	1,829	0			
Dikwella to Maḍulla	... 16	1,524	1,059	0			
Mátalé to Mirisgóni Oya	... 29	7,640	20,095	0			
Beliganiwa to Dekampulli	... 22.75	—	5,688	0			
Nuwara Eliya Bazaar road	... 1	—	796	0			
						485,812	0
BRIDGES.							
Upkeep of Iron and Timber Bridges throughout the Island, exceeding 50 feet in length	...	—	60,000	0		60,000	0
CANALS.							
WESTERN PROVINCE.							
Colombo to Kammal	.. 24	12,000	9,000	0			
Do. to Kalutara	.. 30	12,000	9,000	0		18,000	0
NORTH-WESTERN PROVINCE.							
Tóppu to Puttalam	.. 60	7,314	23,172	0			
Canals through Northern Salt-pans	1.50	—	600	0			
Do. to Nachikali Salt-pans	.. 2	—	600	0		24,372	0
NORTHERN PROVINCE.							
Boat Channel, Jaffna Lake	... 40	6,667	1,000	0		1,000	0
		2,527.39					
Carried over	..	..	1,177,243	0		...	

No. 14.—ROADS, STREETS, BRIDGES, AND CANALS.—*continued.*

ROADS.— <i>continued.</i>		Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
[Brought forward ..	..	...		1,177,243	0		
TOLL GRANTS ON MINOR ROADS.							
Western Province	...	17,037	0				
North-Western Province	...	3,000	0				
Southern Province	...	3,498	0				
Central Province	...	6,090	0				
				29,625	0		
Total for ordinary and necessary Repairs of 2,527.39 miles of Roads, and Canals, including upkeep of Bridges, Irrigation Works, and Toll Grants on Minor Roads						1,206,868	0
REST-HOUSES.							
			In Days' Labour.				
Western Province	...	44,280	...				
North-Western Province	...	7,177½	...				
Southern Province	...	18,000	...				
Eastern Province	...	10,000	...				
Northern Province	...	53,913	...				
North-Central Province	...	790½	...				
Central Province	...	45,506	...				
Departmental Charges.							
Cost of Tools to be supplied to the Provincial Road Committees, and for Minor Works to be undertaken in the several Provinces				50,000	0		
Surveying and tracing new roads, and taking borings				8,000	0		
Keep of sick Bullocks				500	0		
Elephant Establishment				4,500	0		
Purchase of Carts and Bullocks				3,000	0		
Repair of Ferry Boats and Iron pontoons				2,000	0		
Construction of an Iron Pontoon				2,000	0		
Working of the Factory				5,000	0		
Implements				30,000	0		
General Service				15,000	0		
Stationery and Books for Pioneer Schools				150	0		
Purchase of Iron Hand-carts				2,500	0		
Recruiting Pioneers				5,000	0		
Drawing Materials				500	0		
Surveying and Drawing Instruments				1,500	0		
				129,650	0		
New Undertakings other than Buildings.							
ROADS.							
For forming a road from Oddumaden to Villundi through the Moors' quarters				10668	0		
For making a road from Kankesanturai to Tondaimanaru				12950	0		
For extension of the Dimbula road from Caledonia Gap to the Agra patanas, Government moiety...				31542	0		
For the construction of a road from Lémastota to Wellwaya balance of, Estimate, Govt. moiety...				6093	0		
For the construction of a road from Belgravia to Lorne Estate, Government moiety				60000	0		
For the construction of a road from Tillicoultry to Walaha Estate, Government moiety				22500	0		
For the construction of Uda Pusselláwa road				80000	0		
For constructing a causeway at Elephant Pass				35000	0		
For the extension of the Dickoya and Maskeliya road from Blair Athol Gap to Brownlow Estate, Government moiety				30,361	0		
				289114	0		
Carried over	..	..	..	418,764	0	1,206,868	0

SUMMARY.

