

*man's*  
*Legislative Acts & Regulations*  
**A**  
**COLLECTION**

*45*

**LEGISLATIVE ACTS**

**OF THE**

**CEYLON GOVERNMENT**

**FROM 1796:**

**DISTINGUISHING THOSE NOW IN FORCE.**



**VOL. I.**

**CONTAINING**

**PROCLAMATIONS, REGULATIONS, CHARTERS,  
AND ORDERS IN COUNCIL;**

**FROM**

**1796 TO 1833.**

*CEY  
1796  
1833*

**COLOMBO;  
WILLIAM SKEEN, GOVERNMENT PRINTER, CEYLON.  
MDCCCLIII.**

*con's*

Cey  
132  
852

Rec. Jan 25, 1905.



• • • The following Laws have been repealed since they were printed for this edition.

	Page
Regulation No. 11 of 1806. ( <i>By Ordinance No. 19 of 1848.</i> ) . . . . .	89
Regulation No. 2 of 1807. ( <i>By Ordinance No. 19 of 1848.</i> ) . . . . .	108
Regulation No. 8 of 1809. ( <i>By Ordinance No. 3 of 1852.</i> ) . . . . .	123
Regulation No. 1 of 1815. ( <i>In so far as relates to the use of Arms, by Ordinance No. 13 of 1847.</i> )	175
Proclamation of 21st November 1818. ( <i>In so far as relates to the use of Arms, by Ordinance No. 13 of 1847.</i> ) . . . . .	229
Regulation No. 2 of 1820. ( <i>By Ordinance No. 10 of 1852.</i> ) . . . . .	246
Regulation No. 20 of 1820. ( <i>By Ordinance No. 10 of 1852.</i> ) . . . . .	258

*The following were accidentally omitted.*

PROCLAMATION.

*(Repealed in part by Ordinance No. 1 of 1835; and for the rest by Ordinance No. 13 of 1847.)*

WHEREAS it is necessary to prevent the fraudulent purchase or possession of Soldiers' necessaries, arms, ammunition, or equipments by Kandyan or other persons residing or being within the Kandyan Provinces on the Island of Ceylon.

And whereas it is also necessary to prohibit the importation into the said Kandyan Provinces, without Licence, of all Arms, Gunpowder or other Ammunition, Saltpetre or warlike stores, and the manufacture of the same within the said Provinces, without due authority for that purpose.

It is hereby declared and enacted, that if any Kandyan or other person, residing or found within the Kandyan Provinces, shall knowingly detain, or shall buy, receive in exchange, or otherwise, from any Soldier or Deserter, or from any other person whomsoever, any Arms, Ammunition, Clothes, Caps, or other equipment belonging to the King, or any such articles belonging to any such Soldier or Deserter as are generally deemed Regimental necessaries, he or she shall on conviction before the lawful and competent authority, be liable to punishment by fine, whipping, or imprisonment, according to the nature and extent of the offence; such punishment not to exceed Fifty Rix Dollars in fine, One Hundred lashes, or Six months imprisonment at hard labour.

And it is further declared and enacted, that any person who shall import into the Kandyan Provinces, without a Licence in writing from Government, any Arms, Ammunition, or warlike stores: such as Gunpowder, Saltpetre, Sulphur, or Lead, or shall manufacture within the said Kandyan Provinces, without having a Licence or authority so to do in writing, signed by an accredited Agent of Government, any Arms, Gunpowder, or Saltpetre, he or she shall, on conviction thereof before the lawful and competent authority, be liable to punishment by Fine, Whipping, or Imprisonment, according to the nature and extent of the offence; such punishment not to exceed a fine of One Hundred Rix Dollars, One Hundred and fifty lashes, or Twelve months imprisonment at hard labour.

*Given at the Palace in the City of Kandy, the Nineteenth day of January, in the year of our Lord One Thousand Eight Hundred and Eighteen.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Secy. to Govt.*

PROCLAMATION.

Exemption of Moormen from the Jurisdiction of Kandyan Chiefs.

WHEREAS the British Government has on various occasions experienced the fidelity of the Moormen resident in these Provinces: We, taking the same into our serious consideration, and being desirous to mark to them that we duly estimate their attachment, do hereby declare and enact, that from and after the publication of this Our Proclamation in the several Districts of the Kandyan Provinces, it shall not be lawful for any Kandyan Chief to exercise any Jurisdiction whatever over the Moormen of this country; and that civil and criminal justice shall in future, in all cases where a Moorman is a party, be impartially administered to them by British Officers only, in manner that shall be hereafter arranged, and that the Mohandirams over the several Madige Departments, shall in future receive their appointments direct from the principal accredited Agent of the British Government in Kandy.

And We do hereby further promise, that any Moorman who may suffer in his person or property by his adherence to the British Government, shall receive the fullest compensation the nature of the injury will admit of.

We trust that the Moormen will duly appreciate the benefits herein granted and held out to them; and that they will earnestly and zealously aid and assist in putting down the present daring Rebellion; and we order them on their allegiance, and at their peril, to refrain from joining the persons now traitorously in arms against His Majesty the King of Great Britain, and to oppose them by all means in their power.

*Given at Kandy in the said Island of Ceylon, this Second day of March, One Thousand Eight Hundred and Eighteen.*

By His Excellency's Command,  
GEORGE LUSIGNAN,  
*Secy. Kand. Prov.*

ERRATA.

Page 22.—The Proclamations of the 19th and 20th August, 1800, are Repealed by Ordinance No. 5 of 1835.  
Page 62.—In Proclamation of the 14th July, 1802, for "the 1st day of March, 1802," read, "the 1st day of March, 1801."  
— Omit the foot-note.

## CONTENTS.

### *Legislative Acts in force on the 1st January, 1853.*

	Page.
CAPITULATION OF COLOMBO, 15th February, 1796. . . . .	1
<b>1799.—Proclamations.</b>	
Promulgating Regulations for the temporary Administration of Justice and Police throughout the Colony.—23d Sept. . . . .	6
Repealed by Ordinance No. 5 of 1835, with the exception of such provisions as relate to the continuance of the Dutch Law in the Maritime Provinces, the abolition of Torture, Liberty of Conscience, and the free exercise of Religious Worship.	
Giving notice that a Commission has been appointed to grant, on certain conditions, Lands belonging to Government in exchange for those occupied in the Cinnamon Gardens.—19th Nov. . . . .	11
For the continuance and propagation, as much as possible, of the Christian Religion.—1st Dec. . . . .	12
<b>1800.</b>	
For enforcing the provisions of the Proclamation of the 19th November 1799.—20th Jan. . . . .	ib.
Abolishing certain privileges of the caste of Chalias or Cinnamon Peelers.—15th March. . . . .	14
Declaring the rates of Tax on Landed property, and respecting the division of and tenure of Lands and Accommodessans.—3d May. . . . .	16
Ordering the Liturgy of the Church of England, translated into the Malabar Language, to be read in all established Malabar Churches, Chapels, Schools and Seminaries.—24th May. . . . .	17
Abolishing Duties on Tobacco grown in the Island.—12th July. . . . .	20
Establishing a new mode of Survey.—2d Aug. . . . .	ib.
Prohibiting the Landing of Convicts transported to New South Wales.—16th Aug. . . . .	21
Ordering Medical assistance to be provided on the appearance of Small Pox, and prohibiting Headmen from leaving the Villages on such occasions.—7th Sept. . . . .	23
Extending the period for the Registration of Lands held without Title Deeds.—10th Oct. . . . .	ib.
<b>1801.</b>	
Respecting the Administration of Justice.—22nd Jan. . . . .	23
Repealed all but clause 33, ordering allowances to Prisoners, by Ordinance No. 5 of 1835.	
Authorizing the Presidents and Acting Presidents of the several Civil and Land Raads to hold Registers of Land within their respective Districts.—1st March. . . . .	31
Paragraphs 6 and 8 repealed by Proclamation of 14th July 1802; Paragraph 13 by Proclamation of 9th May 1803; and much though not repealed fallen into disuse.	
Declaring that all persons holding Land by tenure of Service shall cease to hold the same Duty free, and shall pay a tenth of the produce of High Lands and a fifth of the produce of Low Lands; and that all Lascoryns having Accommodessans are at liberty to resign them.—3d Sept. . . . .	57
<b>1802.</b>	
Repealing certain clauses of the Proclamation of 1st March 1802, affecting the validity of Title Deeds.—14th July. . . . .	62
Repealing the 10th section of Proclamation of 13th August, remitting Stamps required on certain proceedings in Civil suits.—13th Nov. . . . .	65
Directing that all Funds for the maintenance of the Poor be transferred from the Deaconries to the Sub-Committees of Superintendence.—30th Dec. . . . .	69
<b>1803.</b>	
For the better Regulation and Collection of the Land Revenue.—22d April. . . . .	72
For the better Regulation of the Land Registry.—9th May. . . . .	73
<b>1804.</b>	
Confiscating the property of certain Headmen and Inhabitants in different parts of the Island.—4th June. . . . .	75
Prohibiting the infliction of Corporal Punishment on the Parade Ground within the Fort of Colombo, excepting under Military sentences.—19th Sept. . . . .	79
Code of Mahomedan Laws observed by the Moors in the Province of Colombo.—5th Aug. . . . .	93
<b>1806.—Regulations.</b>	
18—For the security of Property and the establishment of a due Police in the District of Jaffnapatam and its Dependencies. . . . .	106
<b>1808.</b>	
2—Declaring the validity of all preceding and future Legislative Acts of Government, although not signed by the Chief Secretary to Government. . . . .	113
<b>1809.</b>	
4—For issuing new Government Notes, and for calling in and cancelling those hitherto in circulation. . . . .	117
6—For ascertaining the persons holding the employes or titles of Native Headmen in the Cingalese Districts, and for preventing the assumption of the authority or title of a Headman by persons not duly appointed for that purpose. . . . .	119
<b>1811.</b>	
3—For the protection of His Majesty's Pearl Banks of Ceylon. . . . .	130
PROCLAMATION—Dividing the Supreme Court into two Divisions; establishing Trial by Jury; abolishing the Provincial Courts; and re-establishing the Court of Landraad.—12th Nov. . . . .	135

	Page.
<b>1811.—Regulations, &amp;c.</b>	
<b>PROCLAMATION</b> —Directing the preparation of Lists of all persons qualified to sit upon Juries.—23d Nov.	135
<b>1812.</b>	
<b>PROCLAMATION</b> —Establishing the rate of exchange between the Rix-dollar of the Island and the Pound sterling.—13th March.	138
10—For regulating the custody and the employment of Prisoners sentenced to labour by the Supreme Court of Judicature and by Magistrates having Criminal Jurisdiction.	143
<b>1813.</b>	
3—For calling in the outstanding Government Notes for One and Two Rix-dollars of a date previous to the 12th of June 1809.	148
4—To prohibit persons holding Offices of Trust under the Government of these Settlements, and their Dependancies, from being engaged in Trade.	ib.
5—For the better Police of the Town and Fort of Trincomalie and its Gravets. The first 39 clauses repealed by Ordinance 17 of 1844.	149
9—For draining Lands at Trincomalie.	155
<b>1814.</b>	
12—For the preventing the counterfeiting of Coin current in the British Settlements in the Island of Ceylon.	174
<b>1815.</b>	
1—For regulating the sale and possession of Arms and Ammunition, and for prohibiting the sale, gift or disposal of Horses to natives of India on Ceylon not subjects of the British Government. Repealed so far as relates to the possession and use of Arms by Ordinance 13 of 1847.	175
<b>PROCLAMATION</b> —Annexing the Provinces of the Four Korles, the Sallragam Korle, and the Three Korles to the British Possessions.—11th Feb.	177
——— Declaring the objects of the Invasion of the Kandyan Territory.—11th Feb.	ib.
——— Ordering the detention, as Prisoners of War, of the Relations and Dependents of the King of Kandy, wherever found.—19th Feb.	178
——— Liberating, with certain exceptions, and in consequence of the termination of the Kandyan War, all Prisoners detained for the Payment of Fines or to find Security for their good behaviour.—20th Feb.	ib.
<b>KANDYAN CONVENTION</b> .—2d March.	179
3—For circulating Dutch Challies.	182
<b>1816.</b>	
5—For prohibiting the use of pointed Knives amongst the native Cingalese of the Maritime Provinces of this Island. <b>PROCLAMATION</b> —Publishing a Despatch from the Secretary of State conveying the Opinion of the Law Officers of the Crown in England on the Kandyan Convention.—31st May.	189
6—To prohibit under certain penalties the persons therein described from resorting to or continuing in the Island.	191
8—For preserving the Cinnamon plantations. Modified in some respects by Regulation 5 of 1833.	ib.
<b>1817.</b>	
5—For enforcing the observance of the Sabbath-day.	198
<b>1818.</b>	
<b>PROCLAMATION</b> —For amending the System of Government in the Kandyan Provinces.—21st Nov. Many clauses obsolete; others nullified by Charter of 1833.	223
——— Regulating the possession of Arms and Ammunition in the Kandyan Provinces.—21st Nov. Repealed so far as relates to the possession of Arms by Ordinance 13 of 1847.	229
<b>1819.</b>	
2—For declaring the return of persons banished by authority of His Excellency the Governor from Ceylon, a Criminal offence. <b>PROCLAMATION</b> —Prohibiting the practice in the Kandyan Provinces of taking forcible possession of Lands and other property, on pretence of having a legal claim thereto or of having been aggrieved.—5th Aug.	231
——— For the enregistration of Temple Lands in the Kandyan Provinces.—18th Sept.	ib.
<b>1820.</b>	
4—For prohibiting the cutting off hair by way of punishment.	247
7—For repealing the 3d Regulation of 1820, and for calling in all Government Notes the value whereof shall not be impressed thereon by a Stamp in black ink.	248
9—For amending the 1st Regulation of 1815, entitled "For regulating the sale and possession of Arms and Ammunition, and for prohibiting the sale, gift or disposal of Horses to Natives of India on Ceylon not Subjects of the British Government," and for repealing so much thereof as prohibits the sale of Horses to Natives of India not being Subjects of the British Government. Repealed so far as relates to the possession and use of Arms by Ordinance 13 of 1847.	249
10—For preventing the concealment or harbouring of Deserters from His Majesty's Service. <b>PROCLAMATION</b> —For preserving the Public Roads in the Kandyan Provinces from damage or encroachment.—7th Sept.	250
24—For ascertaining the persons holding the employ or titles of Native Headmen in the Malabar Districts, and for preventing the assumption of the authority or title of a Headman by persons not duly appointed for that purpose; and for amending the 6th Regulation of 1809, in so far as regards the penalties for breaches thereof.	254
<b>1821.</b>	
<b>PROCLAMATION</b> —Denouncing Capital punishment on any person convicted of putting another to death on pretence of violation of Caste, also declaring punishable outrages committed on the ground of Caste, in the Kandyan Provinces.—3d Jan.	263
9—For providing against the obstruction of the navigation by the Canals from the Grand Pass to the Harbour of Colombo. <b>PROCLAMATION</b> —For defining and limiting the right of repurchasing Lands sold in the Kandyan Provinces.—14th July.	269
——— Denouncing Capital punishment on any person convicted of Infanticide in the Kandyan Provinces.—25th Sept.	271
<b>1822.</b>	
9—For regulating the Registry of the Marriages and Births of the Natives of the Maritime Settlements of this Island, as well as of Natives of India residing in the said Maritime Settlements; and for declaring the effect of the said Registry as evidence of such Marriages and Births.	ib.
	278

	Page.
<b>1822.—Regulations, &amp;c.</b>	
<b>PROCLAMATION</b> —Declaring that no Land in the Kandyan Provinces shall be exempted from Duty as Temple Property, which shall not have been registered as such.—21st May.	281
16—For amending the 12th Regulation of the year 1814, and altering the punishment on persons convicted of counterfeiting the Coins current in Ceylon or of uttering counterfeit Coin.	285
26—For obliging the possessors of Wells to raise the walls to a sufficient height to secure persons from danger of accidentally falling in.	289
<b>1823.</b>	
5—For calling in all the outstanding Notes of this Government of One Rix-dollar.	292
8—For calling in all the outstanding Notes of this Government of One hundred and fifty Rix-dollars bearing date prior to the 5th May, 1823.	297
15—For making a general provision in respect to Property found.	299
18—For laying down General Rules to produce an uniformity of Practice in the Courts of this Island in the allowance of Interest, and for determining the rate at which such Interest shall be allowed in the absence of any specific agreement.	301
<b>1824.</b>	
2—For prohibiting during the months of January and December in each year, the catching of Sardinias at Trincomalie.	303
9—For granting to the Registrar of the Supreme Court of Judicature, Process of Parate Execution against persons borrowing Money from the Funds under the administration of the Supreme Court and not paying the same or the interest thereof.	312
11—For preventing the counterfeiting of Coin by washing or gilding, and uttering of any Coin so counterfeited.	313
14—For preventing the wetting of Coffee the growth of this Island, with the intent of increasing its apparent weight or quantity.	315
<b>1825.</b>	
<b>PROCLAMATION</b> —Prohibiting the Roofs of Houses and other Buildings in the Town of Kandy, being covered with Thatch, &c.—1st Feb.	319
8—For declaring the legal and established Currency of the Island of Ceylon to be the Silver and Copper current Coin of Great Britain and also the Ceylon Silver and Paper Rix-dollars and the Copper sub-divisions thereof already current therein.	323
11—For establishing in the Provincial Courts a course of proceeding by which Debts due upon Mortgage and Pledge may be more easily recovered from Native Debtors where such Debtors may be dead or not to be found.	326
Clauses 3 and 4 repealed by Charter of 1833.	
<b>1826.</b>	
<b>PROCLAMATION</b> —Declaring under what circumstances lands belonging to Chiefs or Headmen shall be exempt from Tax or Duties.—14th Jan.	330
— For abolishing the custom in the Kandyan Provinces of drowning Women capitally convicted and condemned to suffer death.—23d March.	331
5—For legalizing all past acts of the Provincial Court of Colombo and of all other Provincial Courts in the exercise of a Testamentary Jurisdiction over the Estates of Natives against any objections affecting merely the competency of such Court to exercise such Testamentary Jurisdiction, and for legalizing all past acts of the Supreme Court against any objection on the mere ground of that Court having exceeded the local limits of its Testamentary Jurisdiction.	333
Clauses 2, 4, 5, 6 annulled by Charter of 1833.	
<b>1827.</b>	
1—For authorizing the use of Stamps expressed in the Currency of Great Britain in all cases where Stamps expressed in Rix-dollars, Fanams or Pice, are required to be used.	335
6—For giving the sanction of a Legislative Enactment to certain arrangements for lending out the Monies belonging to Suitors in the Supreme Court and to Intestate Estates under the administration of the Registrar of the said Court, lying in deposit in the Public Treasury for the benefit of such Suitors and Intestate Estates.	343
8—For declaring that all Government Notes expressed in Pounds, shall be received and taken at the value expressed in the same.	346
9—For calling in Notes of this Government expressed in Rix-dollars, excepting Notes of the value of Two Rix-dollars and of Five Rix-dollars.	ib.
<b>1829.</b>	
5—To remove all doubts as to whether the Statute 10 Geo. IV. cap. 7, passed "For the relief of His Majesty's Roman Catholic Subjects," extends to and is in force in Ceylon.	360
<b>1830.</b>	
3—For explaining Regulation of Government No. 6 of 1827.	362
6—For calling in all the Copper Money the Coinage of Ceylon.	363
<b>1831.</b>	
2—For repealing the Regulations No. 2 of 1828 and No. 3 of 1828.	367
3—For confirming the Tolls on Roads, Bridges, &c. heretofore established.	368
Repealed, with the exception of what relates to Tolls on Canals, by Ordinance 10 of 1842.	
<b>ORDER</b> of His Majesty in Council.—Abolishing Compulsory Labor.—12th April.	371
<b>1832.</b>	
2—For repealing certain parts of the Resolution of the Late Dutch Government passed on the 3d of February 1747, and the Proclamation made by the Hon'ble Sir Robert Brownrigg, late Governor of this Island, on the 2d of June 1817, and for allowing Moors and Malabars to own Houses and Grounds in the Fort and Pettah of Colombo.	373
<b>1833.</b>	
2—For repealing save as therein mentioned, the Regulation No. 4 of the year 1831.	375
3—For repealing save as is therein mentioned, the Regulation No. 5 of the year 1831.	ib.
4—For the protection of the "Ceylon Savings' Bank" and the Fund thereby established.	ib.
Sections 10, 15, 16, 17 repealed by Ordinance 2 of 1847.	
<b>PROCLAMATION</b> —Appointing that the Charter of Justice shall take effect from the 1st October 1833.—31st Aug.	382
<b>CHARTER</b> of Justice.—18th Feb.	ib.
Part of the 33d and 34th sections; and sections 35, 37, and 38 repealed by Ordinance 20 of 1852.	