HEADS OF SERVICE.				Amount.		Total.	
WORKS AND BUILDINGS.				Rs.	Cts.	Rs.	Cts.
New Works and Buildings	...	...	...	154667	60		
Alterations and Additions to Buildings	...	...	...	21600	0		
Repairs to Buildings	...	...	...	112784	63		
						289,052	23
ROADS, STREETS, BRIDGES, AND CANALS.				Rs.	Cts.	Rs.	Cts.
Upkeep of Roads, &c.	...	...	...	1206868	0		
Departmental Charges	...	...	...	129650	0		
New Roads	...	...	...	289114	0		
Additions and improvements to existing Roads	...	...	...	266307	0		
New Bridges	...	...	...	109266	0		
Inland Navigation	...	...	...	40000	0		
Irrigation Works	...	...	...	200000	0		
Miscellaneous	..	...	...	12509	0		
						2,253,714	0
				TOTAL...Rs.		2,542,766	23

No. 15.—MISCELLANEOUS SERVICES.

				Rs.	Cts.	Rs.	Cts.
Treasurer	...	...	...	38929	0		
Government Agent for the Western Province	...	...	...	17140	0		
Do. North-Western do.	...	...	...	4421	0		
Do. Southern do.	...	...	...	7012	0		
Do. Eastern do.	...	...	...	5900	0		
Do. Northern do.	...	...	...	12056	0		
Do. Central do.	...	...	...	22680	0		
Do. North-Central do.	...	...	...	14247	0		
Surveyor-General	...	...	...	61950	0		
Collector of Customs	...	...	...	960	0		
Postmaster-General	...	...	...	68000	0		
Director of the Botanic Garden	...	...	...	3000	0		
Inspector-General of Police	...	...	...	29771	0		
Crown Agents in London	...	...	...	5334	0		
Governments and Colonial Agents in India	...	...	...	4000	0		
						295,400	0

No. 16.—INTEREST.

Treasurer	...	...	...	21500	0		
Crown Agents in London	...	...	...	655	0		
						22,155	0

No. 17.—COLONIAL STORE.

Colonial Storekeeper	...	...	...	158050	0		
Crown Agents in London	...	...	...	280000	0		
Colonial Agents in India	...	...	...	15000	0		
						453,050	0

No. 19.—GOVERNMENT VESSELS.

Agent, Colonial Steamer "Serendib"	46,000	0
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No. 20.—REFUND OF DUTIES, DRAWBACKS, &c.						Rs.	Cts.	Rs.	Cts.
Treasurer	8000	0		
Government Agent for the Western Province	8000	0		
Do.	North-Western	do.	...	...	...	60	0		
Do.	Southern	do.	...	...	...	2500	0		
Do.	Eastern	do.	...	...	...	25	99		
Do.	Northern	do.	...	...	...	100	0		
Do.	Central	do.	...	...	...	220	0		
								18,905	99
No. 21.—LANDS TAKEN FOR GOVERNMENT PURPOSES.									
Government Agent for the Western Province	...	...	...	...	...	5000	0		
Do.	Southern	do.	...	...	...	75	0		
Do.	Northern	do.	...	...	...	1200	0		
Do.	Central	do.	...	...	...	1000	0		
								7,275	0
No. 22.—IMMIGRATION.									
Government Agent for the Western Province	...	...	...	...	...	222	0		
Do.	Northern	do.	...	...	...	87838	0		
Do.	Central	do.	...	...	...	1742	0		
Do.	North-Central Province	...	...	...	...	6240	0		
								96,042	0
No. 23.—RAILWAY SERVICES.									
<i>Treasurer.</i>									
Working Expenses	...	...	...	...	...	...	...	589,220	0
No. 24.—RAILWAY CONSTRUCTION.									
Treasurer	...	...	...	...	...	...	...	150,000	0

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

No. 19.—1873.

No. 19.—1873.

An Ordinance to give effect to certain Rules and Orders for the admission of Advocates to practice in the Supreme Court.

Preamble.

WHEREAS by the Ordinance No. 8 of 1846, entitled "*An Ordinance for rendering the operation of Rules of Court contingent on their enactment by the Legislature,*" it is provided that whenever any General Rule of Court, framed by the Judges of the Supreme Court, shall have been transmitted to the Governor, in the manner directed in the said Ordinance, such Rule shall be laid by the said Governor, in the form of an Ordinance, before the Legislative Council, to be considered and dealt with by the said Council in such and the same manner as any other Ordinance; and that no General Rule, framed by the said Judges, shall operate or take effect until the same shall have been duly enacted: And whereas the Judges have transmitted to the Governor, in the manner directed by the said Ordinance, the General Rules in the Schedule to this Ordinance, relating to the admission of Advocates: IT IS THEREFORE ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

1. THE General Rules in the Schedule to this Ordinance annexed, relating to the admission of Advocates are hereby confirmed, and shall come into operation and take effect from and after the First day of January, One thousand Eight hundred and Seventy-four.

SCHEDULE.

RULES FOR ADMISSION OF ADVOCATES.

1. After the end of the present year gentlemen, who wish to become Advocates of the Supreme Court may be first admitted as law students, and instructed as hereinafter mentioned; and after the end of 1874 no person shall be admitted as an Advocate of the Supreme Court, who shall not for two years at least previous to his application for such admission have been a law student, such as is hereinafter described, except that for applicants to become Advocates in 1875 eighteen months' studentship shall be sufficient.

2. Every person who is a British subject, and who has attained the full age of eighteen years, shall be eligible to become a law student, subject to the conditions hereinafter contained.

3. No one shall be admitted as a law student who does not satisfy the Council of Legal Education hereinafter mentioned that he is a person of good repute, and that he has received the education of a gentleman, and who does not pass, in a manner satisfactory to the said Council, an examination in the following subjects:—

a.—The English language.

b.—The Latin language.

c.—General English History.

4. The examination for admission as law students shall take place at Colombo, on some day or days in the month of January in each year, or on such other day or days as may be named by the said Council (due notice thereof to be given in the *Ceylon Government Gazette*), or on any other day or days to which the said Council may adjourn the examination or further examination of any applicant.

5. The form of application will be furnished to the applicant from the Registry of the Supreme Court.

The applicant shall send his application in to the Registrar of the Supreme Court six weeks at least before the examination. He is to send in at the same time certificates and testimonials as to when, where, and by whom he has been educated, and as to the opinion held of him, both intellectually and morally, by those who conducted his education. He shall also state in his application what profession, business or occupation, if any, he has been following. He is at the same time to transmit to the said Registrar a fee of Ten rupees, to be applied as hereinafter mentioned.

6. If the said Council of Legal Education are satisfied that the above rules have been substantially complied with, and if they are also clearly satisfied that the applicant is a person of good repute, and that he has received the education of a gentleman, they will then examine him, partly by written or printed papers, and partly *vivâ voce* in the subjects mentioned in the third rule. An applicant must pass creditably in each of these three subjects, in order to be admitted as a law student; and no one will be so admitted if it appear to the Examiners that he cannot both speak and write English readily, correctly, and intelligibly. If a candidate passes with great credit in two of the three subjects, but fails in the third (not however shewing gross ignorance respecting it), the Examiners will have a discretionary power to give him a further examination on that third subject only at such place and time as they may appoint.

7. If all the abovementioned requisites and conditions are satisfactorily complied with, the applicant will be admitted as a law student of the Supreme Court by the Registrar entering his name in a list of law students to be kept for that purpose, upon such applicant paying to the said Registrar a fee of Two Hundred Rupees.

8. The said Council of Legal Education may, at their discretion, dispense with the examination abovementioned, in the case of any person who is a Graduate in Arts or in Law in any University within Her Majesty's Dominions.

9. Every law student shall, before he can be admitted as an Advocate, regularly attend at least three of the courses of lectures on Jurisprudence, including International Law, and on Roman Law, to be delivered as hereinafter mentioned by or under the direction of the said Council of Legal Education; and he shall observe the directions which he will receive from the Lecturers as to his studies, and he shall regularly attend the examinations which they will from time to time institute as hereinafter mentioned.