	Page.
<b>1833.—Regulations, &amp;c.</b>	
6—To obviate doubts of the District Courts having succeeded to all the functions whether Judicial or otherwise heretofore exercised by the Provincial and other Courts, as well as of the Government Agents possessing all the powers previously exercised by Collectors or Agents of Government or the Revenue Commissioner in Kandy.	395
7—For continuing in the Loan Board the powers now vested in it by Law, and for extending its operation to the District Courts established by the Charter of 18th February 1833.	397

*Legislative Acts Repealed, Expired, or otherwise Annulled, since the Capitulation of 1796.*

<b>1798.—Proclamations.</b>	
Prohibiting the exportation of Cocoanuts until further orders; 18th Dec.—(Expired.)	4
<b>1799.</b>	
Concerning the right of disposing of, and of acquiring property in Slaves; 15th Jan.—(Repealed by Ord. 20 of 1844.)	ib.
Commanding all Malays not in Military service to be registered; 13th March.—(Expired.)	5
Ordering that no person shall travel through the Island, without a Passport from the Commandant or Chief of the place he intends to leave; and make certain regulations with respect to the furnishing of provisions and coolies; 13th March.—(Obsolete.)	ib.
Appointing a Supreme Court of Criminal Jurisdiction; 14th October.—(Repealed by Charter of 1801.)	9
Providing for the hearing of Appeals in certain cases; 14th October.—(Repealed by Charter of 1801.)	11
<b>1800.</b>	
Declaring what punishments shall be inflicted for the commission of certain crimes, and ordering that all others be punished according to the Common Law of England; 30th January.—(Repealed by Proclamation of 13th Feb. 1802.)	13
Regulating the rate of Interest to be paid on Mortgages; 12th March.—(Repealed by Ord. 5 of 1835.)	ib.
Appointing a Tax on Joys and Ornaments; 1st April.—(Annulled by Ord. 2 of 1834.)	14
Extending the time from which certain portions of previous Proclamations are to take effect; 4th April. (Ditto.)	15
Regulating the Duty on the Exportation of Tobacco; 9th June.—(Repealed by Proclamation of 12th July, 1800.)	18
Concerning certain Riots in Manaar on account of the Joy Tax; 13th June.—(Expired.)	ib.
Concerning certain Riots in Negombo; and exempting Horn Combs from the operation of the Tax; 13th June.—(Expired.)	ib.
Appointing Fiscals' Courts; 21st June.—(Annulled by Charter of 1833.)	19
Extending the powers of the Fiscals' Courts; 2nd July.—(Repealed by Proclamation of 13th Feb. 1802.)	ib.
Against certain parties for sedition and rebellion; 2nd July.—(Expired.)	ib.
Declaring what duties shall be levied on China Goods and Merchandize; 28th July.—(Repealed by Proclamation of 30th Dec. 1802.)	20
Outlawing certain parties for acts of riot and sedition; 18th Aug.—(Expired.)	22
Regulating the rate of Interest on Mortgages; 19th Aug.—(Repealed by Ord. 5 of 1835.)	ib.
Ordering all persons employed to draw up Petitions, to note on the Petition the sum paid or promised for so doing; 20th Aug.—(Repealed by Ord. 5 of 1835.)	ib.
<b>1801.</b>	
For regulating the practice and forms of Procedure in the Courts of Judicature; 22nd Jan.—(Repealed by Ord. 5 of 1835; with the exception of Clause 33.)	23
For encouraging the introduction of breeding cattle; 3d Feb.—(Expired)	30
Extending the powers of the Fiscals' Courts; 20th Feb.—(Repealed by Proclamation 13th February 1802.)	31
CHARTER; 18th April.—(Repealed by Charter of 1833.)	33
Respecting the prevalent Disorder among Cattle; 28th April.—(Expired.)	47
Prohibiting the introduction of Cattle from the Kandian Territories; 6th May.—(Expired.)	ib.
For the punishment of mutinous and disobedient Slaves; 19th May.—(Expired.)	ib.
Instructions to the Presidents and Acting Presidents of the Civil Courts and Land Raads holding Registers of Lands under the Proclamation of the 1st March 1801; 5th June.	48
The Office for the regulation of which these Instructions were designed is not now in existence.	
For the prevention of certain inconveniences in the Registry of Lands; 16th June.—(Annulled by Charter of 1833.)	ib.
Respecting the Administration of Justice; 30th July.—(Repealed in part by Proclamation of 13th Feb. 1802, and by Charter of 1833.)	50
Ordering all Pleadings, Evidence, and other Proceedings in Civil Cases, in the Courts of Original Jurisdiction, to be in the English Language; 20th Aug.—(Repealed by Ord. 5 of 1835.)	53
Authorizing the sale of certain quantities of Cinnamon; 1st Dec.—(Repealed by Reg. 5 of 1833.)	57
<b>1802.</b>	
Establishing certain Regulations for the accommodation of Travellers; 21st Feb.—(Obsolete.)	58
Respecting the Administration of Justice; 13th Feb.—(Repealed by Ord. 5 of 1835.)	59
Equalizing the Duties levied on the Exportation of Tobacco; 12th June.—(Repealed by Proclamation of 30th Dec. 1802.)	60
Establishing Quarantine Regulations; 23d June.—(Expired.)	ib.
Respecting the Administration of Justice; 25th June.—(Annulled by Charter of 1833.)	61
Respecting the Administration of Justice; 12th July.—(Do. Do.)	63
Exempting Moormen and Chetties from Personal Labour on Public Works; 2d Oct.—(Annulled by Reg. 5 of 1830.)	ib.
Respecting the Administration of Justice; 10th Nov.—(Annulled by Charter of 1833.)	64
Extending the Powers of Sitting Magistrates, 10th Nov.—(Do. Do.)	ib.
Extending the Powers of Provincial Courts to Jurisdiction in Matrimonial causes and matters of Caste between Natives; 10th Nov.—(Annulled by Charter of 1833.)	ib.
Altering the rates of Fees and Costs in the Courts of Land Raad; 13th Dec.—(Annulled by Charter of 1833.)	65
Regulating the Customs Duties at the different Ports of the Island; 30th Dec.—(Repealed by Reg. 6 of 1820.)	66

	Page.
<b>1802.—Proclamations, &amp;c.</b>	
Respecting the appointment of Boards of Commissioners for securing the Estates of Natives; 30th Dec.—(Annulled by Charter of 1833.)	69
<b>1803.</b>	
Respecting the Administration of Justice; 18th July.—(Annulled by Charter of 1833.)	74
Regulating the Fees to be taken by the Boards of Commissioners for securing the Estates of Natives; 29th Aug.—(Annulled by Charter of 1833.)	75
<b>1804.</b>	
Establishing a Court of Justices of the Peace at Arippto during the Pearl Fishery; 4th Feb.—(Expired.)	ib.
Altering the Customs Duties established by Proclamation of 30th Dec. 1802; 19th July.—(Repealed by Reg. 3 of 1810.)	79
Regulating the Duty on Tobacco exported from the Island; 23d July.—(Repealed by Reg. 2 of 1806.)	ib.
<b>1805.—Regulations.</b>	
1—For facilitating the attainment of Justice to the Native Inhabitants of Ceylon.—(Revoked by Charter of 1833.)	80
2—For increasing the Criminal and Civil Powers of the Sitting Magistrate of Colombo.—(Annulled by Charter of 1833.)	ib.
<b>1806.</b>	
1—For the prevention of Forgery, and for the increase of the Revenue by renewing and extending the Tax formerly levied on Transfers of Property, moveable and immoveable, and for the more easy and simple registration of the same.—(Repealed by Reg. 2 of 1817.)	81
2—For increasing the Duty on the Exportation of Tobacco from the District of Jaffnapatam.—(Repealed by Reg. 10 of 1813.)	82
3—For the discharge of certain Insolvent Debtors on the Queen's Birth-day.—(Expired.)	83
4—For taking off the restraints imposed upon the Roman Catholics of this Island by the late Dutch Government.—(Nullified by Act 10 of Geo. IV. cap. 7.)	ib.
5—Authorizing the Agent of Revenue and Commerce of the Province of Galle and Matura to go a Circuit through the Talpeepattoo of the Galle Corle.—(Expired.)	84
6—Enacting certain Police Regulations.—(Repealed by Ord. 3 of 1840.)	ib.
7—Annulling the 39th clause of Proclamation of 22nd Jan. 1801, and allowing Appeals in all cases concerning the Property of Slaves.—(Nullified by Charter of 1833.)	85
8—Enacting certain Instructions for Magistrates.—(Repealed by Ord. 5 of 1835.)	ib.
9—Authorizing the Committee of the Civil Fund to lend sums of Money at interest of 9 per cent per annum, and to receive for security Mortgages of moveable or immoveable property.—(Nullified by Instructions to the Governor.)	86
10—For the better administration of the Port of Colombo.—(Nullified by Charter of 1833.)	87
11—For the Licensing of Bakers and regulating the sale of Bread.—(Repealed by Ord. 19 of 1848.)	89
12—For compelling the Native Headmen to the more effective discharge of their duty, and for authorizing Magistrates to apprehend Vagrants.—(Repealed by Ord. 3 of 1840.)	90
13—For the Registration and Emancipation of Slaves in the District of Jaffnapatam.—(Repealed by Reg. 9 of 1818.)	91
14—For the better Police of the Pettah and the country within the Four Gravets of Colombo.—(Repealed by Ord. 3 of 1834.)	ib.
15—For the relief of Merchants who from unforeseen misfortunes have become insolvent.—(Repealed by Ord. 6 of 1835.)	99
16—Empowering the Sitting Magistrate of Colombo to issue Process of Arrest under certain circumstances, during the absence of the Supreme Court from Colombo.—(Annulled by Charter of 1833.)	103
17—Fixing the rate of Pay and Establishment in all Branches of the Civil Service to the end of 1807.—(Annulled by subsequent Instructions.)	104
<b>1807.</b>	
1—For the release of all persons confined for debt in the Prisons of Jaffna and Colombo, on Her Majesty's Birth-day.—(Expired.)	108
2—Regulations respecting Bakers at Trincomalie.—(Repealed by Ord. 19 of 1848.)	ib.
3—Prohibiting the exportation of Grain from the Island of Ceylon for a limited period.—(Expired.)	109
4—For extending the local Jurisdiction of the Supreme Court and for increasing the powers of certain Magistrates within the Province of Colombo.—(Annulled by Charter of 1833.)	ib.
5—For establishing a Provincial Court at Negombo, and for facilitating the Administration of Justice throughout the Province of Chilaw and Putlam and that of Manaar.—(Annulled by Charter of 1833.)	110
6—Respecting the committal of Prisoners by Justices of the Peace and the employment of such persons in Hard Labour on the Public Works.—(Repealed by Ord. 5 of 1835.)	111
7—See Regulation 16 of 1806.	ib.
8—Respecting the Forfeiture of Recognizances.—(Repealed by Ord. 5 of 1835.)	112
9—Respecting the Fixed Establishments for the year 1807.—(Expired.)	ib.
<b>1808.</b>	
1—Enacting that all persons in Criminal cases confined by order of any Magistrate for want of finding Sureties, shall be employed at Hard Labour at the discretion of such Magistrate.—(Repealed by Ord. 5 of 1835.)	ib.
3—Respecting the Registration and Manumission of Slaves in the District of Jaffnapatam.—(Repealed by Reg. 9 of 1818.)	114
4—Declaring what shall be the rate of Pay and Establishments for the Civil Service to the end of the year 1809.—(Expired.)	ib.
5—For increasing the Criminal and Civil Powers of the Sitting Magistrate of Trincomalie.—(Annulled by Charter of 1833.)	ib.
<b>1809.</b>	
1—Making legal and valid Deeds and other Instruments which have been stamped since the making and execution thereof, and allowing unstamped Deeds and other Instruments to be stamped within a time limited, and also repealing the Stamp Duty of 3 per cent. upon moveable property as levied by the Regulation of Government bearing date 1st January 1806, and granting other Duties in lieu thereof.—(Repealed by Reg. 2 of 1817.)	115
2—Re-establishing the Provincial Court of Colombo.—(Annulled by Charter of 1833.)	116
3—See Regulation 16 of 1806.	117

	Page.
<b>1809.—Regulations, &amp;c.</b>	
5—For appointing Minor Courts of Appeal from the Provincial and other Courts of inferior Jurisdiction, where the sum is under the appealable amount established by His Majesty's Charter for the High Court of Appeal.—(Annulled by Charter of 1833.)	118
7—For providing a more effectual course of proceeding in the recovery of Debts due to the Crown.—(Repealed by Ord. 2 of 1837.)	121
8—For declaring the Tenure of Service Parveny Lands and to prevent the same from being aliened or incumbered.—(Repealed by Ord. 3 of 1852.)	123
<b>1810.</b>	
1—For establishing a separate Jurisdiction of Magistracy in and for the Fort of Colombo.—(Annulled by Charter of 1833.)	ib.
2—For increasing the Batta or Gaol Allowance of Prisoners in Civil Cases, and for the relief of Debtors imprisoned for small Debts under Decrees of the Provincial or other Inferior Courts.—(Repealed by Reg. 4 of 1811.)	124
3—For consolidating and simplifying the Export and Import Duties levied in the Island of Ceylon.—(Repealed by Reg. 10 of 1813.)	ib.
CHARTER.—6th Aug.—(Repealed by Charter of 1833.)	ib.
4—To prevent loose and suspicious persons from residing in the Fort of Colombo.—(Repealed by Ord. 3 of 1834.)	127
5—For the prevention of Smuggling.—(Repealed by Reg. 1 of 1813.)	128
<b>1811.</b>	
1—Extending the period for taking the benefit of the Regulation No. 1 of 1809, for the District of Manaar, and removing doubts respecting the legality of certain Deeds of transfer of property in the District of Matura.—(Repealed by Reg. 2 of 1817.)	ib.
2—Enacting certain Conditions and Regulations for the discharge of parties imprisoned for Debt.—(Expired.)	129
4—Enacting certain regulations for the Batta or Gaol Allowance to Prisoners in Civil and Criminal Cases.—(Repealed by Reg. 15 of 1813.)	130
5—Prohibiting the Exportation of Copper Coin.—(Repealed by Reg. 10 of 1813.)	131
6—For establishing certain Rules for the Business of the Port of Point de Galle, and settling the Port charges and rates of labour at that Port.—(Repealed by Reg. 19 of 1813.)	131
7—See Regulation 16 of 1806.	134
CHARTER.—30th October.—(Repealed by Charter of 1833.)	136
<b>1812.</b>	
1—Authorizing the Collector of the District of Galle, the Sitting Magistrate of the Matura District, and the Sitting Magistrate of the Belligam Corle and Gangebodde Pattoo, to make Circuits throughout their respective Jurisdictions.—(Expired.)	137
2—Postponing the Circuit directed by the preceding Regulation.—(Expired.)	138
3—For regulating the Franking of Letters.—(Repealed by Ord. 6 of 1836.)	139
4—See Regulation 16 of 1806.	140
5—Authorizing the Provincial Courts to proceed in all Cases left undecided by the late Courts of Landraad.—(Annulled by Charter of 1833.)	141
6—For remedying the Mischiefs occasioned by Speculations in the Export of Tobacco from Jaffnapatam.—(Repealed by Reg. 10 of 1813.)	ib.
PROCLAMATION.—For the discharge of certain Prisoners from the several Gaols on this Island on the 4th of June next, being the anniversary of His Majesty's Birthday; 23rd May.—(Expired.)	142
7—Extending the benefits of Regulation 2 of 1811.—(Expired.)	ib.
8—For the better Regulation of Prisoners, and concerning Security for Good behaviour.—(Repealed by Ord. 5 of 1835.)	143
9—Announcing the issue, monthly, of Government Debentures, bearing Interest at 5 per cent. per annum.—(Nullified by Instructions to Governor.)	ib.
11—For varying in certain cases the Provisions of Regulation No. 3 of 1810 respecting Sea Customs, and making certain additions thereto.—(Repealed by Reg. 10 of 1813.)	144
12—For the prevention of Merchant Ships and Vessels sailing clandestinely and for regulating the charge of Anchorage.—(Repealed by Reg. 10 of 1813.)	ib.
13—For establishing a Commissioner's Court at Trincomalie.—(Annulled by Charter of 1833.)	145
14—For establishing a Provincial Court at Calpentyn.—(Annulled by Charter of 1833.)	ib.
15—For increasing the Civil and Criminal Jurisdiction of the Sitting Magistrate of Batticaloa.—(Repealed by Reg. 13 of 1825.)	146
16—For repealing the Regulation No. 5 of 1810 entitled a Regulation for the prevention of Smuggling and for other purposes.—(Repealed by Reg. 10 of 1813.)	ib.
17—For the better prevention of Offences against the Regulations concerning the Customs.—(Repealed by Reg. 10 of 1813.)	ib.
18—For the encouragement of Agriculture by exempting Seed Paddy, Tools and Implements used in Husbandry from being sold under Writs of Execution.—(Repealed in part by Ord. 5 of 1835.)	ib.
<b>1813.</b>	
1—For declaring the Powers and Jurisdiction of the Revenue Courts of this Island.—(Annulled by Charter of 1833.)	147
2—For the relief of Insolvent Prisoners for Debt.—(Expired.)	ib.
6—For the better Police of the Towns and Forts of Jaffnapatam and Point de Galle and their Gravets.—(Repealed by Ord. 17 of 1844.)	152
7—For enforcing Cleanliness in the Fort and Town of Colombo, and the Four Gravets thereof.—(Repealed by Ord. 3 of 1834.)	153
8—Regulation concerning Auctioneers.—(Repealed by Reg. 17 of 1820.)	154
10—To consolidate the several Regulations for collecting Export and Import Duties levied in the Island of Ceylon.—(Repealed by Reg. 9 of 1815.)	155
11—For reducing into one uniform Code, all Regulations which may hereafter be enacted for the internal Government of His Majesty's Dominions in the Island of Ceylon and its Dependencies.—(Nullified by subsequent Instructions to the Governor.)	ib.
12—For enlarging the Civil Jurisdiction of the Sitting Magistrate of Mulletivoë.—(Annulled by Charter of 1833.)	156