10. Every law student shall, before he is admitted as an Advocate, have been for twelve months at least the pupil of some Advocate of the Supreme Court practising in Colombo, and he shall during his pupillage have regularly attended the Chambers of such Advocate, and have practically studied the laws of this Colony under such Advocate. Every law student applying to be admitted as an Advocate will be expected to produce testimonials from the Advocate or Advocates whose pupil he has been, as to his diligence and good conduct while such pupil, and also as to his demeanour and character as a gentleman.

11. No law student shall, during his studentship or any part thereof, act or practise as, or be a clerk to, a Proctor or Notary Public, or in any way follow or be connected with any trade or business whatever, for hire or profit, directly or indirectly.

12. A law student at the end of two years at least of studentship, who has fulfilled all the abovementioned requisites and conditions, may apply to the Judges of the Supreme Court to admit him as an Advocate of the said Supreme Court. Six weeks at least before such application he must have given written notice thereof to the Registrar of the said Court, and also have caused notice thereof to be inserted and published in the *Ceylon Government Gazette*, and in some other English newspaper published in Colombo.

13. At the time mentioned in such notice, or at such subsequent time as the Judges of the Supreme Court may direct, he must lodge with the Registrar certificates of his having attended Lectures, and of his having been a pupil as above required, and also certificates shewing that the Lecturers, and the Advocate or Advocates whose pupil he has been, are well satisfied with his conduct, so far as it has come within their notice, both as a student and as a gentleman. At the time when he lodges these certificates he must pay the Registrar a fee of Twenty Rupees, to be applied as hereinafter mentioned.

14. If the said Judges are satisfied that the abovementioned requisites and conditions as to admissibility as an Advocate have been *bonâ fide* substantially complied with, and if the said Judges, on perusal of the certificates mentioned in the last rule, and also by reason of such other and further knowledge on the subject as they may possess or may acquire, are clearly satisfied that the applicant is a gentleman of good character, they may direct him to be examined by the said Council of Legal Education as hereinafter mentioned.

15. Nothing herein contained shall affect the eligibility to be admitted as an Advocate of the Supreme Court of any person who shall have been appointed Queen's Advocate or Deputy Queen's Advocate for the Island, or who shall have been admitted as an Advocate or Barrister in some or other of the Queen's Superior Courts of Record in Great Britain or Ireland, and who shall be of good repute. But in the case of such last named Advocate or Barrister, he shall be required to give six weeks' notice of his intention to apply, as required by Rule 12.

16. Nothing herein contained shall take away the right given by the Rules and Orders of the 30th December, 1841, to any gentleman who shall have practised as a Proctor for five years, as in the said rule mentioned, to apply according to the provisions of the said rules to be admitted as an Advocate; and the Judges, on receiving such application, may direct such Proctor to be examined as hereinafter mentioned.

17. The examination of applicants for admission as Advocates shall be conducted by the Council of Legal Education hereinafter mentioned, and it will be an examination on the following subjects:—

- 1.—Classics, including one work to be specified by the Examiners, and another work to be selected by the candidate.
- 2.—Roman Law.
- 3.—Roman-Dutch Law.
- 4.—English Constitutional History including Colonial Institutions.
- 5.—Principles of the Law of Evidence.
- 6.—Jurisprudence, including International Law.

18. If an applicant passes the said last mentioned examination satisfactorily, the Judges shall have power to admit him as an Advocate of the Supreme Court on his taking the oaths of allegiance and office.

19. The Council of Legal Education shall consist of the Judges of the Supreme Court, the Queen's Advocate, and Deputy Queen's Advocate, and of such other gentlemen as the said Judges may, if they think fit, appoint for each year. Three shall form a quorum. In the case of an equality of votes on any subject before the said Council, the Chief Justice, if present, shall have a second or casting vote; and, in his absence, the senior member present shall have a second or casting vote.

20. A course of not less than ten lectures will be delivered in Colombo every year by a member of the said Council of Legal Education, or by some gentleman appointed for the purpose by the said Council, on each of the following subjects:

- a.—Jurisprudence, including International Law.
- b.—Roman Law.