<b>1813.—Regulations, &amp;c.</b>	<b>Page.</b>
13—For restoring to the Sitting Magistrate of Colombo the Jurisdiction of Civil and Criminal Cases arising within the Fort.—(Nullified by Charter of 1833.)	157
14—For the Police of the Fort of Colombo.—(Repealed by Ord. 3 of 1834.)	ib.
15—For repealing the Regulation No. 4 of 1811.—(Repealed by Reg. 1 of 1814.)	158
16—For preventing the illegal manufacturing of Salt in the Districts of Chilaw, Putlam and Calpentyn.—(Repealed by Reg. 2 of 1818.)	ib.
17—For repealing the Tax called Bazar Tax and substituting an increased Custom Duty.—(Repealed by Reg. 6 of 1820.)	ib.
18—For establishing a regular mode of keeping Diaries and taking Informations in Criminal Cases by Provincial Judges and Justices of the Peace.—(Repealed by Ord. 5 of 1835.)	159
19—For establishing certain Rules for the business of the Ports and Harbours of Colombo, Point de Galle, and Trincomalie, and settling the rate of Port Charges and Prices of Labour in the said Ports and Harbours.—(Repealed by Reg. 13 of 1824.)	ib.
20—For establishing new Rates of Postage for Letters in the British Settlements in the Island of Ceylon.—(Repealed by Ord. 8 of 1836.)	166
21—To prevent the Stealing of Government Salt.—(Repealed by Ord. 3 of 1836.)	167
22—To explain and amend the 14th Regulation of the year 1812, entitled a Regulation for establishing a Provincial Court at Calpentyn.—(Annulled by Charter of 1833.)	ib.
<b>1814.</b>	
1—For repealing the Regulation No. 15 of 1813 and re-establishing the Gaol Allowances in kind as provided by the Regulation No. 4 of 1811.—(Repealed by Reg. 3 of 1819.)	168
2—For establishing a Provincial Court at Trincomalie.—(Annulled by Charter of 1833.)	ib.
PROCLAMATION.—For putting an end to the present division of the Supreme Court of Judicature in the Island of Ceylon; 1st Feb. —(Expired.)	ib.
3—To prevent the Stealing and privately Killing of Cattle.—(Repealed by Ord. 4 of 1836.)	169
4—For explaining and amending certain Clauses in the Reg. No. 10 of 1813, entitled a Regulation to consolidate the several Regulations for Collecting Export and Import Duties levied in the Island of Ceylon.—(Repealed by Reg. 9 of 1815.)	170
5—For protecting persons resorting to the Pearl Fishery from Arrest in Civil cases.—(Expired.)	ib.
6—See Regulation 16 of 1806.	ib.
7—For establishing a Commissioner's Court at Batticaloa.—(Repealed by Reg. 13 of 1825.)	171
8—For preventing the introduction of Arrack and Toldy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon.—(Repealed by Ord. 5 of 1834.)	ib.
9—For taking away the right of Appeal to the Minor Courts of Appeal in certain cases.—(Annulled by Charter of 1833.)	172
10—For the relief of Insolvent Prisoners for Debt.—(Expired.)	ib.
11—To prevent the fraudulent purchasing of Soldiers' necessaries, arms, and equipments.—(Repealed by Reg. 1 of 1831.)	173
13—To prohibit the entertaining of Suits before any Courts of Judicature within the British Settlements in Ceylon on causes of action which have arisen or may hereafter arise in parts of the Island not comprehended within the limits of the British Territories.—(Repealed by Reg. 12 of 1819.)	174
<b>1815.</b>	
2—See Regulation 16 of 1806.	176
4—To extend the term of making returns by Butchers under the 3d Regulation of the year 1814.—(Repealed by Ord. 4 of 1836.)	182
5—For preserving the Police of the Naval Establishment at Trincomalie.—(Nullified by Charter of 1833.)	183
6—For the better Police of the Town and Fort of Manaar and its Gravets.—(Repealed by Ord. 13 of 1843.)	ib.
7—For facilitating the Marriages of Native Protestants.—(Repealed by Ord. 6 of 1847.)	186
8—Prohibiting Cattle from passing out of the District of Chilaw.—(Expired.)	187
9—For the better Collection of Import and Export Duties; and repealing all former Regulations relating thereto.—(Repealed by Reg. 6 of 1820.)	ib.
<b>1816.</b>	
1—For protecting persons resorting to the Pearl Fishery from Arrest in Civil Cases.—(Expired.)	ib.
2—For regulating the Administration of Justice in Criminal proceedings before Provincial Judges, Sitting Magistrates and Justices of the Peace.—(Repealed by Reg. 15 of 1820.)	ib.
3—For establishing Measures according to a fixed Standard.—(Repealed by Ord. 2 of 1836.)	188
4—To forbid the Slaughtering of Female Cattle for the ensuing 12 months.—(Expired.)	189
7—To explain and amend the Regulation No. 3 of the present year, concerning Dry Measures.—(Repealed by Ord. 2 of 1836.)	191
9—For remitting conditionally the penalties of Regulation No. 1 of the year 1815 incurred prior to the 30th June next.—(Expired.)	193
10—For explaining the 8th Regulation of this year entitled a Regulation for preserving the Cinnamon Plantation.—(Repealed by Reg. 5 of 1833.)	ib.
<b>1817.</b>	
1—For lowering the Customs Duties in the Port of Trincomalie.—(Repealed by Reg. 6 of 1820.)	194
2—For repealing the Regulations No. 1 of 1806 and No. 1 of 1809, and making a new Enactment respecting Stamp Duties.—(Repealed by Reg. 7 of 1823.)	ib.
3—For removing doubts concerning the effect of the Regulations No. 1 of 1806 and No. 1 of 1809.—(Repealed by Reg. 7 of 1823.)	196
4—For the prevention of Frauds and Perjuries.—(Repealed by Ord. 7 of 1834.)	197
6—For extending the Civil Jurisdiction of the Sitting Magistrate of Negombo.—(Nullified by Charter of 1833.)	198
PROCLAMATION.—Enforcing the Regulation of the Dutch Government of the 3d February 1747, by which Moormen and Malabars were prohibited, with certain exceptions, from possessing Houses or Grounds within the Fort and Pettah of Colombo; 2d June.—(Repealed by Reg. 2 of 1832.)	199
<b>1818.</b>	
1—For the relief of Insolvent Prisoners for Debt.—(Expired.)	ib.
2—For the more effectual protection of His Majesty's Revenue derived from Salt.—(Repealed by Ord. 3 of 1836.)	200

	Page.
<b>1818.—Regulations, &amp;c.</b>	
3—For the more effectual Security of the Revenue derived from the retail sale of Arrack and Toddy in the Singhalese Districts.—(Repealed by Reg. 10 of 1819.)	201
4—For the more effectual security of the revenue derived from the retail sale of Arrack in the Malabar Districts and for regulating the sale of Toddy in the said Districts.—(Repealed by Reg. 11 of 1819.)	203
5—To declare the legality of pressing for the service of Government, persons bound to such service by Caste, Tenure of Land, or Custom; and of the mode of enforcing the same as heretofore practised.—(Repealed by Order in Council of 12th April, 1832.)	205
6—For the Administration of Justice in the Wanny.—(Annulled by Charter of 1833.)	206
7—For the relief of certain Prisoners for Debt not provided for in the several Insolvent Regulations.—(Repealed by Ord. 6 of 1835.)	207
8—For suspending the operation of the 13th Regulation of 1806 and 3d Regulation of 1808.—(Expired.)	ib.
9—For securing to certain Children emancipated by the proprietors of their Mothers, the full benefit of such Proprietors' intentions, and for establishing an efficient Registry of all Slaves, and abolishing the joint tenure of property in the same.—(Repealed by Ord. 20 of 1844.)	208
10—For facilitating the division of Covia, Nallua, and Palla Slaves, in the Districts of Jaffnapatam and Trincomalie, among the present owners of such Slaves.—(Repealed by Ord. 20 of 1844.)	221
11—For extending the terms of the Registry of Slaves directed in and by the 9th Regulation of 1818.—(Expired.)	222
12—For amending the 10th Clause of the 3d Regulation of the present Year and continuing the provisions of the 17th Clause of the 4th Regulation of the same year.—(Repealed by Reg. 10 of 1819.)	229
<b>1819.</b>	
1—For declaring the Duties of Magistrates and others in cases of Homicide or sudden or violent death.—(Repealed by Reg. 6 of 1823.)	230
3—For repealing the 1st Regulation of 1814, and fixing the payment of Batta to prisoners in Cash.—(Repealed by Reg. 3 of 1825.)	231
4—For the better Police of the Town of Negombo and its Gravets.—(Repealed by Ord. 17 of 1844.)	232
5—For regulating the proceedings of the Provincial and other Inferior Courts in issuing Edictile Citations and other matters of Practice of the said Courts.—(Repealed by Ord. 7 of 1835.)	234
6—For amending the 15th Clause of the 3d and 18th Clause of the 4th Regulations of 1818, and extending the powers of the Sitting Magistrate of Colombo in reference to the said 3d Regulation.—(Repealed by Reg. 10 of 1819.)	235
7—For giving relief to such Proprietors of Domestic Slaves in the Province of Batticaloa who may have sustained injury from the misconstruction at that station of the 9th Regulation of 1818.—(Expired.)	236
8—For further amending the 3d, 4th, and also to amend the 12th Regulation of the year 1818.—(Repealed by Reg. 10 of 1819.)	ib.
9—For further extending the term in which the Registry of Covia, Nallua, and Palla Slaves may be made, in respect only to such Slaves the claims on whom shall have been given in and not decided on, on or before the 31st day of August, 1819.—(Expired.)	237
10—For the more effectual security of the Revenue derived from the Retail sale of Arrack and Toddy in the Singhalese Districts.—(Repealed by Reg. 22 of 1820.)	239
11—For the more effectual security of the Revenue derived from the Retail sale of Arrack in the Malabar Districts, and for regulating the sale of Toddy in the said Districts.—(Repealed by Ord. 5 of 1834.)	241
12—For repealing the 13th Regulation of 1814.—(Nullified by Charter of 1833.)	244
<b>1820.</b>	
1—For amending the 2d Regulation of 1817, and for simplifying the collection of Stamp Duties.—(Repealed by Reg. 7 of 1823.)	244
2—To prevent the spreading of Small Pox within these Settlements.—(Repealed by Ordinance 10 of 1852.)	246
3—For calling in all Government Notes not bearing the value of the same impressed thereon by a dry Stamp.—(Repealed by Reg. 7 of 1820.)	ib.
5—For establishing an Assessment on houses in the Fort, Town and four Gravets of Colombo, for the purpose of keeping the Roads in the same in good repair, and providing Lights therein, and also transferring to the Collectors' Department for the same purposes, the amount collected for Licenses on Bullock bandies.—(Repealed by Ord. 4 of 1834.)	247
6—For the better collection of Import and Export Duties, and repealing all former Regulations relating thereto, and for enforcing the registration of Dhonies and other Vessels belonging to Ceylon, and for prohibiting the Debarkation of persons having Small-Pox or other contagious disorders from vessels arriving in any Port of the Island.—(Repealed by Reg. 9 of 1825.)	248
8—For further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st Dec. 1821.—(Expired.)	249
11—For the relief of Insolvent Prisoners for Debt.—(Repealed by Ord. 6 of 1835.)	250
12—For increasing the rates of Fees on Port clearances in order to defray the expense of erecting and repairing the Custom Houses in the Island, and for removing the doubts as to the rate of Duty on Exports in foreign bottoms, and for explaining and relaxing the 19th clause of the 6th Regulation of the current year; and for enforcing the delivery of full and correct Manifests of the cargoes of vessels entering in the Ports of the Island.—(Repealed by Reg. 9 of 1825.)	251
13—For affording a remedy by Appeal in Revenue cases wherein the value in suit does not exceed 300 rix-dollars.—(Nullified by Charter of 1833.)	252
14—For the better Police for the Town of Matura and its Gravets.—(Repealed by Ord. 17 of 1844.)	ib.
15—For repealing the 2d Regulation of 1816, and for establishing a due course of proceeding in cases of Contempts before Provincial Judges and other Magistrates; and for the more speedy Trial of certain charges of Perjury.—(Annulled by Charter of 1833.)	255
16—For fixing a duty on Tortoise-shell imported, and increasing the Import duty on Spirits.—(Repealed by Reg. 9 of 1825.)	ib.
17—Regulation concerning Auctioneers.—(Repealed by Reg. 12 of 1825.)	256
18—For further simplifying the collection of Stamp duties, and for amending the 1st Regulation of 1820.—(Repealed by Reg. 7 of 1823.)	257
19—For further amending and explaining the Regulations relative to Sea Customs.—(Repealed by Reg. 9 of 1825.)	ib.
PROCLAMATION—Declaring that certain descriptions of Transfers, Requests and Contracts shall not be valid in Law in the Kandyan Provinces, unless reduced to writing; 28th Oct.—(Repealed by Ord. 7 of 1834.)	258

	Page.
<b>1820.—Regulations, &amp;c.</b>	
20—For the better security of His Majesty's Subjects against the contagion of Small Pox.—(Repealed by Ord. 10 of 1852.)	258
21—For altering the mode of collecting the Revenue derived from Fish in the District of Colombo.—(Repealed by Reg. 24 of 1822.)	ib.
22—For the more effectual security of the Revenue derived from the Retail sale of Arrack and Toddy in the Singhalese Districts; and for imposing a duty on Stills used for the distillation of Arrack; and for prohibiting the distillation of Spirits in the District of Chilaw.—(Repealed by Ord. 5 of 1834.)	259
23—For amending the 11th Regulation of 1819; and prohibiting the distillation of Spirits in the Malabar Districts of these settlements.—(Repealed by Ord. 5 of 1834.)	262
25—For increasing the powers of the Sitting Magistrate of Manaar.—(Nullified by Charter of 1833.)	263
<b>1821.</b>	
1—For declaring in what manner copies or extracts from documents of record in the Public Offices of Government may be procured, and the validity of the same as evidence.—(Repealed by Reg. 8 of 1833.)	264
2—For defining the meaning of the word <i>Andol</i> , and for giving to Magistrates a discretionary power to inflict Corporal punishment on Slaves convicted of Misdemeanors, instead of fine and imprisonment.—(Repealed by Ord. 5 of 1835.)	265
3—For enabling Fiscals to receive deposits of money in cases of Arrest, instead of taking bail for the Defendant's appearance.—(Repealed by Ord. 9 of 1836.)	ib.
4—For explaining the 12th Section of the 11th Reg. of 1819, and the 11th Section of the 22d Regulation of 1820.—(Repealed by Ord. 5 of 1834.)	266
5—For the more effectual prevention of the Export of Tobacco from Ceylon to Travancore without Licence.—(Repealed by Reg. 9 of 1825.)	267
6—For the encouragement of the preparation of Salt Fish within this Island.—(Repealed by Reg. 9 of 1825.)	ib.
7—For amending the 5th Regulation of 1820.—(Repealed by Ord. 4 of 1834.)	ib.
8—For the gradual emancipation of all Female Slave Children of the Covia, Nallua, and Palla Castes by the purchase of their Masters' interest in such Female slave child at the period of her birth.—(Repealed by Ord. 20 of 1844.)	268
10—For declaring the Penalty which shall attach to the landing of Goods at Colombo, Galle and Trincomalie, contrary to the provisions of the 19th Regulation of 1813; and for preventing all doubts as to the confiscation of goods shipped without payment of duties, although discovered before the issue of a Port clearance, and for making it penal to offer a Fee or Present to a Custom House Officer; and altering the punishment of such Officers, for receiving such Present or Fee.—(Repealed by Reg. 9 of 1825.)	270
11—For declaring the annexation of Stamps to Deeds or Instruments which by Law ought to be written on Stamped paper of certain amounts, in order to make up the amount of the Stamp duty, illegal.—(Repealed by Reg. 7 of 1823.)	271
12—For further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place till the 30th June 1822; and for facilitating the emancipation of Slaves in the District of Manaar; by giving to the Sitting Magistrate of that District, the power of receiving application from Slaves to purchase their freedom, and to proceed thereon agreeable to the 9th Regulation of 1818, Clause 24th.—(Repealed by Ord. 20 of 1844.)	272
<b>1822.</b>	
1—For simplifying the Collection of Duties on the Import of Cotton cloths the manufacture of India, and for diminishing the duties on certain articles of Imports from the United Kingdom, and for otherwise amending and explaining the Laws relative to Sea Customs.—(Repealed by Reg. 9 of 1825.)	273
2—For the protection of the Revenue of Government derived from Timber growing in the Royal Forests, and for imposing a Tax on Timber felled in Private Gardens.—(Repealed by Reg. 1 of 1833.)	ib.
3—For amending the fourth Clause of the 1st Regulation of 1819, in so far as relates to Deaths occurring within the Towns, Forts and Gravets of Colombo, Galle, Trincomalie and Jaffnapatam.—(Repealed by Reg. 6 of 1823.)	ib.
4—For abolishing the separate Jurisdiction of the Provincial Court of Matura, and for increasing the powers of certain Sitting Magistrates.—(Nullified by Charter of 1833.)	274
PROCLAMATION, respecting the proceedings to be taken, whenever any man, woman or child shall come to his or her death in the Kandyan Provinces, by violence, accident, or of a sudden, or unexpectedly; or the body of any such person shall be found dead without its being known how such person came by his or her death; 24th Jan.—(Repealed by Ord. 8 of 1843.)	275
5—For diminishing the duties on certain articles of Import from the United Kingdom enumerated in the Table No. 1 annexed to the 6th Regulation of 1820; and for further diminishing the duties on such articles as are referred to in the Fifth clause of the First Regulation of 1822, and for exempting Timber Exported from Ceylon from duty.—(Repealed by Reg. 9 of 1825.)	ib.
6—For continuing in force the provisions of the 5th Regulation of 1821, till the 1st day of September 1823.—(Expired.)	ib.
7—For enlarging the exceptions contained in the 6th clause of the 1st Regulation of 1821 to the general provisions of the said Regulation; and for prescribing further modes of proceeding for obtaining the inspection, and procuring copies of Public Records in the Offices of Government.—(Repealed by Reg. 8 of 1833.)	276
8—For the relief of Insolvent Prisoners for Debt.—(Repealed by Ord. 6 of 1835.)	277
10—To provide for the Superintendence of the Police of the Town and Gravets of Matura during the absence of the Provincial Judge from that station.—(Annulled by Charter of 1833.)	281
PROCLAMATION, modifying in certain respects the Proclamation of 24th January; 21st May.—(Repealed by Ord. 8 of 1843.)	ib.
11—For further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st March 1823.—(Expired.)	282
12—For authorizing Judges and Magistrates to allow Insolvent Debtors to amend defects and omissions, not proceeding from fraudulent intentions, in their statements of property delivered in under the existing Insolvent Regulations.—(Repealed by Ord. 6 of 1835.)	ib.
13—For fixing the periods of prescription in Civil cases, and repealing all previous laws or customs touching the same.—(Repealed by Ord. 8 of 1834.)	283
14—For assessing a lower rate of Import duty on certain Cotton Cloth the manufacture of India.—(Repealed by Reg. 9 of 1825.)	284

	Page
<b>1822.—Regulations, &amp;c.</b>	
15—For laying down a general course, by which His Majesty's Government may obtain the possession of lands belonging to individuals for public uses, paying the value thereof to the owners.—(Repealed by Ord. 16 of 1843.)	284
17—For the more effectual protection of the rights of the Crown to levy exclusive Tolls on passage of Bridges and Ferries over the Rivers in these Settlements.—(Repealed by Ord. 10 of 1842.)	285
18—For making more effectual Provision for preventing the current Silver and Copper Coin of this Island from being paid or accepted for a greater value than the current value of such coin; and for preventing any Note of this Government from being received for any smaller sum than the sum herein specified.—(Expired.)	ib.
19—For establishing liquid and linear Measures, and Weights, according to a fixed Standard.—(Repealed by Ord. 2 of 1836.)	286
20—For increasing the Import Duty on Grain, and on certain Cotton Cloths of Indian manufacture, and for simplifying the collection of the Export duty on Aracanut, and for allowing the entry and warehousing of certain Imported Goods for re-exportation at the principal Ports of the Island, and increasing the Fees on Port clearances, and for ensuring regularity in the examination and entry of Goods imported or exported.—(Repealed by Reg. 9 of 1825.)	287
21—For repealing so much of the Proclamation of the 1st December 1801, as fixes the retail price of Cinnamon.—(Repealed by Reg. 5 of 1833.)	ib.
22—For further simplifying the collection of Stamp duties, and for further amending the First Regulation of 1820.—(Repealed by Reg. 7 of 1823.)	288
23—For amending part of the 5th clause of the 12th Regulation of 1820 in respect to lodging of Ships' papers, and for amending and explaining the 9th clause of the 6th Regulation of 1820, and for declaring what Vessels are required to take out Sea passes from this Government.—(Repealed by Reg. 9 of 1825.)	289
24—For repealing the 21st Regulation of 1820, and reviving the former system for collecting the Revenue derived from Fish in the District of Colombo.—(Repealed by Ord. 1 of 1840.)	ib.
25—For amending so much of the several Police Regulations as relates to fixing the Hours for the Patrole.—(Repealed by Ord. 13 of 1843.)	ib.
<b>1823.</b>	
1—For suspending the Provisions of the 19th Regulation of Government of 1822 till the 1st day of April 1823.—(Repealed by Ord. 2 of 1836.)	290
2—For further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 30th Sept. 1823.—(Expired.)	ib.
3—For altering for a time limited, viz. until the 30th April 1824, the duties on the Export of certain articles from this Island.—(Expired.)	291
4—For further continuing in force the Provisions of the 5th Regulation of 1821 till the 1st day of September 1824.—(Expired.)	292
6—For amending the Regulations of Government relative to the manner of taking Informations touching sudden violent, and accidental deaths.—(Repealed by Ord. 8 of 1843.)	ib.
7—For consolidating and amending the several Regulations of Government imposing Stamp duties on Deeds or other Instruments.—(Repealed by Reg. 4 of 1827.)	294
9—For declaring it Penal in any unmarried woman delivered of a Child, to conceal the birth thereof, if the child be found dead.—(Repealed by Ord. 2 of 1842.)	297
10—For declaring certain modifications in the collection of Sea Customs rendered necessary in consequence of His Majesty's Order in Council of the 31st Jan. 1823.—(Repealed by Reg. 9 of 1825.)	ib.
11—For extending the period within which the provisions of the 26th Regulation of the year 1823 shall be complied with in the District of Batticaloa, till the 31st day of December 1823.—(Expired.)	298
12—For explaining a part of the 16th clause of the 11th Regulation of 1819, and of the 16th clause of the 22d Regulation of 1820.—(Repealed by Ord. 5 of 1834.)	ib.
13—For enlarging the Jurisdiction of the Sitting Magistrate of Batticaloa in respect to offences against the Regulation for the security of His Majesty's Revenue derived from Arrack in the Malabar Provinces of this Island.—(Annulled by Charter of 1833.)	ib.
14—For further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st May 1824; And for declaring the decisions of the Commissioners acting under the 10th Regulation of 1818, not in any way to be a bar to the claims of persons registered as Slaves, to be nevertheless considered free Persons.—(Repealed by Ord. 20 of 1844.)	299
16—For suspending in the District of Jaffnapatam, the exaction of penalties incurred under the 26th Regulation of the year 1822, until the 28th day of February 1824.—(Expired.)	300
17—For amending the Proclamation of the 1st day of December 1801, in respect to the Penalties for possessing or selling Cinnamon without the license of Government.—(Repealed by Reg. 5 of 1833.)	ib.
19—For repealing so much of the 10th Regulation of 1816 as restricts Magistrates from awarding the full term of Imprisonment enacted by the 8th Regulation of 1816.—(Repealed by Reg. 5 of 1833.)	301
20—For amending an error in the Table B. & C. annexed to the 7th Regulation of 1823.—(Repealed by Reg. 4 of 1827.)	302
<b>1824.</b>	
1—For removing all doubts respecting the rights of the Governor of this Island to arrest and detain in custody any person or persons within the same.—(Revoked by Order in Council of 1st Nov. 1830.)	303
3—For regulating the Export Duty on Tobacco from 1st March 1824, and for allowing the Export of the Travancore assortment from the 1st Sept. 1824, without the necessity of a Licence.—(Repealed by Reg. 9 of 1825.)	ib.
4—For further extending the Term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision may take place, till the 30th Sept. 1824.—(Expired.)	304
5—For providing a means of determining on questions of Caste arising between Government and the Natives of this Island or of India.—(Nullified by Charter of 1833.)	305
6—For declaring the duties and responsibility of Fiscals, and for the more certain and correct execution of the Process of the several Courts of Justice.—(Repealed by Reg. 13 of 1827.)	ib.
7—For specifying the application of the Monies to be paid into the several Cutcheries by Fiscals, under the 6th Regulation of 1824.—(Repealed by Reg. 13 of 1827.)	309

<b>1824.—Regulations, &amp;c.</b>	Page.
8—For the relief of Insolvent Prisoners confined for debt not being guilty of any fraud on their creditors, and for the punishment of Debtors guilty of fraud.—(Repealed by Ord. 6 of 1835.)	309
10—For modifying the pecuniary penalties against breaches of the 8th Regulation of 1816, and for employing Prisoners under sentence to labour for such breaches similarly as other Prisoners sentenced to labour.—(Repealed by Reg. 5 of 1833.)	312
12—For defining the course of proceedings under which the privilege of Cessio Bonorum may be obtained by unfortunate Debtors.—(Repealed by Ord. 6 of 1835.)	313
13—For simplifying the transactions between Government and Merchants trading to the Ports of Colombo, Trincomalie, and Point de Galle, by abolishing the receipt of Boat hire by the department of the Master Attendant, and increasing the Fees on Port Clearances; and for otherwise amending the Laws relating to the Customs.—(Repealed by Reg. 9 of 1825.)	315
15—For relieving immoveable Property from the duty on Auctions payable to Government.—(Repealed by Reg. 12 of 1825.)	ib.
16—For the more effectual prevention of the Smuggling of Tobacco out of this Island, without payment of the Export duties by Law enacted, and for regulating the transport of Tobacco by land within the Island.—(Repealed by Ord. 1 of 1836.)	316
17—For further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st March 1825.—(Expired.)	ib.
18—For establishing an Assessment on Houses in the Town, Fort and Four Gravets of Point de Galle, for the purpose of keeping the Roads in the same in good repair, and also for establishing, for the same purpose, a Tax on Bullock bandies licensed to be employed in the Town, Fort, and Gravets of Galle.—(Repealed by Ord. 4 of 1834.)	317
19—For amending the 13th Regulation of the year 1824, and vesting in the Governor the power of modifying and altering the rates of Boat and Cooly hire at the Ports of Colombo, Trincomalie, and Galle.—(Repealed by Reg. 9 of 1825.)	318
20—For the better security of individuals in their transactions relating to Landed Property, and for further prevention of Frauds and Perjuries.—(Repealed by Ord. 7 of 1834.)	ib.
21—For making the Regulation No. 8 of 1824 applicable to Debtors arrested under Mesne Process against whom Judgment may have been subsequently recovered.—(Repealed by Ord. 6 of 1835.)	ib.
22—For establishing a Provincial Court at Manaar.—(Annulled by Charter of 1833.)	319
<b>1825.</b>	
1—For further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st Dec. 1835.—(Expired.)	320
2—For repealing so much of the 7th Regulation of 1821, as removed the responsibility for the Tax imposed by the 5th Regulation of 1820 from the occupants to the owners of Houses in the Town, &c. of Colombo, and for enforcing the Collection of the Tax on Carts imposed by the said 5th Regulation of 1820.—(Repealed by Ord. 4 of 1834.)	ib.
3—For repealing the 3d Regulation of the year 1819, and vesting in the Governor the power of fixing the rates of Allowances to Prisoners, and of altering the same from time to time.—(Repealed by Ord. 9 of 1836.)	321
4—For effecting, during the year 1825, a commutation of the several Capitation Taxes paid in the District of Jaffnapatam under the denominations of Joy Tax, Tax on Toddy drawers, and Tappal exemption Tax.—(Repealed by Ord. 2 of 1834.)	ib.
5—For explaining certain parts of the 13th Regulation of the year 1822, entitled "For fixing the periods of prescription in Civil Cases and repealing all previous Laws or Customs touching the same."—(Repealed by Ord. 8 of 1834.)	322
6—For settling any doubt as to the Jurisdiction of the Sitting Magistrate of the Port of Colombo to decide cases relative to the collection of Customs for the said Port.—(Repealed by Reg. 9 of 1825.)	ib.
7—For establishing a mode of recovering the arrears due by the Owners of Houses in the Town, Fort and Gravets of Colombo, of the Tax on the rent of the same up to the 31st day of March 1825.—(Repealed by Ord. 4 of 1834.)	323
9—For repealing all former Laws relating to the collection of Customs, and enacting new Laws, Rules and Tables for collecting the same, and for the Export and Import of Goods, and landing and shipping the same and for granting certain Drawbacks, and also allowing the Warehousing of certain goods for re-exportation, and also for preventing the introduction of any Pestilential or Contagious Diseases into this Island.—(Repealed by Ord. 5 of 1837.)	325
10—For giving a permanent operation to the Regulation No. 4 of 1825 for effecting a commutation of the several Capitation Taxes, paid in the District of Jaffnapatam under the denominations of Joy Tax, Tax on Toddy Drawers, and Tappal exemption Tax; and for extending the provisions of the same to the Districts of Manaar and Trincomalie, and the Wanny Provinces.—(Repealed by Ord. 2 of 1834.)	ib.
12—For consolidating the Regulations concerning Auctioneers and the duties on Auctions.—(Repealed by Ord. 5 of 1836.)	327
13—For establishing a Provincial Court at Batticaloa and for abolishing the Sitting Magistrate's Court of Batticaloa and the Commissioner's Court at Batticaloa, and for repealing the Regulations by which these Courts were established.—(Annulled by Charter of 1833.)	329
<b>1826.</b>	
1—For amending the 3d Regulation of the year 1814, relative to the punishment for knowingly receiving Stolen Cattle.—(Repealed by Ord. 4 of 1836.)	331
2—For defining the application of the provisions of the Regulation No. 9 of 1825 relating to the registering of Vessels, and the granting of Certificates of Registry, and for amending and altering certain other provisions of the said Regulation with reference to the Act of Parliament intituled "An Act for the Registering of British Vessels."—(Repealed by Ord. 5 of 1837.)	ib.
3—For declaring and explaining the true intent and meaning of the Regulation No. 8 of 1816, and for the more effectual preservation of the rights of His Majesty to all the Cinnamon growing within the Maritime Provinces of this Island.—(Repealed by Reg. 5 of 1833.)	ib.
4—For restricting the share of Fines to be paid by Government to Informers in cases where the same are not recovered from the party convicted.—(Repealed by Ord. 5 of 1834.)	332

	Page.
<b>1827.—Regulations, &amp;c.</b>	
2—For supplying an omission in the Regulation No. 9 of 1825, by declaring the illegality of any exportation of Cinnamon Trees or Plants, or the seeds of such Trees or Plants, under pain of the forfeiture of any Ship, Dhoney, Boat, or other Vessel employed in such exportation.—(Repealed by Reg. 5 of 1833.)	335
3—For providing suitable punishment for persons convicted of unlawfully exporting Cinnamon Trees or Plants, or the seeds of such Trees or Plants; or of unlawfully having the same in possession; or of enticing away Challias from this Island.—(Repealed by Reg. 5 of 1833.)	336
4—For repealing the Regulations No. 7, and No. 20 of 1823, under which Stamp duties on Deeds and other instruments have been heretofore assessed and levied, and for establishing new Tables of Stamp duties payable on the same in British Currency, with various alterations and amendments.—(Repealed by Ord. 6 of 1836.)	ib.
5—For establishing certain Rules for the guidance of Provincial Judges, Sitting Magistrates, and Justices of the Peace, in determining upon the propriety of admitting persons to Bail who may be charged before them with crimes and other offences, requiring to be finally tried before the Honorable the Supreme Court.—(Repealed by Ord. 15 of 1843.)	342
7—For requiring periodical returns from Fiscals of all Prisoners detained in their custody.—(Repealed by Ord. 1 of 1839.)	344
10—To facilitate the obtaining of Evidence in Civil Suits, where witnesses are resident out of these Settlements.—(Repealed by Ord. 6 of 1834.)	347
11—For declaring the power of Collectors to grant or refuse Licenses for the distillation of Arrack at their discretion.—(Repealed by Ord. 5 of 1834.)	ib.
12—For amending No. 5 of 1809; and for authorizing certain cases to be referred from the High Court to the Minor Courts of Appeal.—(Annulled by Charter of 1833.)	348
13—For amending Regulation No. 6 of 1824, declaring the duties and responsibility of Fiscals, and for the more certain and correct execution of the Process of the several Courts of Justice, and for consolidating the same with No. 7 of 1824.—(Repealed by Ord. 9 of 1836.)	ib.
<b>1828.</b>	
1—For the protection and encouragement of the growth of Tobacco in this Island.—(Repealed by Ord. 5 of 1837.)	353
2—For limiting the possession of Elephants to persons thereto authorized by Government.—(Repealed by Reg. 2 of 1831.)	ib.
3—For declaring the powers of the Governor to establish Tolls, and for enforcing the due payment thereof.—(Repealed by Reg. 2 of 1831.)	354
4—For providing against the Fraudulent Alienation of Property by parties appellant, pending Appeal.—(Annulled by Charter of 1833.)	355
5—For explaining and amending Regulations No. 4 and No. 10 of 1825.—(Repealed by Ord. 2 of 1834.)	356
6—To prevent the Slaughtering of Female Cattle for a limited period.—(Expired.)	357
7—To enable Provincial Courts, Sitting Magistrates, and Justices of the Peace, to summon Witnesses in Criminal cases, though out of the limits of their Jurisdiction.—(Nullified by Charter of 1833.)	ib.
<b>1829.</b>	
1—For empowering His Majesty's Commissioners of Inquiry and the Secretary to the Commission, to frank all Letters, and in like manner to receive Letters free of Postage.—(Expired.)	ib.
2—To give Jurisdiction to the Provincial Courts in cases of Idiocy and Lunacy not otherwise provided for.—(Nullified by Charter of 1833.)	358
3—Declaring the 5th section of Regulation No. 12 of 1825 not to be applicable to the Regimental effects of Officers and Soldiers.—(Repealed by Ord. 5 of 1836.)	359
4—For promoting the growth of certain Articles of Agricultural produce in the Island of Ceylon, and for the encouragement of Agricultural speculation.—(Repealed by Ord. 7 of 1836.)	ib.
<b>1830.</b>	
1—For protecting persons resorting to the Pearl Fishery from Arrest in Civil cases, and for exempting for a time all transactions connected therewith from the operation of the Regulation No. 4 of 1827.—(Expired.)	361
2—To amend Regulation No. 4 of 1827, as far as regards the Stamp duty thereby imposed on conveyances of immovable property.—(Repealed by Ord. 6 of 1836.)	ib.
4—For diminishing the duties on certain articles of Export; for permitting the import of Military Clothing duty free, and for empowering the Governor to assign to Informers a share of penalties levied under the Regulation No. 9 of 1825.—(Repealed by Ord. 5 of 1837.)	362
5—For abolishing the obligation of Personal Service, and of paying Ouliam Duty to which Moormen and Chitties are liable.—(Nullified by Order in Council of 12th April 1832.)	363
ORDER IN COUNCIL.—Revoking Regulation No. 1 of 1824, and substituting other provisions instead thereof; 1st Nov.—(Expired.)	364
7—For amending the Tariffs of duties imported and exported, and for encouraging the warehousing of Cotton.—(Repealed by Ord. 7 of 1836.)	ib.
8—To render the Assessment Tax applicable only to the repair of the Roads within the Gravets of Colombo, and to form a permanent Fund for that purpose, and to authorize the Loan and Investment of Monies out of such Fund.—(Repealed by Ord. 4 of 1834.)	365
<b>1831.</b>	
1—For protecting Strangers resorting to the Pearl Fishery from unjust Arrests in certain Civil cases, and for relaxing the provisions of the Stamp Regulation in favour of transactions relating to the Pearl Fishery.—(Expired.)	366
PROCLAMATION.—For the suppression of Vagrancy in the Kandyan Provinces; 4th May.—(Repealed by Ord. 3 of 1840.)	367
4—For increasing the Import duty on Pepper.—(Repealed by Reg. 2 of 1833.)	368
5—For imposing a Commutation Tax in the Island of Delft, in lieu of certain other Taxes hitherto payable.—(Repealed by Reg. 3 of 1833.)	369
<b>1832.</b>	
1—For confirming and more effectually securing the payment of the Duty heretofore established, on all Toddy consumed in the making or baking of Bread and Pastry, within the Four Gravets of Colombo.—(Repealed by Ord. 13 of 1840.)	370
3—For repealing the 4th Clause of the Regulation No. 12 of 1806.—(Nullified by Ord. 3 of 1840.)	374

<b>1833.—Regulations, &amp;c.</b>	Page-
1—For repealing the Regulation No. 2 of the year 1822, and making other provisions in lieu thereof.—(Repealed by Ord. 24 of 1848.)	374
5—For repealing all the existing Laws relating to Cinnamon; for allowing the cultivation, possession and sale of Cinnamon by all persons whomsoever, under certain restrictions; for allowing the exportation thereof from the Ports of Colombo and Point de Galle, on payment of a certain duty; and for securing the due payment of that duty.—(Repealed by Ord. 2 of 1844.)	379
8—For repealing Regulations No. 1 of 1821 and No. 7 of 1822, and for providing another course for the production of official documents as Evidence.—(Repealed by Ord. 6 of 1834.)	398
9—To provide for the case of Cattle, Goats, and Sheep, found straying within the Gravets of Colombo, Galle, Matura, Trincomalie, Jaffna, or Kandy.—(Repealed by Ord. 2 of 1835.)	399

---

APPENDIX.