Due notice will be given of the precise days and hours, and of the place, when and where the said lectures shall be delivered. Gentlemen who have been admitted as law students as abovementioned, will have the right of attending these lectures without further payment. All members of any branch of the legal profession, their secretaries, pupils, and clerks, and all gentlemen who are in the service of Her Majesty's Government, Colonial or otherwise, in any capacity, may attend on prepayment of a fee of Twenty Rupees for each course. Other gentlemen may attend on prepayment of a fee of Thirty Rupees for each course. Such fees are to be paid to the Registrar of the Supreme Court. Each Lecturer will from time to time briefly examine, either by papers or *vis à voce*, the law students of his class, and will give each law student of the class advice as to the method and line of study which he had better follow.

21. The fees imposed by the above and following rules are to be applied first to the expenses attending the examination of applicants, the printing of papers, and the like; secondly, to paying such remuneration to Lecturers and Examiners as the Council of Legal Education may think fit; thirdly, the balance is to go to the Supreme Court Law Library.

22.—These rules shall come into force on 1st January next, but subject to the special set of rules hereunder provided for the year 1874.

SPECIAL RULES FOR THE ADMISSION OF ADVOCATES DURING THE YEAR 1874.

1. There will be one examination for the admission of Advocates in the year 1874; such examination to begin in the first week of December in that year.

2. Every person intending to be examined at the said examination in December, 1874, must attend and pass a preliminary examination in February, 1874, (due notice of which as to time and place will be given) for admission as a law-student. Such examination will be in the subjects mentioned in above rule 3, and the requirements of rule 11 must be complied with by such law-student in the interval between his admission as a law-student in February, 1874, and his examination in December, 1874.

3. The list of subjects for examination in December, 1874, will be the same as at present, except that under head VI. Moral Philosophy and Modern History will be omitted, and the applicant must pass an examination in Jurisprudence, including International Law.

4. A course of about ten lectures on Jurisprudence, including International Law, will be delivered in 1874 by direction of the Supreme Court. Due notice of the precise time and place will be given. Students will be examined during the course by the Lecturer, and each student will privately receive advice as to his best method for further studying the subject. The fee for attending the course will be One Hundred Rupees, which must be prepaid to the Registrar of the Supreme Court. Every person who presents himself to be examined in 1874 for admission as an Advocate, will be required to produce a certificate of having regularly and diligently attended the said course.

5. Every person who presents himself to be examined in 1874 for admission as an Advocate, will be required to produce a certificate of having been a pupil of some practising Advocate of the said Supreme Court, for six months, at least, and of having during such time diligently and practically studied the law of this Colony under such Advocate.

6. Every person who is to be admitted as an Advocate of the Supreme Court in 1874, must, before such admission, pay to the Registrar of the Supreme Court a fee of One Hundred Rupees.

7. In all matters not dealt with by the preceding rules the law and practise as to the admission of Advocates of the Supreme Court will remain during 1874 the same as at present.

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

An Ordinance relating to the Magisterial work of Municipal Councils.

WHEREAS provision is made in "*The Municipal Councils' Ordinance, 1865*," for any three or more Municipal Councillors forming a Bench of Magistrates, and it is expedient to reduce the number and to empower the Government, whenever requested by the Councillors to do so, to relieve them from the performance of Magisterial work: **IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows:

1. **THE** number of Municipal Councillors to form a Bench of Magistrates may henceforward be two or more, and not three or more, as is provided by the 32nd section of the said Ordinance.

2. **ON** the application in writing from three-fourths in number of the Councillors of any Municipality created in this Island, asking the Governor to relieve them from their magisterial work, it shall be lawful for the Governor, with the advice of the Executive Council, to make order relieving them accordingly, and to publish the same in the *Government Gazette*; and from the day named in such order, the Municipal Council of that Municipality shall cease to form a Bench of Magistrates, and to sit for the trial of crimes and offences committed within such Municipality cognizable by Police Courts, and to have jurisdiction to try such crimes and offences. **PROVIDED** however, that such order shall not affect any proceeding already had, or any order made or sentence passed by any such Bench of Magistrates, which said proceeding, sentence, or order shall remain valid, and shall be carried out as if no such order relieving the Councillors as aforesaid shall have been made.

3. **WHENEVER** any Municipal Council shall be relieved from their Magisterial work as hereinbefore provided, every complaint, matter, or thing which shall be then depending before such Council in its capacity as Bench of Magistrates, shall or may be proceeded upon in the Police Court having jurisdiction over the District in which such Municipality shall have been established; and all proceedings which shall thereafter be had in such complaint, matter, or thing, respectively, shall be conducted in like manner as if such complaint, matter, or thing had been instituted in such Police Court; and all the records and proceedings belonging to and appertaining to any such complaint, matter, or thing, shall, after publication of the order relieving such Municipal Councils as aforesaid, be delivered over by such Municipal Council to such Police Court.

4. **THIS** Ordinance and the said Ordinance No. 17 of 1865 shall be read and construed as if they were one Ordinance.

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

Preamble.

Two or more Councillors may henceforward form a Bench of Magistrates.

Governor may relieve any Municipal Council from its magisterial work, on application.

Every complaint, matter, or thing depending before the Bench of Magistrates, when such order shall have been made, shall be proceeded upon in the Police Court of the District.

Transfer of records.

This and Ordinance No. 17 of 1865 to be deemed one.

No. 21.—1873.

No. 21.—1873.

An Ordinance to provide for the collection of the sums due to the Crown on Plumbago.

Preamble.

WHEREAS a certain sum in lieu of rent is now levied on all plumbago dug on Crown lands, and a royalty is due to the Crown on all plumbago dug on private lands, and the payment of these dues is largely evaded, and it is expedient to secure the same by collecting them as a royalty at the different ports of shipment : **IT IS ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows :—

Dues on plumbago.

1. **THERE** shall be raised, levied, and paid, as a royalty upon all plumbago of the produce of this Island exported beyond seas, a duty of Fifty cents per hundred-weight.

Bill of Entry.

2. **THE** person entering outwards any plumbago to be exported from any port in this Island, shall deliver to the Collector a bill of the entry thereof, fairly written in words at length, expressing the name of the ship, and of the master, and of the place to which the mineral is to be exported, and of the person in whose name the mineral is to be entered, and the quantity and the value thereof ; anything contained in the Ordinance No. 17 of 1869, entitled "*An Ordinance for the general regulation of Customs in the Island of Ceylon*," to the contrary notwithstanding ; and shall, at the same time, pay down any sums which may be due as royalty upon the exportation of any such plumbago. And such person shall also deliver, at the same time, one or more duplicates of such entry, in which all sums and numbers may be expressed in figures ; and the particulars to be contained in such entry shall be written and arranged in such form and manner, and the number of such duplicates shall be such as the Collector shall require ; and such entry, being duly signed by the Collector, shall be the warrant for examination and shipment of such plumbago.

Value.

Duplicate.

Plumbago laden before entry forfeited.

3. **IF** any plumbago, which is subject to any sums due as royalty in respect of exportation, shall be laden, or waterborne to be laden on board any ship before due entry shall have been made, and warrant granted, or before such plumbago shall have been duly cleared for shipment, or if such plumbago shall not agree with the bill of entry, the same shall be forfeited together with the package in which it is contained.

Provisions of Ordinance 17 of 1869 to be in force and put in execution with regard to the dues hereby imposed.

4. **THIS** Ordinance and the Ordinance No. 17 of 1869 shall be read and construed as one Ordinance ; and all the provisions of the said last mentioned Ordinance shall respectively be of full force and effect, with respect to the dues imposed by this Ordinance, and to the persons liable to the payment thereof, and to the fines and forfeitures hereby imposed, so far as the same are or shall be applicable in all cases not hereby expressly provided for ; and shall be observed, applied, allowed, enforced, and put in execution, for the raising, levying, collecting, and securing the dues hereby imposed, and otherwise in relation thereto, so far as the same shall be consistent with this Ordinance, as fully and effectually to all intents and purposes as if the same had been herein repeated and specially enacted.

Ordinance when to come into operation.

5. **THIS** Ordinance shall come into operation on the first day of April, 1874.