Capitulation by the Portuguese to the Dutch.	403
Index to the Legislative Acts of the Dutch Government of the Island of Ceylon.	407

# INDEX.

	Page.		Page.
ACCOUNTS Civil, mode of framing them	104,112,114	ADMINISTRATION OF JUSTICE.	
— to be kept in pounds, shillings, and pence	324	— Magistrates and Provincial Judge	105, 117, 134, 140, 170, 176
ADMINISTRATION OF JUSTICE.		<i>Provincial Courts</i> , five established, one in each Province	80
— COURTS BEFORE THE CHARTER OF 1833.		— established at Colombo, to supersede Landraad there	61
<i>Appeal Courts</i> .		— its jurisdiction extended to take in the Landraads of Negombo and Caltura	ib.
— Constitution and establishment of Civil Courts for hearing appeals	8	— established at Calpentyn	145
— Governor, appeal to, from decrees pronounced before Cession	10	— Jaffna, to supersede Landraads of Manaar, Mulletivoë, and the Jaffna Civil Courts	63
— appeal to, from decrees of Courts of equitable Jurisdiction established after Cession	11	— Matura, to supersede Landraads of Galle and Matura	61
— appeal to in cases under £200 and above £50, and from Landraads above £30	9	— abolishing jurisdiction of, at Matura	274
— Greater Court of Appeal, constitution of	10	— established at Manaar	319
— High Court of Appeal, see Charter of 1801		— Putlam, to supersede Landraads of Chilaw, Calpentyn, Putlam, and Manaar	61,75
— Lesser Court of Appeal, constitution of	ib.	— Trincomalie, to supersede Landraads of Trincomalie and Batticaloa	64
— Minor Court of Appeal, constitution of, 118,172		— abolition of, in Colombo, and increased power given to Supreme Court and Magistrates	109
— appeals from, to High Court of Appeal	348	— re-establishment of, in Colombo	116
— Privy Council, when allowed	8	— abolition of, and establishment of Landraads, See Charter of 1810	
— mode of proceeding in	ib.	— abolition of Landraads, and re-establishment of Provincial Courts, See Charter of 1811	
— Proceedings to prevent fraudulent alienations by Appellants	355	— authorized to continue suits brought in the Landraads	141
— Revenue Cases, in cases under Rds. 300	252	— fees and costs of Secretaries, Clerks, and Proctors of, regulated	66
<i>Board of Commissioners</i> , established to secure Estates of natives	69	— jurisdiction given in Matrimonial cases, and matters of Caste between natives	65
— mode of proceeding therein, and winding up Estates	70,71	— new Civil and Criminal, conferred	80
— Native Boedelkamers, powers of, to cease	71,72	— confined to British territories only in Ceylon	
— Registry of Lands to be kept by	73	— given in Testamentary matters	174
— Shares of Minors and Absentees not to be alienated or encumbered	71	— legalizing past acts in ditto	333
<i>Civil Courts</i> , constitution of	7	— given in cases of Idiocy and Lunacy	358
— proceedings in, in cases above Rds. 50	8,9	<i>Sitting Magistrates</i> , office of, created	62
— ditto „ under Rds. 50	23	— created in different places	110
— empowered to award parate execution	8	— for Fort of Colombo	123
<i>Commissioners' Courts</i> , established at Trincomalie to supersede Provincial Courts there	145	— Criminal same as that exercised by Fiscals	62
— established at Batticaloa to supersede Provincial Courts there	171	— jurisdiction, Civil, confined on Money cases under Rds. 50	64
<i>Criminal Courts</i> , under Dutch Government reduced and consolidated to one	7	— Civil and Criminal extended	110
<i>Fiscals' Courts</i> , established to try inferior offences	7,19,59	— extended in Colombo	80,81,235
— and jurisdiction given in cases under Rds. 25	19	— Trincomalie	114
— and jurisdiction extended to cases under Rds. 100	59,60	— Batticaloa	146,298
— denomination changed to Court of Justice of the Peace	62	— Mulletivoë	156
<i>Justices of Peace</i> created	80	— Negombo	198
— Fiscals with magisterial powers to be called	61	— Manaar	263
<i>Justice of the Peace, Courts of</i> , established in place of Fiscals' Courts	62,75	— Matura	274
— abolition of	80	— given to impose full imprisonment under Regulation No. 8 of 1816, where fines were not paid	301
<i>Landraads</i> to be resumed, and regulations thereof	8	— explanatory powers given to, under Regulation No. 11 of 1819, and 16th clause of Regulation No. 22 of 1820	298
— jurisdiction of, in Colombo, Galle, Matura, Chilaw, Putlam, Manaar, Mulletivoë, Batticaloa, Caltura, Negombo, and Trincomalie defined	28	CHARTER OF 1801.	
— proceedings in	23	— action, no right of, against officers for Judicial Acts	44
— See <i>Charters of 1801, 1810, and 1811</i> .		<i>Appeal, High Court of</i> , established	45
<i>Port Magistrate</i> for Colombo created	87	— jurisdiction and constitution of, defined	46
— Civil and Criminal jurisdiction of, defined	87,89,323	— to King in Council when allowed	ib.
<i>Supreme Court</i> , See <i>Charters of 1801, 1810, 1811</i>		— Colombo, District of, Town and Fort of, defined	60
— local jurisdiction extended	109	— inferior offences, cognizable before Justices of the Peace, or Magistrates	41
— Mandates of Arrest issuable by, may during its absence on circuit, be issued by Sitting Ma-		<i>Landraads</i> , jurisdiction of, saved	36



**ADMINISTRATION OF JUSTICE— Charter of 1801.**  
 — Laws of Singhalese and Musselman natives saved in matters of inheritance, succession and contract . . . . . 37  
 — Dutch, saved to the Dutch inhabitants in Matrimonial and Testamentary cases . . . . . 41  
 — English, saved to British and European, and licensed persons in ditto ditto . . . . . ib.  
 — oaths, power of Commissioners to administer officers of Courts, appointment of . . . . . 35  
 — Process of Courts how to be issued . . . . . 34  
 — Process of Courts not to extend to Governor, Lieutenant Governor, or Judges during office, or within 12 months after quitting same . . . . . 43  
 — Practice, rules of, framing of . . . . . 45  
**Supreme Court of Judicature established** . . . . . 33  
 — Accountant of . . . . . 43  
 — Advocates and Proctors, appointment of . . . . . 36  
 — " " fees of . . . . . ib.  
 — Constitution of . . . . . 34  
 — Fines, forfeitures, and amerciaments imposed by, reserved to the King . . . . . 43  
 — Court to make satisfaction to prosecutors out of . . . . . ib.  
 — Judges, names of . . . . . 35  
 — Judges of, rank and precedence of . . . . . ib.  
 — Salaries, and circuit expences of . . . . . 34  
 — made Justices and Conservators of the Peace throughout British territories in Ceylon . . . . . ib.  
 — Jurisdiction, local, in Civil suits . . . . . 36  
 — personal ditto . . . . . ib.  
 — in Criminal cases . . . . . 38  
 — equitable . . . . . 39  
 — over Infants and Lunatics . . . . . ib.  
 — in Matrimonial cases . . . . . 41  
 — in Revenue cases . . . . . 39,43  
 — in Testamentary cases . . . . . 41  
 — Officers of Court, appointment of . . . . . 35  
 — Practice, rules of, framing of . . . . . 45  
 — Process how to be issued . . . . . 34  
 — not to extend to Governor, Lieutenant Governor, or Judges . . . . . 43  
 — Registrar, appointment and salary of . . . . . 35  
 — Seal, custody of . . . . . 34  
 — Suits, Civil, mode of proceeding in . . . . . 34,37,38  
 — Criminal . . . . . 40  
 — Matrimonial . . . . . 41  
 — Testamentary . . . . . ib.  
 — Suitors' monies, securities and effects, place of deposit . . . . . 42  
 — Treasurer of Colony made Accountant General of . . . . . 43  
**CHARTER OF 1810.**  
*Appeal, High Court of*, Commissioner of Revenue made member of . . . . . 126  
 — Governor to provide for omitted cases, with concurrence of Chief Justice . . . . . 127  
*Landraads*, re-establishment of . . . . . 126  
 — members of, to be appointed by the Governor . . . . . ib.  
 — proceedings in, and officers of . . . . . ib.  
**Supreme Court**, jurisdiction of . . . . . 125  
 — two divisions of, formed, one to sit in Colombo, and the other in Jaffna . . . . . ib.  
 — Judge of each division to form circuits of the Districts . . . . . ib.  
 — power of each division . . . . . ib.  
 — when both Judges may sit together . . . . . ib.  
 — Jury, trial by, allowed in Criminal cases . . . . . 126  
 — mode of proceeding in summoning and empanelling Jury . . . . . ib.  
 — Judges, salaries of, and in what coin payable . . . . . ib.  
 — Registrars, clerks, and officers of, appointments and salaries of . . . . . 125  
 Publication, mode of . . . . . 127  
 — Proclamation of Charter by Governor . . . . . 135  
**CHARTER OF 1811.**  
 — Abolition of enlarged jurisdiction of Supreme Court . . . . . 136  
 — the two divisions of Supreme Court . . . . . ib.  
 — Landraads, and revival of Provincial Courts . . . . . ib.

**ADMINISTRATION OF JUSTICE— Charter of 1811.**  
 — Governor to re-establish Landraads if he sees fit . . . . . 137  
 — to regulate proceedings of Provincial Courts . . . . . ib.  
 — to make regulations in legal matters . . . . . ib.  
 — Judges salaries not to be payable in Madras . . . . . 136  
 — Jurors, Judges to make rules respecting . . . . . ib.  
 — Governor to decide where two Judges disagree . . . . . ib.  
 — European Jurors to sit in cases of Europeans and their descendants . . . . . ib.  
**CHARTER OF 1833.**  
 — Abolition of existing Courts, clauses 2 and 3 . . . . . 383  
*Admiralty, Court of*, jurisdiction saved, clause 4 . . . . . ib.  
 — Charters, former, repealed, clause 1 . . . . . ib.  
 — Division of Island into three Circuits, clause 18 . . . . . 385  
 — of each Circuit into Districts, clause 19 . . . . . 386  
 — District Court, constitution of, clause 20 . . . . . ib.  
 — Judges, appointment of, clause 20 . . . . . ib.  
 — Assessors how chosen, clause 21 . . . . . ib.  
 — Permanent Assessor, appointment of, clause 21 . . . . . ib.  
 — Officers, appointment of subordinate, clause 22 . . . . . ib.  
 — Advocates and Proctors, admission of, clause 22 . . . . . ib.  
 — Places of holding to be appointed by Governor, clause 23 . . . . . ib.  
 — Jurisdiction of . . . . . 387  
 — Civil, clause 24 . . . . . ib.  
 — Criminal, clause 25 . . . . . ib.  
 — over idiocy and lunatics, clause 26 . . . . . ib.  
 — in Revenue cases, clause 28 . . . . . ib.  
 — exclusive nature of, clause 29 . . . . . 388  
 — Judgments how to be pronounced and recorded, clause 30 . . . . . ib.  
 — Supreme Court, constitution of . . . . . 384  
 — to consist of three Judges . . . . . 384  
 — Judges appointed by His Majesty, clause 6 . . . . . ib.  
 — Governor to fill up temporary vacancy, clause 7 . . . . . ib.  
 — may be suspended by Governor, clause 8 . . . . . ib.  
 — rule to be observed in such case, clause 8 . . . . . ib.  
 — rank of, clauses 9 and 10 . . . . . ib.  
 — incapable of holding other offices of profit, clause 12 . . . . . 385  
 — appointment by name, clause 13 . . . . . 384  
 — may appoint their own Private Secretaries, clause 15 . . . . . 384  
 — Seal, custody of, clause 11 . . . . . 384  
 — Officers of . . . . . 385  
 — Registrar, and Keeper of Record, appointment of, clause 14 . . . . . 385  
 — Ministerial Officers, number and appointment of, clause 15 . . . . . ib.  
 — to hold office during pleasure, clause 16 . . . . . ib.  
 — may be suspended by Court, clause 16 . . . . . ib.  
 — Advocates and Proctors, admission of, clause 17 . . . . . ib.  
 — Place of holding, clause 23 . . . . . 386  
 — Jurisdiction, appellate of, clause 31 . . . . . 388  
 — original Criminal, clause 31 . . . . . ib.  
 — how to be exercised, clause 31 . . . . . ib.  
 — Civil and Criminal how holden, clause 31 . . . . . ib.  
 — two Sessions to be holden in each Circuit every year, clause 32 . . . . . ib.  
 — time and place of each how fixed, clause 32 . . . . . ib.  
 — choice of Circuits by the Judges, clause 32 . . . . . 389  
 — and Sessions; 3 Assessors to sit with Judge, clause 33 . . . . . ib.  
 — Criminal Sessions, Jury of 13, clause 33 . . . . . ib.

- ADMINISTRATION OF JUSTICE—Charter of 1833.**  
 — Appellate Jurisdiction how exercised on circuit, clause 34 . . . . . 389  
 — Appellate Jurisdiction as to Civil appeal, clause 35 . . . . . ib.  
 — power to alter judgment, remand for further hearing, or admit new evidence, clause 35 . . . . . ib.  
 — to issue Writs of Mandamus, Proce-  
 dendo, and prohibition against District  
 Courts, clause 36 . . . . . ib.  
 — to transfer causes from one Dis-  
 trict to another, clause 36 . . . . . ib.  
 — Criminal Sessions to hear Criminal  
 Appeals at Criminal Sessions, clause 38 . . . . . 390  
 — Appellate, to receive or reject new  
 evidence . . . . . ib.  
 — to transfer prosecutions, clause 38 . . . . . ib.  
 — execution not to be stopped during  
 appeals, clause 39 . . . . . ib.  
 — original jurisdiction how to be exer-  
 cised, clause 40 . . . . . ib.  
 — offence prosecuted in Queen's Ad-  
 vocate's name without Grand Jury, clause 41 . . . . . ib.  
 — questions of fact to be decided by  
 Jury, clause 42 . . . . . ib.  
 — questions of law to be decided by  
 Judge, clause 43 . . . . . 390  
 — how to reserve questions for  
 opinion of three Judges, clause 43 . . . . . ib.  
 — sentence of death to be reported  
 to Governor, clause 44 . . . . . ib.  
 — Mandate to Jailors to return  
 Calendar, clause 45 . . . . . ib.  
 — contents of, clause 45 . . . . . ib.  
 — Informations against prisoners to  
 be attached to Calendar, clause 45 . . . . . ib.  
 — Jailors to bring prisoners before  
 Judge, clause 45 . . . . . ib.  
 — witnesses appearing on com-  
 mitment, clause 45 . . . . . ib.  
 — Judge at Colombo to hold Civil and  
 Criminal Sessions of, clause 46 . . . . . ib.  
 — Records of District Court, Judge to  
 examine and report thereon, clause 48 . . . . . ib.  
 — questions of Law Judges to reserve for  
 opinion of all three, clause 47 . . . . . ib.  
 — Habeas Corpus, may issue Writs of,  
 clause 49 . . . . . 392  
 — Injunction, clause 49 . . . . . ib.  
 — General Sessions, appeals may be decided  
 at, by consent of parties, clause 50 . . . . . ib.  
 — Rules of Court, power to make,  
 clause 51 . . . . . ib.  
 — Governor, definition of title, clause 57 . . . . . 395  
 — to fix time when Charter shall  
 come into operation, clause 58 . . . . . ib.  
 — Privy Council, appeal to, when allowed of  
 right, clause 52 . . . . . 393  
 — mode of proceeding, clauses 52  
 and 54 . . . . . ib.  
 — to execute judgments pronounced  
 by, clause 55 . . . . . ib.  
 — Revocation of all laws repugnant to Charter,  
 clause 56 . . . . . 395  
 — Reservation of right to revoke or amend  
 Charter, clause 60 . . . . . ib.  
 — District Courts, vesting in, the powers exer-  
 cised by former Courts . . . . . 396
- AGRICULTURE, for promoting the growth of cer-  
 tain articles, and encouraging speculation in** . . . . . 359
- ANDOL, meaning of, defined** . . . . . 265
- ARMS, AMMUNITION, AND HORSES.**  
 — Arms and Ammunition, possession of,  
 without license from and registering at Cut-  
 chery prohibited, except to certain officers . . . . . 175,249  
 — sale of, by auction without Collector's  
 permission prohibited . . . . . 175  
 — sale of, to other than British subjects  
 prohibited . . . . . ib.  
 — quantity of Ammunition registered  
 persons can keep . . . . . ib.
- ARMS, AMMUNITION, AND HORSES.**  
 — Ordnance or Artillery, possession of, with-  
 out Governor's permission prohibited, ammu-  
 nition for, like prohibition respecting . . . . . 175  
 — Government, right of, to arm or disarm  
 persons, reserved . . . . . ib.  
 — Penalties for infringement, prohibitions . . . . . ib.  
 — how recoverable . . . . . ib.  
 — See *Fire Arms.*
- ARRACK, distillation of, and of spirits in Mala-  
 bar districts prohibited** . . . . . 262  
 — imposing duty on stills used for . . . . . 259  
 — power to Collector to grant or refuse  
 license for . . . . . 347  
 — removal of, by illicit means, penalty for  
 increased . . . . . 229  
 — permitting, in small quantities . . . . . 266
- ARRACK AND TODDY, regulations to protect  
 revenue from retail sale of, in Cinghalese dis-  
 tricts** . . . . . 201,235,236,239,259  
 — ditto ditto Malabar districts  
 203,235,236,241,259  
 — preventing introduction of, in Fort  
 and Fortresses . . . . . 171,235
- ARREST, power of Governor to. See Governor.**  
 — power of Fiscal in cases of, to receive de-  
 posits of money as security . . . . . 265
- ASSESSMENT, Colombo, regulation establishing  
 assessment of houses at** . . . . . 247  
 — amending same, and making tax pay-  
 able by proprietors . . . . . 267  
 — and making tax payable by oc-  
 cupants . . . . . 320  
 — arrears of tax, mode of collecting . . . . . 323  
 — fund arising from, to render permanent  
 and applicable only to repairs of roads within  
 Gravets . . . . . 365  
 — fund arising from, to authorize loans,  
 and investment of money from . . . . . 365  
 — Galle, regulation for establishing assess-  
 ment on house . . . . . 317  
 — regulation for establishing assessment  
 on bullock-bands . . . . . ib.  
 — fund from, made applicable only to  
 repairs of roads . . . . . ib.
- AUCTIONEERS, licensed persons only to be** . . . . . 154  
 — their duties, rights, and liabilities defined . . . . . 256  
 — not required for sale of regimental effects . . . . . 359
- AUCTIONS, imposing duty on property sold by** . . . . . 256  
 — removal of such duty . . . . . 315
- BAIL, Fiscals to receive deposit of money instead  
 of security in case of arrest** . . . . . 265  
 — in what cases it cannot be taken from of-  
 fenders . . . . . 342  
 — mode of proceeding to obtain . . . . . ib.
- BAKERS; annual license must be taken from  
 Sitting Magistrate upon payment of fee** . . . . . 89  
 — composition of bread . . . . . ib.  
 — weight and price of ditto . . . . . ib.  
 — mark on bread . . . . . ib.  
 — bound to appear monthly before Magistrate  
 Magistrate to confer monthly with the in-  
 habitants respecting price of wheat . . . . . ib.  
 — penalties in case of breach of Regulations by  
 sworn persons to enter houses of, to as-  
 certain quality of bread . . . . . 90  
 — of Trincomalie, regulation respecting . . . . . 108  
 — license to be taken by . . . . . ib.  
 — price and weight of bread . . . . . ib.  
 — penalty for breach . . . . . 109
- BANISHMENT of suspected persons without trial,  
 Governor may order under his instructions** . . . . . 90  
 — banishment to be to Island of Delft . . . . . ib.  
 — repeal of above as to banishment to ditto . . . . . 374  
 — persons under, by Governor's order, return-  
 ing, how punishable . . . . . 231  
 — penalty for harbouring such persons . . . . . ib.
- BANKRUPTCY, Commission of, to be granted by  
 Governor in Council** . . . . . 100  
 — who are entitled thereto . . . . . 99