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

An Ordinance to amend "The Licensing Ordinance, 1873.

WHEREAS it is expedient to amend in certain respects "The Licensing Ordinance, 1873:" IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1. THE following is to be added to the third article of the 4th section of the Ordinance No. 7 of 1873, entitled "An Ordinance for regulating the sale of Intoxicating Liquors."

"Wholesale" shall mean the sale of goods in gross or in parcels of, and exceeding, a dozen quart bottles or two gallons of the same kind of liquor.

Definition of "Wholesale."

2. NOTHING in the sixth section contained shall be held to prevent the Government Agent refusing to issue a license, if it shall seem fit to him to do so, although no objection shall have been made to any application.

Government Agent may refuse license even where no objection is made.

3. THE provision in section 25 prohibiting the sale of intoxicating liquor by any licensed person, or any keeper of tavern on credit, shall apply to liquor sold to be consumed on the premises, and to taverns, and not to hotels or to places licensed for the sale of such liquor not to be consumed on the premises, any thing in that section to the contrary notwithstanding.

Prohibition of sale on credit not to apply to liquor sold not to be consumed on the premises.

4. SUBJECT to the provisos and penalty in the 37th section provided, all premises for the sale of intoxicating liquor, whether to be consumed on the premises or not, excepting hotels, shall be closed at the hour of eight at night and shall remain closed till the hour of five in the morning. From and after the 1st day of July, 1874, this provision shall also apply to taverns, any thing in section 13 of the Ordinance No. 4 of 1841, entitled "An Ordinance to amend the law relating to Vagrants," to the contrary notwithstanding.

Hours of closing of certain licensed places determined.

Of taverns.

5. IT shall not be lawful for any person to manufacture spirits in Ceylon, or to bottle the same for sale in Ceylon, without first procuring a license from the Government Agent of the Province. Such license shall be in force for such term as shall therein be prescribed, and the process of manufacture and the substance to be used therefor shall be described in any license for manufacture. The Government Agent may, with the sanction of the Governor, refuse such license or revoke the same, after it shall have been granted, if it shall appear to him expedient to do so. Mixing spirits with other spirits or any substance whatsoever shall be deemed a manufacture of spirits for the purposes of this Ordinance.

Manufacturing or bottling spirits for sale prohibited without license.

License may be refused or revoked.

6. EVERY person so manufacturing or bottling spirits for sale shall be bound to cause the vessels containing the same to be labelled in distinct letters in English, with the name of the spirit, and the name and address of the manufacturer or botler.

Label on spirits manufactured and bottled.

7. ANY person manufacturing or bottling spirits for sale without such license or contrary to its tenor, or who shall fail to cause the same to be labelled as above provided, and any person not giving the true name of the spirit or his own true name and address, shall be guilty of an offence, and be liable to a fine not exceeding Two thousand Rupees, or imprisonment, with or without hard labour, for a period not exceeding two years. And the spirits and vessels containing the same shall be forfeited and liable to be sold or destroyed.

Penalty for manufacturing or bottling without license.

8. IN addition to the power given to the Governor with the advice of the Executive Council, by the 29th section of the said Ordinance, to add by Proclamation to the Schedule any ingredient not therein specified, he shall also be empowered, with the like advice, and by like Proclamation, to omit any ingredient specified in such Schedule or in any Proclamation.

Governor may omit any ingredient in Schedules B. and C.

9. THE fines and penalties imposed by the said or the present Ordinance on licensed persons shall also apply to and may be imposed on all persons employed by such licensed persons in selling or exposing liquor for sale or in doing any of the acts for which such license shall be given. And every person shall be deemed to be employed by such licensed person, who shall be in his shop or place of business, and ostensibly acting for him or as his servant or agent.

Employes of licensed persons liable for penalties.

No. 22.—1873.

Provincial Committees, and refreshment rooms on Railway or Tramway Stations exempted.

Section 35 repealed, and Schedules B. and C. amended.

Progressive duty on spirits.

Officers of Customs may destroy spirits unfit for human consumption.

Commencement of this Ordinance.

This and No. 7 of 1873 to be deemed one.

10. NONE of the provisions contained in this or the said Ordinance shall apply to Rest-houses under the charge of Provincial Committees, or shall preclude the sale, at any time, at refreshment rooms or premises connected with railway or tramway stations duly authorized as such by the Traffic Manager, of intoxicating liquor to persons arriving at or departing from such stations by railroad or tramway.

11. THE 35th section of the said Ordinance is hereby repealed, and all the words after "Bengal Kino" in Schedules B and C are hereby omitted, and the words "Amylic alcohol or Fousel oil" are hereby inserted in such schedules.

12. A progressive duty according to the annexed Schedule D is hereby imposed on all spirits imported into this Colony, anything in the Ordinance No. 17 of 1869 to the contrary notwithstanding.

13. IT shall be lawful for any officer of the Customs to seize and, with the sanction of the Principal Collector, to destroy any spirits which may be imported into this country, and which shall, on analysis, be found to be unfit, in the opinion of such Principal Collector of Customs, for human consumption, and such officers are hereby indemnified and held free and harmless from all and any the consequences of such seizure and destruction.

14. THIS Ordinance, saving section 12, shall come into operation at the date of the passing thereof. Section 12 shall come into operation on such date as the Governor, with the advice of the Executive Council, shall appoint by Proclamation to be by him issued for that purpose.

15. THIS Ordinance and the said Ordinance No. 7 of 1873 shall be read and construed as if they formed one Ordinance.

SCHEDULE D.

RATES OF DUTY ON SPIRITS,—*Sec. 12.*

		Rs. Cts.		
All spirits under proof	...	2	50	per imperial gallon.
Proof to 10° over	...	3	0	"
10° over proof to 20 "	...	3	50	"
20 " 30 "	...	4	0	"
30 " 40 "	...	4	50	"
40 " 50 "	...	5	0	"
50 " 60 "	...	5	50	"
60 " 70 "	...	6	0	"
70 " 80 "	...	6	50	"
80 " 90 "	...	7	0	"

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

An Ordinance to amend "The Branch Roads' Ordinance, 1866."

WHEREAS the assessment for the repair of Branch Roads under section 12 of "The Branch Roads' Ordinance, 1866," has been, in some instances, made on all the Estates in the district, and not on the Estates in separate sections, and it is necessary to prevent such a mode of assessment in future: IT IS HEREBY ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1. THE assessment for the upkeep and repair of Grant-in-aid Branch Roads shall be henceforward made in sections not exceeding two miles in length, and every Estate using any portion of the road in any section shall be liable to be assessed for the cost of the upkeep and repair of the whole section and of every other section so used. PROVIDED that no estate shall be required to pay the sum for which it is assessed for upkeep and repair of any section until such section is completed and open for traffic.

Assessment for repairing roads shall be sectional.

2. ANY person aggrieved with the decision of the Provincial Committee in respect of the definition of districts under section 6, and the assessment of Estates under sections 9, 11 and 12 of the Ordinance No. 13 of 1866, and under the present Ordinance, shall be entitled to apply to the Governor for relief, at any time within Twenty-one days after such decision shall be made known to him. It shall be lawful for the Governor, with the advice of the Executive Council, upon such application, to make further enquiry, if such shall be necessary, or to confirm the decision of such Committee, or to alter or modify the same, as to him shall appear right; and the decision of the Governor, with the advice aforesaid, shall be deemed the final decision as respects such definition and assessment; and the said Provincial Committee shall conform to, execute, and carry into effect such decision.

Appeal to the Governor from decisions of Provincial Committee.

3. THIS Ordinance, the Ordinance No. 13 of 1866, and the Ordinance No. 4 of 1873, shall be read and construed as one Ordinance.

This and Ordinances No. 13 of 1866 and No. 4 of 1873 to be deemed one.

Passed in Council, the Seventeenth day of December, One thousand Eight hundred and Seventy-three.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-second day of December, One thousand Eight hundred and Seventy-three.

ARTHUR N. BIRCH,
Colonial Secretary.

Ev. Est.?

16/11/05