- BANKRUPTCY.**  
 — mode of proceeding in cases of . . . 100,103  
**BATTA** to prisoners, established rates to be allowed to . . . 27  
 — increased allowance to . . . 124  
 — in case of natives may be by provision in kind . . . 130  
 — repeal of above regulation with respect of Batta in kind . . . 158  
 — provision in kind again legalized . . . 168  
 — " " disallowed, and payment in cash substituted . . . 231  
 — power to fix batta vested in the Governor in Council . . . 321  
**BAZAAR TAX** repealed, and increased Custom duty on grain substituted . . . 158  
**BONDS**, not under seal, prescribed in same way as bonds under seal . . . 322  
**BUILDING.** See *Houses.*  
**BUDDHIST Religion.** See *Kandyen Convention, Art. 5—Kandyen Insurrection, Art. 16.*  
**BULLOCK Carts**, tax on, at Colombo, for the repair of roads in Colombo . . . 247,320  
 — at Galle, for the repair of roads in Galle . . . 317  
**BUTCHERS** to make periodical returns of cattle slaughtered . . . 169
- CANALS**, to prevent obstruction of, from Grand pass to Colombo harbour . . . 269  
 — boats, &c., not to remain except close to either bank . . . ib.  
 — penalties for boats projecting beyond the limits . . . ib.  
 — ditto for throwing dirt into the . . . ib.  
 — breach of regulation triable before a Justice of the Peace . . . 270  
**CAPITAL PUNISHMENT** to be inflicted by hanging 6,331  
 — drowning of women prohibited . . . 331  
**CAPITULATION OF COLOMBO.**  
*Article 1—Town of Galle, and Fort of Caltura, and all their dependencies to be included . . . 1*  
*— 2.—Also the Fort, Artillery Ammunition, Store, Provisions, Plans, and Papers . . . ib.*  
*— 3.—Provision for bringing up the Arrears of the Public books . . . ib.*  
*— 4.—Public papers to be delivered over . . . ib.*  
*— 5.—Also all Returns and Merchandize of the Company . . . ib.*  
*— 6.—Provision as to payment of Company's debts, and credit Brieven . . . ib.*  
*— 7.—Private property secured to their owners . . . 2*  
*— 8.—Also the Orphan House Funds and Poor Funds . . . ib.*  
*— 9.—Provision as to the marching out of Dutch Garrison from the Fort . . . ib.*  
*— 10.—Provision respecting the Dutch Officers and Privates leaving the Island, or remaining in it . . . ib.*  
*— 11.—Ditto as to the Native born French in Garrison . . . ib.*  
*— 12.—Ditto as to the Malays . . . ib.*  
*— 13.—Provision respecting the Pay and Emoluments of the Dutch Military, until they can leave the Island . . . 3*  
*— 14.—Liberty to Sepoys and Mocrmen to return to their birth-place . . . ib.*  
*— 15.—Singhalese, Lascars, Burghers, and Civil Servants not to be prejudiced for having taken up arms . . . ib.*  
*— 16.—Permission to Governor Angelbeck, Commander Fretz, and other Public Servants to remain in the Island, and provision as to their subsistence . . . ib.*  
*— 17.—Vendue Masters at Colombo and Galle to be maintained during the collection of their outstanding balances . . . ib.*  
*— 18.—Dutch Clergy and Ecclesiastical Servants to be continued, and respecting their emoluments . . . ib.*  
*— 19.—Liberties and privileges of the citizens and other inhabitants secured . . . 3*
- CAPITULATION OF COLOMBO.**  
*Art. 20.—Native Servants in the different departments to be continued during good behaviour . . . 3*  
*— 21.—Subsistence of the Eastern Princes, Tommogons, and men of rank whilst in Ceylon continued . . . ib.*  
*— 22.—All Notarial Papers to be of force, and Registers of them to be preserved . . . ib.*  
*— 23.—All pending Civil Suits to be decided according to the Dutch Law . . . ib.*  
*— 24.—Deserters from the English service to be given up . . . ib.*  
*— 25.—These Articles to be observed, and doubts to be construed for the benefit of the besieged . . . ib.*  
*— 26.—Time fixed for Garrison to march out, Gate of Deltit to be delivered to British Troops, and the Magazines, Posts and Stores to be pointed out . . . 4*  
**CASTE**, killing another on pretence of violation of, made punishable with death . . . 264  
 — outrage committed on any one under pretence of, made punishable . . . ib.  
 — questions of, to be determined by Provincial Courts . . . 65  
 — appeal from their decisions, when allowed . . . ib.  
 — Government may refer questions of, to Provincial Courts to determine . . . 305  
 — who may represent Government in such cases . . . ib.  
 — what costs are allowed in such cases . . . ib.  
 — appeal when allowed on such reference . . . ib.  
**CATTLE** disorder, to prevent spread of, among 47,187  
 — slaughtering of female, to prevent for a period . . . 189,357  
 — stealing and private killing of . . . 169,331  
**CENSUS HONORUM**, who can obtain privilege of . . . 313  
 — mode of proceeding to obtain . . . 313,314  
 — consequence of obtaining . . . ib.  
**CHALIAS**, enticing away from the Island made punishable . . . 336  
 — repeal thereof . . . 373  
**CHALLIES**, made current at the rate of 12 to a fanam . . . 182  
**CHARTERS** of 1801, 1810, 1811, 1833. See *Administration of Justice.*  
**CHETTIES**, to enable, to commute labour at public works by a certain payment . . . 63  
 — See *Moormen and Chetties.*  
**CHIEF SECRETARY OF GOVERNMENT.**  
 — Executive Acts, past and future valid, though not bearing his signature . . . 113  
 — Legislative Acts, past valid, signed by Acting or Deputy Secretary . . . ib.  
 — future, when Deputy Secretary may sign . . . ib.  
 — when Assistant Secretary may sign . . . ib.  
**CHILAW**, distillation of spirits in, prohibited . . . 259  
**CHILD MURDER** in Kandyen Provinces made punishable with death . . . 271  
**CHILDREN**, unmarried women concealing birth of, punishable . . . 297  
**CHINA GOODS**, duty on, established . . . 20  
**CHRISTIAN RELIGION**, Headmen, Schoolmasters, and inhabitants of Colombo, enjoined to assist in promulgating . . . 12  
**CHURCH OF ENGLAND**, use of Mr. Schroter's Malabar Translation of Liturgy of, enjoined . . . 17  
**CINNAMON**, retail sale of, within the Island when allowed . . . 57,287,300  
 — cultivation, possession, sale, and exportation of, allowed under certain restrictions . . . 379  
**CINNAMON GARDENS**, buildings in, prohibited . . . 192  
 — burnings of swamp, jungle, or cheena within, prohibited . . . ib.  
 — clearing or cultivating any part of, prohibited . . . ib.  
 — cattle no person to keep therein . . . ib.  
 — passing to be coupled and led . . . ib.  
 — trespassing may be seized or killed . . . ib.

**CINNAMON GARDENS.**  
 — cattle trespassing, owner of, punishable . 192  
 — cutting of grass, firewood, or timber within, prohibited . . . . . ib.  
 — fence or dam within, breaking of, prohibited . . . . . ib.  
 — owners of lands within, invited to commute the same for others elsewhere . . . . . 11  
 — terms of such commutation . . . . . 12  
 — consequences of not commuting . . . . . 13  
**CINNAMON MONOPOLY**, abolition of . . . . . 379  
**CINNAMON PLANT**, destruction of, or of Cinnamon tree, bush, stock or scion, prohibited . 192,331  
 — exportation of, or of tree or seed prohibited . . . . . 335,336  
 — meaning of, defined . . . . . 332  
 — unlawful possession of, or of tree or seeds, punishable . . . . . 336  
**CIVIL FUND** authorized to make loan on certain conditions . . . . . 86  
**CLEANLINESS**, regulation for enforcing, in Colombo . . . . . 153  
**COFFEE**, wetting of, to increase its apparent weight or quantity, made punishable . 315  
 — mode of procedure to ascertain the wetting . . . . . ib.  
**COIN**, counterfeiting of, prohibited . . . . . 174  
 — how punishable . . . . . 174,285  
 — by washing or gilding coins, prohibited . 313  
 — how punishable . . . . . ib.  
 — possessing instruments for, how punishable . . . . . 174  
 — copper, coined in Ceylon, called in and withdrawn . . . . . 363  
 — exportation of, prohibited . . . . . 131  
 — preventing silver and copper from being paid or accepted for greater than their current value . . . . . 285  
 — See *Currency*.  
**COMMISSIONERS OF ENQUIRY**, to empower them and their Secretary to send and receive letters free of postage . . . . . 357  
**COMMUTATION** effected of several Capitation Taxes paid in Jaffna . . . . . 321  
 — giving permanent operation to said, and extending its provisions to Manaar, Trincomalie, and the Wanniy . . . . . 325  
 — describing the persons who are liable to . . . . . 356  
 — imposing it in the Island of Delft, in lieu of other taxes . . . . . 369  
 — repeal thereof . . . . . 375,372  
**COMPULSORY LABOUR**, abolition of . . . . . 371  
 — proviso as to services due by Tenants of lands in Royal, Temple, and other Villages . 372  
**CONFESSION**, procuring of, by Torture, prohibited . 6  
**CONTEMPT**, mode of proceeding in cases of, before Provincial Judges, and other Magistrates . 187,255  
**CONSCIENCE**, Liberty of, allowed . . . . . 9  
**CONVEYANCE**, deed of. See *Transfer*.  
**CONVICTS**, from Europe to New South Wales, prohibited from landing here . . . . . 21  
 — escaping from New South Wales and coming here, how to be dealt with . . . . . ib.  
**COSTS OF ATTORNIES AND PROCTORS** regulated . 27  
 — further exactions by, prohibited . . . . . ib.  
**COWS**, gratuity for introducing good, into the Island . . . . . 30  
**CRIMINAL PROCEEDINGS**, regulating certain, before Provincial Judges, Sitting Magistrates, and Justices of Peace . . . . . 187  
**CROWN DEBTS**, proceeding for the recovery of . 121  
**CURRENCY**, accounts to be kept in British . 324  
 — Customs to be collected in Rix dollars . . . . . ib.  
 — establishing, of British and existing copper coins . . . . . ib.  
 — Judgments and Process of Courts to be expressed in British . . . . . ib.  
 — Public Receipts to be granted in British . . . . . ib.  
 — Pleadings to express money in British . . . . . ib.  
 — Rix dollars to be reckoned and valued at 1s. 6d. . . . . 324  
**CUSTOMS DUTIES**, and modes of charging, computing, and collecting them . 66,194,251,270,273  
 277,284,287,289,291,297,318,325,331,362,364

**DEATHS**, duties of Magistrates in cases of Homicide, or sudden or violent, in Maritime Provinces . . . . . 230,273,292  
 — proceeding in case of, by violence, accidents, or of a sudden, in Kandyan Provinces . 275,281  
**DEBENTURES**, issue of, to Civil and Military officials in lieu of salary, allowed . . . . . 143  
**DESERTERS**, punishment for concealing or harbouring . . . . . 250  
**DIARIES** of Magistrates and Judges, how to be kept in Criminal proceedings . . . . . 159  
**DHONIES** at Trincomalie to be numbered . . . . . 150  
 — names, and abode of owners of, to be registered . . . . . ib.  
 — prohibited from going out before sunrise, or returning after sunset without permission . . . . . ib.  
 — passing Fort Ostenburg, may be examined . . . . . 151  
 — prohibited from passing or repassing through French cove . . . . . ib.  
 — where they can be kept . . . . . ib.  
 — punishment for breach of regulation . . . . . ib.  
**DRESS** of Native Headmen specified . . . . . 119  
 — penalty for assuming any, different from that specified . . . . . ib.  
**DUPLICATE OF DEED**. See *Transfer*.  
**ECCLESIASTICAL JURISDICTION** vested in Governor . . . . . 9  
 — See *Charter of 1833. Administration of Justice*.  
**EDICTILE CITATION**, proceeding prescribed in cases of, before Provincial and other inferior Courts . . . . . 234  
**ELEPHANTS**, possession of, prohibited to persons not authorized by Government . . . . . 353  
 — removal of such prohibition . . . . . 367  
**EVIDENCE**, mode of obtaining evidence of persons residing in Kandy . . . . . 244  
 — out of the Island . . . . . 347  
 — inspecting public records wanted as, and obtaining copies or extracts thereof, and proof of them . . . . . 264,276  
**EXECUTION**, Seed Paddy, Tools, and implements used in Husbandry, not seizable under . 146  
**EXECUTIVE ACTS**. See *Chief Secretary to Government*.  
**FEES** to Secretaries and Officers of Courts regulated . . . . . 27  
 — Members of Courts, prohibited from receiving, except where local inspection is made . . . . . ib.  
**FISCALS**, duties and responsibilities declared . 305,349  
 — authorising the receipt of money in lieu of deposits by, in case of arrest . . . . . 265  
 — monies paid into Catcheries by, subject to order of Court . . . . . 309  
 — requiring periodical returns from, of prisoners detained in custody . . . . . 344  
**FIRE ARMS**, possession of Ordnance, prohibited under certain restrictions . . . . . 229  
 — or ammunition prohibited, excepting on license . . . . . ib.  
 — license how to be issued . . . . . ib.  
 — penalties for breach of Regulation . . . . . ib.  
**FISH**, specifying mode of collecting revenue from, in Colombo . . . . . 258,289  
**FISHERMEN** to be registered at Trincomalie . 150  
**FORCIBLE** entry into lands in Kandyan Provinces, and removing property, made an offence, and punishable . . . . . 238  
 — possession, taking of, of Cattle or Property, on pretence of grievance against owner, made an offence, and punishable . . . . . ib.  
**FORT OF COLOMBO**, establishing separate Magistracy in . . . . . 123  
 — who may reside in houses in . . . . . 127  
 — who may own houses in . . . . . ib.

**FORT OF COLOMBO.**  
 — provision respecting existing owners of houses in . . . 127  
 — what lodgers or boarders may be taken in houses in . . . ib.  
 — provision for Police, and good order of the . . . 157  
**FORTS AND FORTRESSES, Attack and Toddy not to be brought within, without license** . . . 171  
**FRANKING OF LETTERS, regulating the** . . . 139  
**FRAUDS AND PERJURIES, regulation to prevent, in the Maritime Provinces** . . . 197,318  
 — in Kandyan Provinces . . . 258

**GALLE PORT, rules for business of, and settling Port charges, and rates of labour at** . . . 131  
**GALLE, DISTRICT OF, Circuit through, directed to suppress gangs of robbers** . . . 137  
**GOOD BEHAVIOUR, security for, cannot be demanded for more than 12 months** . . . 143  
 — entry to be made in diary of sentence requiring . . . ib.  
 — Supreme Court may annul or vary such sentence . . . ib.  
**GOVERNOR, Executive Acts valid though signed by Governor only** . . . 113  
 — power of, to arrest and detain persons in custody . . . 303,364  
**GOVERNMENT, Legislative Acts of, by whom to be signed** . . . 113  
**GOVERNMENT AGENTS, vesting in, powers exercised by Collectors, and by Agents of Government, and Revenue Commissioners in Kandy** 396  
**GOVERNMENT NOTES, calling in certain old, and issuing new ones** . . . 117,148  
 — requiring all, to bear value impressed thereon by a dry Stamp . . . 246  
 — value of, to be stamped in black ink . . . 248  
 — those not so stamped to be exchanged . . . ib.  
 — unstamped not to be received except at Treasury . . . ib.  
 — calling in Notes of Rix dollars 1 . . . 292  
 — ————— 150 . . . 297  
 — all notes except of Rix dollars 2 and 5 . . . 346  
 — expressed in Pounds to be taken at 20 shillings for every Pound . . . ib.  
**GRAIN, prohibition, exportation of, for a period** 109

**HABEAS CORPUS, order of Governor, when sufficient return to writs of** . . . 303,364  
 — when Supreme Court may issue writs of . . . 364  
 — what order Supreme Court may make to return to writs of . . . ib.  
 — Supreme Court to make Rules of Practice as to issuing and proceeding upon writs of . . . ib.  
**HAIR, prohibiting the cutting of, by way of punishment** . . . 247  
**HARD LABOUR, Prisoners sentenced to, shall be in custody of Fiscal** . . . 143  
 — their employment to be regulated by Governor's order . . . ib.  
 — if no specific labour assigned, they are to be employed on the Roads . . . ib.  
 — prohibition against employing them in any but public works . . . ib.  
 — no official to have their labour, excepting on Governor's authority . . . ib.  
 — Fiscal to enter employment of each Prisoner at . . . ib.  
 — to send weekly transcripts of such entry for Governor's information . . . ib.  
**HEADMEN to report offences committed within their districts** . . . 90  
 — penalty in failure thereof . . . ib.  
**In Cingalese Districts.**  
 — dress of, regulated . . . 119  
 — assuming different from that specified, made a misdemeanour, and punishable . . . ib.  
 — title of, of Mohandiram and upwards, to be granted by Act of English Government . . . 119

**HEADMEN.**  
 — title of, under Mohandiram to be by Act signed by the Commissioner of Revenue . . . 119  
 — penalty for falsely assuming rank or title 119,263  
 — those having merely rank assuming authority of those actually employed . . . 119,263  
 — share to Informer . . . 119  
**In Malabar Districts.**  
 — title, above that of Aratchy to be granted by Act of English Government . . . 263  
 — of Aratchy, and under Aratchy to be by Act signed by Commissioner of Revenue . . . ib.  
 — penalty for falsely assuming rank or title . . . ib.  
 — those having merely rank assuming of those actually employed . . . ib.  
 — share of Informer . . . ib.  
**HOMICIDE. See Death, Child Murder, Inquest.**  
**HOUSES IN COLOMBO, Moors and Malabars prohibited from purchasing, in Fort, and portion of the Pettah** . . . 199  
 — removal of such prohibition . . . 373  
**HOUSES IN KANDY not allowed with thatched roofs within certain limits** . . . 319  
**HORSES, sale of, natives of India, not British subjects, prohibited** . . . 175  
 — removal of such prohibition . . . 249  
**HUSBANDRY, Implements of. See Execution.**

**IMPRESSMENT, for the service of Government declared legal** . . . 205  
 — mode of enforcing the same . . . 206  
**IMPRISONMENT, parties suffering, for want of sureties, may be employed at hard labour** . . . 112  
**INFORMERS, restricting their shares of, when the same are not recoverable** . . . 332  
**INQUESTS. See Death, Homicide.**  
**INSOLVENT DEBTORS, temporary acts for relief of, owing to the birth day of the Sovereign** . . . 83,108,124,277  
 — owing to the accession of George IV 250  
 — provision to allow defects and omissions in statements to be amended . . . 207,282  
 — permanent measures for relief of . . . 309,318  
**INTEREST, rates of, on mortgage and other debts regulated** . . . 13,22  
 — rules to be observed by Courts in awarding . . . 301  
 — allowed where there is agreement, or where it can be inferred from usual course of dealing . . . ib.  
 — in all written securities, where money is not paid on the day fixed . . . ib.  
 — on debts after demand in writing . . . ib.  
 — where no demand from commencement of suit . . . ib.  
 — where no agreement, interest to compute at 9 per cent . . . ib.

**JAFFNA, regulation for better security of property in** . . . 106  
 — new Thombo Registers as to Title to be made by Schoolmasters . . . 107  
 — their admissibility in evidence, and their validity . . . ib.  
 — Registers of persons bound in service . . . ib.  
 — Thesawalame to be in force at . . . ib.  
 — questions between Malabars to be decided by them . . . ib.  
**JOYS AND ORNAMENTS, tax on, established and farmed out** . . . 14  
 — Military force ordered to put down resistance to the tax, in the Districts of Ma-naar and Negombo . . . 18  
 — commutation of tax on, in Jaffna . . . 321,325,356  
 — ————— Manaar, Trincomalie, and the Wanny . . . 325,356  
 — ————— Delft . . . 369,375  
**JURY, trial by, introduced in Criminal cases** . . . 125  
 — proclamation of Governor, congratulating the Inhabitants on the concession . . . 135

## JURY.

Collector directed to prepare lists of persons qualified to sit	135
JUSTICES OF THE PEACE, created	50
Agents of Revenue and Commerce, and Judges of Provincial Courts made, for their Provinces	80
mode of keeping diaries, and taking informations prescribed	159

KANDY, TOWN OF, thatched buildings prohibited within certain limits of	319
KANDYAN PROVINCES, proclamation making integral parts of British possessions in Ceylon	177
protection promised to all classes	177,178
priests, places of worship, and their effects will be held sacred	178
proclamation for apprehending relatives and dependants of King of Kandy	178
liberating certain prisoners to mark the success of the Kandyan War	ib.
official bulletin announcing the conference held between the British powers and Kandyan chiefs, the signing of the Treaty, and the hoisting of the British flag in Kandy	179
official declaration of the settlement of the Kandyan Provinces	179

## KANDYAN CONVENTION.

Art. 1.—Statement of cruelties and oppressions of the Malabar Ruler	180
2.—His deposition from office of king, and the forfeiture of all claim of him, his family, and relatives	ib.
3.—His male relatives declared enemies, and prohibited (with all male Malabars expelled) from entering the Kandyan provinces without permission	181
4.—Sovereignty of British Government declared, and safety of person and property, and their civil rights and immunities secured to the people	ib.
5.—Buddhist religion declared inviolable, and pledge to maintain and protect its rites, ministers, and places of worship	ib.
6.—Torture and mutilation prohibited and abolished	ib.
7.—Sentence of death to be executed under Governor's Warrant only	ib.
8.—Administration of Justice and Police over Kandyans according to established forms, and by ordinary authorities	ib.
9.—Administration of Civil and Criminal Justice over others not Kandyans	181,190
10.—Provisions of former proclamations incompatible with these articles, repealed	181
11.—Royal dues and revenues to be managed and collected by British Government	182
12.—Dispositions in favour of the trade of the provinces	ib.
Opinion of the English Crown Law Officers on the	190
KANDYAN INSURRECTION, Proclamation on the of 1818	223
ARTS. 1 to 5.—Recital of the Convention; subsequent administration; plots and intrigues of the factions; and their rebellion and overthrow	ib.
6.—Necessity for reforming the administration	224
7.—Declaration of British supremacy, and equal rights of every Kandyan high or low	ib.
8 & 9.—Executive and Judicial authority delegated to Board of Commissioners (nullified)	ib.
10.—Form of Appointment to Office	ib.
11.—Honours to be paid to Chiefs; prostrations abolished; but Chiefs and others to pay obeisance to British officials	ib.
12.—Obeisance to be paid to His Majesty's Portrait, and to presiding authority in Hall of Audience, and Court of Justice, (obsolete)	ib.
13.—Reception of one and two Adigars by Sentries and Natives, and of Dessaves and Chiefs by Natives, (obsolete)	ib.

## KANDYAN INSURRECTION.

Art. 14.—Attendance upon Adigars, Dessaves, and Chiefs, (obsolete)	225
15.—Persons entitled to sit in Hall of Audience, or before Agents, and how, (obsolete)	ib.
16.—Buddhist Priests, ceremonies and processions to be respected, but all religions tolerated, and erection of places of worship by permission allowed	ib.
17.—Fees on Appointments abolished, except in Temple Villages	ib.
Taxes abolished, except a general tax on paddy lands	ib.
18.—General assessment of tax fixed at one-tenth of annual produce	225
19.—In certain loyal districts, tax fixed at one-fourteenth of annual produce	ib.
20.—Lands forfeited and restored to pay one-fifth of annual produce	ib.
21.—Temple lands exempt from taxation, but liability of tenants to service reserved	ib.
22.—Lands of certain loyal Chiefs exempted from tax	ib.
23.—Lands of Chiefs holding office exempted	226
24.—Certain other lands exempted, (obsolete)	ib.
25.—Veddass to pay tribute in Wax	ib.
26.—Presents to Governor or British authorities prohibited; but provisions to be supplied on payment to Officials, Chiefs, Troops, and other Servants of Government travelling	ib.
27.—Fees to Dessaves on hearing of cases abolished	ib.
28.—Superior Chiefs to get monthly salaries	ib.
29.—Inferior Chiefs to receive one-twentieth of Revenue paddy collected by them	ib.
30.—Respecting persons liable to service for Government, (nullified)	ib.
31.—Kadewatte, and ancient barriers discontinued and removed, (nullified)	ib.
32.—Services of Palanquin, Talpat, and Torch-bearers continued, (nullified)	ib.
33.—Disobedience, and neglect of duty in Chiefs and others punishable, (nullified)	ib.
34 to 49.—Jurisdictions given to certain Officials to hear cases wherein Kandyans are defendants, (nullified)	226,228
50.—The administration of Oaths, (nullified)	228
51.—Jurisdiction given to Agents of Government over people of low country, and foreigners coming to Kandy, (nullified)	ib.
52.—Jurisdiction as respects Moormen, (nullified)	ib.
53.—Jurisdiction to Board of Commissioners, to Agents resident in Ouva and in the Seven Korles, (nullified)	ib.
54.—Reservation of power to make further provisions; and general obedience enjoined	ib.
KANDYAN LAWS secured to Kandyan inhabitants	181,190,224,226,227
KNIVES, Cingalese in Maritime Provinces prohibited from carrying or wearing pointed knife	189
exception as regards knives attached to iron pens, and used in writing	ib.
Magistrates may seize pointed knives	ib.
owner of knives not rounded or surrendered, to give security	ib.
penalty for breach of Regulation	ib.
LANDS, appropriation of, required by Government for public uses	284
belonging to the Government by private parties, by registering and paying one-fourth from produce	16,23
uncultivated how to be made	17
Service Parveny lands allowed on payment of tax	ib.
grant of, by Collectors, declared valid	32
partition of, how to be sought for and made	16
protests against, how to be disposed of	ib.
registry of, to be held and made by Land-roads	31

**LANDS.**  
 — registry of, to be held and made by Board of Commissioners . . . . . 73  
 — President of Landraad holding, to make deeds, transfers, mortgages, assignments . . . . . 31  
 — instruments made by Landraads when entitled to preference . . . . . ib.  
 — land entered in, to be held in single proprietorship . . . . . ib.  
 — acquirer of new right must get same entered in . . . . . 32  
 — surveys in case of new transfer . . . . . ib.  
 — fees to persons holding . . . . . ib.  
 — date of registers, and their liabilities 32,33  
 — instructions to Landraad as to making . . . . . 48  
 — transfer of, how effected . . . . . 31,197,258,318  
   See *Re-purchase*.  
 — taxation, undivided lands to pay one-fifth of produce . . . . . 16  
   divided lands to pay one-tenth of produce . . . . . ib.  
   — and lands to pay one-fourth of produce . . . . . ib.  
   — service lands, high one-tenth, low one-fourth . . . . . ib.  
   — Mallepalle, Nellapalle, Ratuinde or Ande one-fourth . . . . . ib.  
   — lands where no share reserved to Government, to pay one-fifth if low, and one-tenth if high . . . . . 72,73  
   — commutation in money to be agreed upon between agent and proprietor . . . . . ib.  
   — exemptions from, what lands in Kandy enjoy . . . . . 225,226  
   See *Kandyan Insurrection*.  
   — lands not having 10 fruit-bearing trees, enjoy . . . . . 73  
   — fictitious transfers to Kandyan Chiefs to obtain, made punishable . . . . . 330  
   — lands of Chiefs not to enjoy, unless possessed for 12 months . . . . . ib.  
   — such lands must be registered, and certificate of, obtained . . . . . ib.  
   — not to enjoy, without Certificate . . . . . ib.  
   — provision to ascertain exact amount of money due to Government . . . . . 72  
   — new valuation within a year of transfer or change of possession . . . . . ib.  
   — Service Parveny lands . . . . . ib.  
   — common holders of, ordered to divide . . . . . 17  
   — lascoreens liable to service on account of accomodessans, may give them up . . . . . ib.  
   — tenure of service abolished, and certain tax thereon substituted . . . . . 57  
   — accomodessans resumed, and provision for holders thereof . . . . . ib.  
   — tenure of, declared . . . . . 123  
   — privilege of succeeding thereto to be in males only . . . . . ib.  
   — alienation thereof prohibited . . . . . ib.  
**LANGUAGE, ENGLISH,** to be generally used in pleadings and papers in Court . . . . . 53  
 — also in orders, minutes, and other entries . . . . . ib.  
 — depositions of witnesses to be translated into . . . . . ib.  
 — fees for translation . . . . . 54  
**LAWS of Dutch Government** continued, with certain alterations in Maritime Provinces . . . . . 6,41  
 — of Kandyan Government continued, with certain alterations over Kandyan inhabitants . . . . . 181,190,224,226,227  
 — Mahomedan, secured to Moors in Colombo . . . . . 93  
 — of Cingalese and Mussulmen reserved to them in certain cases . . . . . 37  
 — of British and Europeans, secured to them in Matrimonial and Testamentary cases . . . . . 41  
**LAZARETTOS.** See *Plague*.  
**LIMITATION OF ACTIONS,** different periods prescribed . . . . . 26  
 — 30 years in suits claiming land . . . . . ib.  
 — 10 years in suits relating to personal property . . . . . ib.

**LIMITATION OF ACTIONS**  
 — exception as to disabilities and rights of Government . . . . . 26  
   See *Prescription*.  
**LOAN BOARD,** past loans made by, legalized 343,362  
 — authorised to continue making loans, subject to rules of Court . . . . . 343  
 — orders to be made by Supreme Court, and communicated to the Governor . . . . . ib.  
 — not less than two-sixths of interest to be paid to Government . . . . . 344  
 — Registrar authorised to sue out Parate Execution against debtors of . . . . . 312  
 — continuing to, powers exercised before Charter, and extending their operation to District Courts . . . . . 397  
 — instruments granted to or by, exempt from Stamp . . . . . 398  
 .  
**MAGISTRATES,** instructions to, in taking information . . . . . 85  
**MAHOMEDAN LAWS** to be observed in Colombo . . . . . 93  
 — relating to inheritance . . . . . 93,97  
 — matrimonial affairs . . . . . 97,99  
**MALABARS** who were residing in Country at the Kandyan War, prohibited from resorting to Ceylon . . . . . 191  
 — penalty in case they resort to, or continue in the Island after Regulation . . . . . ib.  
 — permission to do so of no avail, unless they comply with conditions . . . . . ib.  
**MALABAR HEADMEN.** See *Headmen in Malabar Districts*.  
**MALAYS** not in Military service to be registered, and where to reside . . . . . 5  
**MANAAR,** establishing Police in Town, Fort, and Gravets of . . . . . 183  
**MARRIAGES** between Roman Catholics valid, though Dutch forms are not observed . . . . . 83  
 — celebrated by Missionaries legalized . . . . . 186  
 — regulations to facilitate, between Native Protestants . . . . . ib.  
 — Governor may grant warrant to persons to celebrate . . . . . ib.  
 — forms then in use to be observed . . . . . ib.  
**MARRIAGES AND BIRTHS,** Registry of, established . . . . . 278  
 — made indispensable to validity of marriages, for purposes of property after August 1, 1822 . . . . . ib.  
 — Register, and subsequent cohabitation sufficient evidence of marriage . . . . . ib.  
 — Proviso as to entries of Marriages and intended Marriages before August 1, 1822 . . . . . ib.  
 — No entry to be made in Registry, without three proclamations, except in case of license . . . . . ib.  
 — License to be issued by Collector, and manner of obtaining it . . . . . ib.  
 — Proviso as to proclamations where parties reside in different districts . . . . . 279  
 — Officer authorised to keep, to proclaim and register applications . . . . . ib.  
 — Penalty in case of neglect . . . . . ib.  
 — Fee for Registration . . . . . ib.  
 — Proceeding where marriage is objected to . . . . . ib.  
 — Damages in case of false or frivolous objection . . . . . ib.  
 — Protestants bound, after registry, to marry according to the forms of their Church . . . . . ib.  
 — Penalty on neglect . . . . . ib.  
 — Persons licensed to celebrate marriage . . . . . ib.  
 — Baptism not necessary to registry of marriage . . . . . ib.  
 — Prohibited degrees within which marriage may not be contracted . . . . . ib.  
 — When marriages within prohibited degrees shall be void . . . . . ib.  
 — Parties liable to punishment for incest . . . . . ib.

## MARRIAGES AND BIRTHS.

Registers to be sent to Principals of Schools	279
Persons licensed to marry, bound to give a Certificate of solemnization, and send duplicate to keeper of Registry	280
Same persons to keep Registers of Births	ib.
Transcripts to be sent to Principals of Schools	ib.
Extracts or Certificates to be received as evidence	ib.
Extracts to be on Stamp of six fanams	ib.
Penalty for falsifying Register or Transcript	ib.
Regulation not to apply to Europeans	ib.
not to affect laws of any sect or caste	ib.
<b>MASTER ATTENDANT'S DEPARTMENT at Galle</b>	
duties and responsibilities of, defined	132
MATURA, Circuit through District of, directed, to suppress gangs of robbers	137
<b>MEASURES, establishing measures according to a fixed standard</b>	
respecting dry	191
establishing liquid or linear measures and weights, according to a fixed standard	286,290
<b>MOORMEN exempted from public works on certain conditions</b>	
jurisdiction over, in Kandy	228
and Chetties, personal service abolished, and liability to pay Ouliam duty declared	363
and Malabars, prohibited from owning houses in Pettah and Fort of Colombo, with certain exceptions	199
repeal of such prohibition	373
<b>MORTGAGES, proceeding in cases of Native Debtors upon, who are dead, or not to be found</b>	
on Fiscal's return of non est inventus, an Edictile Citation should issue	ib.
form of citation, and mode of service thereof	ib.
proceeding on return of citation	ib.
<b>NOTARY PUBLIC, Deeds respecting Land to be drawn by</b>	
Deeds to be executed in duplicate by, and duplicate transmitted to the Court	81,318
penalty in case of omission to send duplicates	82,318
fee to Notaries	ib.
Deeds not invalidated though not drawn by	ib.
<b>NOTARIAL PAPERS. See Capitulation of Colombo, Art. 22.</b>	
<b>OFFICE OF TRUST, those holding under Government, prohibited from trading without license</b>	
bound to take oath not to engage in trade	148
OPIMUM, smoking of, after sunset prohibited	149
<b>PADDY, prohibiting cultivation of, in certain parts of Trincomalie. See Trincomalie</b>	
<b>PARADE GROUND IN FORT, Corporal punishment not to be inflicted there; and no one to enter therein without Commandant's authority</b>	
	79
<b>PARATE EXECUTION. See Loan Board.</b>	
<b>PATROLE. See Police.</b>	
<b>PAWN, no one to receive gold or silver article in, without shewing to Police Officers</b>	
	84
<b>PEARL BANKS, for protection of</b>	130

## PEARL BANKS.

Boat or other Vessel found anchoring or hovering within certain limits, liable to confiscation	130
Two-thirds of the vessel to go to the Government, one-third to person seizing	ib.
<b>PEARL FISHERY, temporary measure to protect from Civil arrest those who attend, in 1814</b>	
	170
	in 1816 187
	in 1830 361
	in 1831 366
temporary measure to exempt from Stamp, transactions of, in 1830	361
	in 1831 366
PEPPER, import duty on	368,375
<b>PERJURY before Provincial Judges, Sitting Magistrates, and Justices of the Peace, how to deal with</b>	
jurisdiction to Provincial Judges to try minor cases of	255
ib.	ib.
<b>PETITIONS must contain name of drawer, and the fee received by him</b>	
penalty in case the true fee is not inscribed	22
regulating charge for drawing	ib.
rules to be observed by drawers of	55
Stamp duties on	ib.
56	
<b>PLAGUE, regulation to prevent disease being introduced here</b>	
communication with Vessels prohibited, except under restrictions	60
lazarettos established	ib.
ib.	ib.
<b>PLEDGES, mode of proceeding in cases of loans upon, where native debtors are dead, or not to be found</b>	
on return of non est inventus, property to be sequestered, and Citation to issue	326
form of citation, and service thereof	ib.
proceeding upon return of citation	ib.
<b>POLICE, regulations for better, in Colombo 91,153,157</b>	
	in Galle 152
	in Jaffna 106,152
	in Manaar 183
	in Matura 252,281
	in Negombo 232
	in Trincomalie 149
vesting in Governor the power to fix the hours during which patrole shall continue on duty	289
<b>POLICE OFFICERS created in each village</b>	
their appointment, duties, and powers	84
ib.	ib.
<b>POOR FUNDS transferred from Deaconries to Sub-Committees of Superintendence</b>	
	69
<b>PORTS, rules and charges for, and prices of labour at, of Colombo, Galle, and Trincomalie</b>	
	131,159
Magistracy created for, at Colombo	87
POSTAGE, rules relating to, and rates of	139,166
<b>POSTHOLDERS bound to provide Travellers with provision and accommodation on payment</b>	
neglect or refusal to do so, or insolence, made punishable	5,58
58	
<b>PRESENTS, giving of, prohibited. See Kandyan Insurrection, Art. 26.</b>	
<b>PRESCRIPTION. See Limitation of Actions.</b>	
30 years' possession of land will give title by	32
10 years' substituted for 30	74,283
<b>Actions upon bonds or deeds prescribed after 10 years</b>	
	283,322
<b>Actions upon bills, notes, &amp;c, prescribed after 6 years</b>	
	283
<b>Actions upon unwritten promise, &amp;c., prescribed after 3 years</b>	
	ib.
<b>Actions upon goods sold, &amp;c., prescribed after 1 year</b>	
	ib.
<b>Actions for injury or damage prescribed after 2 years</b>	
	ib.
proviso in case of disabilities	ib.
<b>PREVARICATION before Provincial Judges, Sitting Magistrates, and Justices of the Peace, how to deal with</b>	
	255



- PRISONERS** in Gaol, from inability to pay fines under Rds. 100, and to give security for good behaviour, discharged on the Sovereign's birthday . . . 142  
 — sentenced to hard labour, may be sent out of Justice's district . . . 111  
 — provision to bring back, sent out of district at the end of their imprisonment . . . 143  
 — See *Batta to Prisoners. Hard labour.*
- PRISONERS AT WAR**, taken at Kandyan expedition and expelled, prohibited from returning to the Island without permission of Governor . . . 191
- PROCESS**, to secure certain, and correct execution of, from the Courts . . . 305,349
- PROPERTY**, persons finding, bound to bring it to Collector or Vidahn, who must report it to Magistrate . . . 299  
 — Magistrate must publish the circumstance . . . ib.  
 — Proceedings where claimant appears within 6 months . . . ib.  
 — Proceedings where claimant does appear . . . ib.  
 — Punishment for breach of Regulation . . . ib.
- PUBLIC RECORDS**. See *Evidence.*
- PUNISHMENTS**, Tortures, and barbarous modes of, abolished . . . 6  
 — Capital, how to be inflicted . . . ib.  
 — affixed to certain offences . . . 13  
 — the cutting of hair, by way of, prohibited . . . 247
- RECEIPTS**, public, to be granted in British currency . . . 324
- RECOGNIZANCE**, how to levy, under Rds. 100 . . . 112  
 — how to levy, above Rds. 100 . . . ib.
- REGIMENTAL EFFECTS**, respecting sale of . . . 359
- REGULATIONS**, mode of drawing, printing, translating, and distributing . . . 155  
 — publication of, how to be made . . . 156
- RELIGIOUS WORSHIP**, free exercise of, allowed . . . 9  
 — See *Christian Religion.*
- RE-PURCHASE**, right of, as to lands in Kandy modified . . . 271  
 — right of, not to be implied in future . . . ib.  
 — when expressly agreed upon, and afterwards enforced, expenses of purchases to be paid . . . ib.  
 — in cases of prior sales, right not to be recognized, unless claims thereto be recorded within a period . . . ib.  
 — no right of, vests in seller's heirs . . . ib.
- REVENUE CASES**, forms of proceeding in . . . 121,147
- RIX-DOLLARS**, value of, fixed at 1s. 9d. . . 138  
 — at 1s. 6d. . . 324  
 — See *Coin.*
- ROADS**, for preservation of, in Kandyan provinces . . . 254  
 — four feet from the road to remain uncultivated . . . ib.  
 — no pipes to be laid across the road . . . ib.  
 — provision for making drains across, for agricultural purposes . . . ib.  
 — penalty for breach of Regulation . . . ib.
- ROMAN CATHOLICS**, disabilities of, wholly removed . . . 83  
 — Statute 10 Geo. 4, cap. 7, made law in Ceylon . . . 360  
 — marriages between, to be valid though Dutch forms are not observed . . . 83  
 — oaths of, holding office . . . 360
- SABBATH DAY**, sale of goods, and of spirits on, prohibited . . . 198  
 — penalty for breach of regulation . . . ib.  
 — Constables, &c., to enforce observance of . . . ib.
- SALT** allowed free to Chalias, upon certain indents . . . 14
- SALT**.  
 — illicit manufacture of, at Chilaw, Putlam, and Calpentyn prohibited . . . 158  
 — to prevent stealing of Government . . . 167  
 — for protection of revenue derived from . . . 200
- SALT FISH**, import duty of fifteen per cent on, imposed . . . 267  
 — export duty on, exported from one port within the Island to another, abolished . . . ib.
- SARDINIAS**, prohibition in catching, at Trincomalie in January and December . . . 303
- SAVINGS' BANK**, benefits of, when they will accrue . . . 375  
 — Charitable Societies, deposit of funds belonging to, in . . . 377  
 — receipt of Treasurer, Trustee, or Officer of, sufficient . . . ib.  
 — deposits in, must be paid to Treasurer when amounting to £50 . . . ib.  
 — depositors to declare residence, profession or calling . . . ib.  
 — who may act as Trustees for . . . ib.  
 — when they may withdraw, and re-deposit . . . 378  
 — administration of Estate of, when dispensed with . . . ib.  
 — funds of, to be laid out at interest, pledge, or mortgage . . . 376  
 — interest, rules for payment of, to depositors . . . 377  
 — minors, savings of, may be invested in . . . ib.  
 — payments to and receipts by, held valid . . . ib.  
 — Officers of, Treasurer, Trustee or Manager not to have any allowance or profit . . . 376  
 — they may become depositors . . . ib.  
 — rules of, must be open for inspection of depositors . . . ib.  
 — transcript of, to be deposited with Colonial Secretary . . . ib.  
 — alterations in, to be also sent . . . ib.  
 — to be submitted to Government before entry and deposit . . . ib.  
 — to be binding when entered in books, and deposited with Colonial Secretary . . . ib.  
 — entry of, admissible in evidence . . . ib.  
 — Securities, Government may object to . . . ib.  
 — Stamps, bonds, instruments, &c., exempt from . . . 376,378  
 — Treasurer of Colony, to be Treasurer of Bank . . . 376  
 — to make payments on the order of one Trustee and two Committee members . . . ib.  
 — Trustees, appointment of, by Government . . . ib.  
 — liability of, and of other Officers . . . ib.  
 — effects and rights of Bank vested in . . . ib.
- SCHOOLS** not permitted without license from Governor . . . 9
- SERVICE**. See *Impressment.*
- SERVITUDE**, masters in Jaffna to give security for good behaviour for their Covias, Nalluas, and Palluas . . . 107
- SHIPS** not to depart from port without clearance . . . 144  
 — charge for anchorage of . . . ib.
- SILVER SMITH**, no one to exercise trade of, without giving security, and license . . . 84  
 — not to mend, alter, or melt any gold or silver article, without shewing to Police Officer . . . 84,92
- SLAVES**, appeal allowed in case of dispute as to property in . . . 85  
 — emancipation, course to pursue if slaves derived . . . 91  
 — to secure benefits of, to children of certain slaves . . . 208  
 — of certain female slaves, children of Covias, Nalluas, and Palluas . . . 268

- SLAVES,**  
 — for facilitating emancipation in Manaar 272  
 — importation of, prohibited . . . 4  
 — property in, right of acquiring and transferring within the Island continued . . . ib.  
 — joint tenure of, abolished . . . 208  
 — for facilitating division amongst owners of Covias, Nalluas, and Palluas in Jaffna and Trincomalie . . . 221  
 — relief to certain proprietors in Batticaloa . . . 236  
 — punishable for bringing false and frivolous complaints against masters . . . 47  
 — for misdemeanour . . . 265,267  
 — registration of, in Jaffna . . . 91,114  
 — liberated in absence of, within stated time . . . 114  
 — registration of, stamp for acts of . . . 114  
 — suspension of acts as to . . . 207  
 — for establishing a new . . . 208  
 — extending term for 222,237,249,272,282, 290,299,304,316,320
- SMALL POX,** medical assistance to be sent to village where it appears . . . 23  
 — people entreated, and headmen commanded not to leave infected villages . . . ib.  
 — penalty on headmen leaving infected villages . . . ib.  
 — certain officials empowered to grant warrants for removing of persons infected with . . . 246  
 — penalty for disobedience to, neglect in, or obstruction of execution of warrant . . . ib.  
 — householders in whose house disorder appears, bound to report the same . . . 258  
 — penalty in case of omission to report . . . ib.  
 — 128
- SMUGGLING,** for prevention of . . . 128
- SOLDIERS' NECESSARIES,** arms and equipment, to prevent fraudulent purchase of . . . 173
- SPIRITS,** to prevent distillation of . . . 262  
 — duty on . . . 255
- STAMP DUTIES,** detached stamps abolished, and new rates established . . . 81,115  
 — abolition of, and establishment of new rates 194,196,244,257,288,296,302,336,361  
 — deeds stamped after execution, legalized; and allowing them to be stamped within limited time . . . 115,128  
 — under Rds. 100 may be on olas:  
 — above, on paper or parchment . . . 81  
 — simplifying collection of . . . 244,257,288  
 — annexation of stamps declared illegal 271  
 — stamps expressed in British currency, authorized for those expressed in Rix dollars, &c. . . 335
- STOPPAGES** for rations to be at the rate of 1s. 9d. to the Rix-dollar . . . 139
- STREETS,** pigs straying on, to be killed . . . 153  
 — no dirt, rubbish, or filth to be laid upon . . . 154
- SUITORS' MONIES.** See *Charter of 1801. Loan Board.*
- SURVEYS,** Surveyor General, and five Principal Surveyors appointed . . . 21  
 — their duties, defects . . . ib.  
 — defects in old, how cured . . . ib.
- TALLEPATTOO,** Agent of Revenue of Galle to make circuit through, and to exercise criminal jurisdiction during such circuit . . . 84
- TAPPAL SERVICE,** a corps created on certain roads for . . . 59
- TAXES,** exemption from, of lands . . . 330  
 — See *Lands.*
- TEMPLE,** lands belonging to, exempt from taxation. See *Kandyen Insurrection, Art. 21.*  
 — lands to be registered . . . 238,281  
 — proviso, where it is doubtful whether lands belong to Temple . . . ib.
- TEMPLE.**  
 — no bequest of lands to, valid, except by Governor's license . . . 238,381  
 — consequence where such license is wanting . . . ib.  
 — registry of lands &c. belonging to, indispensable to exempt them from taxation . . . 282  
**TENDER,** British Silver Coin, made legal . . . 324  
 — no person required to take as, more Copper than 12 pence . . . ib.  
**TENURE BY SERVICE,** Order in Council respecting 371
- TESTAMENTARY DISPOSITION.** See *Board of Commissioners,* under head of *Administration of Justice.*
- THESAWALAMY** to be in force in Jaffna . . . 107  
 — questions between Malabars to be decided according to . . . ib.  
 — also questions relating to rights and privileges between high and low castes . . . ib.  
**THOMBO,** respecting validity of . . . 32,73
- TIMBER,** tax imposed on, felled either in Government forests, or in private gardens 273,374  
 — felling of, in Government forests prohibited, without license . . . ib.  
 — penalty for breach . . . ib.  
 — tax on timber felled in private lands given up . . . 374
- TITLE,** Act for conferring. See *Headmen.*
- TOBACCO,** export duty of one-fourth ad valorem imposed . . . 18  
 — one-fourth in kind imposed . . . 60  
 — 30 per cent. ad valorem imposed . . . 79  
 — 50 per cent. ad valorem imposed . . . 82  
 — right of purchasing and manufacturing for, exclusively assumed by Government . . . 141  
 — to Travancore. without license prohibited . . . 267,275,292  
 — allowed . . . 303  
 — regulating the duty on . . . ib.  
 — to prevent smuggling without paying 316  
 — import duty on, produce of Jaffnapatam, given up . . . 20  
 — import duty on, from out of the Island, increased . . . 353  
 — transport of, within Island, provided for . . . 316
- TODDY,** to secure payment of duty on, used for baking at Colombo . . . 370  
 — fine for illicit removal of, increased . . . 229  
 — See *Arrack and Toddy.*
- TOLLS,** to protect right of collect exclusively, on Bridges and Ferries . . . 285  
 — Governor empowered to establish and enforce the payment thereof . . . 354  
 — power of Governor to levy tolls, abolished 367  
 — existing tolls on Roads, Bridges, Canals, and Ferries legalized and continued . . . 368
- TORTOISE SHELL,** fixing duty on . . . 255
- TRADE.** See *Offices of Trust.*
- TRAITORS,** two at Matura commanded to surrender themselves . . . 19  
 — pardon to some, and command to others to surrender . . . 22  
 — certain, warned to surrender themselves, on pain of their property being confiscated 75,78
- TRANSFERS OF PROPERTY** how to be made in Civil Court or Landraads . . . 49  
 — to be in writing, and on stamped paper . . . 81  
 — in Colombo, Galle, Jaffna, and Trincomalie, required to be made by Notaries sub-distributors required to draw up, without fee or surplussage . . . ib.  
 — sub-distributors to send duplicates and memorandum to Collector, to be sent to Provincial Court . . . 82  
 — Notaries to send duplicates to . . . ib.  
 — Courts — legalizing, drawn by Schoolmasters at Matura . . . ib.

<b>TRANSFERS OF PROPERTY.</b>		<b>VAGRANTS, law as to disposal of</b> . . . . . 90
— not invalidated, though not in compliance with 1 of 1806, and not drawn by a Notary . . . . .	197	— for suppression and disposal of, in Kandyan Provinces . . . . . 367
<b>TRAVELLERS</b> prohibited from travelling through the Island without passport from Commandant . . . . .	5	<b>VEDDAHs, to pay tribute in Wax.</b> See <i>Kandyan Insurrection, Art. 25.</i>
— prohibited exacting (personally or through their servants) provision from villagers . . . . .	ib.	
— not to require servants at tappal stations to serve them as guides . . . . .	58	<b>WANNY, administration of Justice in the</b> . . . . . 206
— See <i>Postholder.</i>		<b>WELLS, owners of, obliged to raise walls round</b> 289
<b>TRINCOMALIE, paddy</b> prohibited from being sown southward of Orr's Hill . . . . .	155	— walls in Maritime provinces to be 2½ feet high, and substantial . . . . . ib.
— lands to be drained . . . . .	ib.	— public, how to be secured by walls . . . . . 290
— compensation for injury to owners from above . . . . .	ib.	— extending period for raising walls round, in Batticaloa . . . . . 298
— for preserving Police at . . . . .	ib.	— exempting Jaffna from operation of regulation . . . . . 300
		<b>WITNESSES, Provincial Judges, Magistrates, and Justices of Peace to secure, residing out of their districts.</b> . . . . . 357
		— to examine, in Kandy . . . . . 244
		— See <i>Evidence.</i>



# CAPITULATION OF COLOMBO.

15TH FEBRUARY 1796.

*Preliminary Article*—JOHN GERARD VAN ANGELBEEK, Counsellor of India, Governor and Director of the Dutch Possessions in the Island of Ceylon, offers to deliver up to Colonel STEUART and Captain GARDNER Commanding the English Troops, the Fortress of Colombo upon the following conditions at the expiration of three days.

*Article 1st*—In this Capitulation shall be included the Town of Galle and the Fort of Caliture with all their Dependencies, Lands, Domains, &c. of the Hon'ble Dutch East India Company, and the Governor shall issue orders to the Commandeur and Council of Galle, and the Commandant of Caliture for the actual surrender, according to the contents of this Capitulation.

*Article 2d*—The Fort with all its Dependencies, Artillery, Ammunition, Stores, Provisions, and all other effects belonging to the Company with the Plans and Papers relative to the Fortifications, shall bona fide be delivered up without concealing or keeping back any thing.

*Article 3d*—And as the Books at Colombo as well as Galle are two years in arrear, the delivery shall take place according to the balances now actually existing, and a reasonable time be allotted to the Commercial Servants here and at Galle, with their Assistants, to finish the Books, and they shall during that time receive the pay and emoluments, fixed for their services. As the head Smith, Cooper, house Carpenters, the Overseer of the Arsenal and the Brick-maker receive every thing by indent, their accounts shall be examined by our accounts, and paid by the English, on the other hand the above-mentioned Artificers and Overseers are responsible for the articles issued to them.

*Article 4th*—All Public Papers shall also be faithfully delivered over, but attested copies of all the Public and Secret Consultations held during his short Government, and which he has not had an opportunity of forwarding to Holland or Batavia, shall be given to Governor VAN ANGELBEEK to enable him to answer for his conduct according to the nature of the circumstances.

*Article 5th*—The Returns and Merchandize of the Company which are partly laden on board the Ships *Berlican* and *Eensgezindheid* now lying in the roads, and partly stored in private houses, as well as those of Galle, shall also be faithfully delivered by the Commissaries who shall be appointed by the Government, to Major AGNEW, who is authorized by the Government of Madras to receive them.

*Article 6th*—But as the Company has of late years borrowed money upon interest of their Servants and Inhabitants, and when in want of ready money have issued

*Answer*—Major PATRICK ALEXANDER AGNEW Adjutant General of the British Troops in the Island of Ceylon, by virtue of the powers delegated to him by Colonel JAMES STEUART Commanding the British Army, and ALLAN HYDE GARDNER Esquire, Captain of His Majesty's Ship *Heroine*, and Senior Officer of the Naval force before Colombo, consents to admit of the Surrender of the Fort of Colombo, on the undermentioned terms, provided the Capitulation is signed this evening, and the Fort delivered to the British Troops to-morrow morning at ten o'clock in the manner stipulated in the following articles.

*Answer*—Granted.

*Answer*—Granted—The Surveys of the Districts of the Island of Ceylon, and its Coasts, with all other Public Plans to be included.

*Answer*—One year or eighteen months if absolutely necessary shall be allowed for the purpose of arranging the Books, during which time a reasonable salary shall be paid to the Servants of the Dutch Company necessarily employed in this Department—The accounts of the Artizans shall be examined and liquidated.

*Answer*—Granted.

*Answer*—All Merchandize, Stores and public property of every description, either laden on board the Ships now anchored under the guns of the Fort, deposited in public stores, or distributed in the houses of individuals, as well as all public property placed in a similar manner at Galle, Caliture or any other part of the Island of Ceylon depending on these Governments, shall be delivered by the Commissaries, who shall be named by the Governor VAN ANGELBEEK, to Major AGNEW, the Agent appointed by the Government of Madras to receive them, in three weeks from this date.

*Answer*—As Mr. VAN ANGELBEEK has assured the Officers Commanding His Majesty's Naval and Land forces before Colombo, that a refusal to comply with the

Krediet Brieven (*Promissory Notes*) to the amount of about five Lacks of Rixdollars, of which however at least an half is in the Treasury, with a promise to realize the same, and as several servants have their Pay and Emoluments in the hands of the Company, for which they have no other security but their property the abovementioned Debts, shall be paid out of them, and the *Notes discharged*, which can occasion the less consideration as the Returns alone taking the fine Cinnamon at only three Rupees a pound, the Pepper at 10 Rupees per Candy, the Cardamoms at one Rupee a pound, and the piece Goods, and other Merchandize at the Invoice price, will amount to about Twenty Five Lacks of Rupees, and all the Debts, Pay and Notes in circulation not above six Lacks. The Copper Doodies shall continue current for one Stuver.

*Article 7th*—All private property, without exception, shall be secured to the proprietors.

*Article 8th*—In which is expressly included the Funds of the Orphan House or the College for the administration of the effects of infant Children, and of the Committee for managing the Poor funds, as also the two Ships now in the roads *Berlican* and *Eensgezindheid* which belong to individuals in Holland, and are chartered by the Company as shall be proved.

*Article 9th*—The Garrison shall march out with the honors of War, pile their Arms by command of their own Officers on the esplanade, and again return to their Barracks—the Officers to keep their side Arms; the Cleavangs and Creeses of the Non-Commissioned Officers and Private Malays to be locked up in chests, and on their departure, on being set on shore, to be returned to them.

*Article 10th*—The European Officers, Non-Commissioned Officers and Privates of the Battalion of Dutch Troops, and the Detachment of the Wurtemberg Regiment doing duty with it, as well as the Artillery and Seamen shall be transported in English Ships from hence to Europe or Batavia according to their choice, with permission to carry along with them their women, children, necessary servants and baggage—none of the Officers however shall be removed from hence against their will, as many of them are married, and have their property here, and in case of any of them wishing to depart, time shall be allowed them to arrange their affairs to go where they please upon their Parole of Honor, not to serve in this War against England until they shall be exchanged.

*Article 11th*—As there are some Native born French in Garrison they shall be transported to the French Islands if they choose it.

*Article 12th*—The Malays that do not choose to remain here shall be transported in English Ships, with their Women and Children to the Island of Java.

demand contained in the 6th Article will be attended with the total ruin of the Colony, they consent to the following arrangements regarding the paper currency of this Island, provided the public property of the Dutch Company is found to be conformable to the statement contained in this Article.

The English Government of Ceylon will take up the Promissory Notes of the Dutch Government which are still in circulation, provided they do not exceed the sum of Fifty thousand Pounds Sterling, and issue Certificates for the Amount bearing an Interest of three per cent per annum payable half yearly, which Certificates shall be in force so long as the Districts of Ceylon extending from Matura to Chilaw shall be in possession of the English and no longer. Should these Districts be restored to the Dutch the responsibility of payment will necessarily revert to them, in which event the original Notes of the Dutch Government shall be restored to the proprietors in exchange for the Certificates granted by the British Government.

The Officers Commanding the British Forces are not authorized to provide for the payment of the arrears due to the Servants of the Company—this must be left to the future determination of His Britannic Majesty.

The Copper coin of the Island must find its own value in the course of exchange.

*Answer*—Granted—with the exception of all Military and Naval Stores, which in every instance must be deemed public property.

*Answer*—Granted—with the exception of the Ships, which must be deemed public property.

*Answer*—Granted.

*Answer*—The European Officers, Non-Commissioned Officers and Privates, as well of the Dutch Battalion, as of the Regiment of Wurtemberg, the Artillery, Engineers and Marine must be considered as Prisoners of War, and as such they will be treated with that attention which the British Government has ever shewn to those whom the fortune of War has placed in its power. The whole shall be sent to Madras.

Such of the Officers as desire to return to Ceylon for the reasons mentioned in this Article, will have permission to do so on giving their Parole of Honor not to serve during the present War against the English—Those who may desire to return to Europe, shall be permitted to do so, on the same conditions, but without any claim on the British Government for Pay or allowances of any description.

*Answer*—The French of the Garrison will be considered as Prisoners of War, and sent to Madras.

*Answer*—The Malay Troops shall be sent from hence with their Wives and Children to Tutucorin, and from thence by easy marches to Madras—they shall be subsisted while they remain Prisoners, and if not taken into the British service, shall at a convenient time be sent to

*Article 13th*—These Transportations shall take place at the expense of the English, and until that time the Military, Europeans as well as Malays, shall continue to enjoy their Pay and emoluments as was customary in the Company's Service—None of the Military shall be forced, or even persuaded, to enter into the service of His Majesty, or the Honble English Company.

*Article 14th*—The Sepoys and Moormen in the service shall have liberty to return to their birth place.

*Article 15th*—The Cingalese Lascars being soldiers according to the nature of their Service, and the Burghers and Civil Servants by the laws of the Colony being obliged to take up arms for its defence, it shall not tend to prejudice those people.

*Article 16th*—Governor VAN ANGELBEEK, the Commandeur of Galle FRETZ and all the other Political or Commercial Servants, not required in their official capacities for the purpose mentioned in Art. 3rd, shall have permission to remain as private individuals at Colombo, Galle or other place on the Island, or to betake themselves elsewhere. In the first case a reasonable means of subsistence shall be allowed to each according to his rank, in the last, they shall be permitted to carry their effects along with them without payment of any tax or duty whatever, but then all allowances to cease.

*Article 17th*—The respective vendue Masters here and at Galle shall be maintained during the collection of the outstanding balances, in right of the preference granted those people by the Company.

*Article 18th*—The Clergy and other Ecclesiastical Servants, shall continue in their functions, and receive the same Pay and emoluments as they had from the Company.

*Article 19th*—The Citizens and other Inhabitants shall be allowed to follow their employments, and enjoy all liberties and privileges as the subjects of His Majesty.

*Article 20th*—The Native Servants in the different Departments, shall be continued in their employ during their good behaviour.

*Article 21st*—The Eastern Princes Tommogoms and other men of rank here as state Prisoners, and who receive a Monthly subsistence shall continue to receive it according to the list which shall be delivered.

*Article 22nd*—All Notarial papers, such as Wills, Bills of Purchase and Sale, Obligations, Security Bonds &c. shall continue in force, and the Registers of them be preserved by Commissaries appointed on both sides for that purpose.

*Article 23rd*—All Civil suits depending in the Council of Justice shall be decided by the same Council according to our Laws.

*Article 24th*—The Deserters who are here shall be pardoned.

*Article 25th*—The above articles of Capitulation shall be faithfully fulfilled and confirmed by the signature of the Officers Commanding His Majesty's Sea and Land Forces Colonel JAMES STEUART and Captain ALLAN HYDE GARDNER; and in case of any thing appearing

the Island of Java, at the expense of the British Government.

*Answer*—The Military Officers European and Native, shall receive the Pay allowed to them in the Dutch Service. The Non-Commissioned and Privates will be subsisted according to the Regulations of the British Government for Prisoners of War. None shall be forced to enter the service of Great Britain against their consent.

*Answer*—Granted.

*Answer*—Granted.

*Answer*—Granted—with this exception, that as the Commanders of the British Forces before Colombo are not authorized to grant the subsistence required, this subject must be referred to the decision of the Government of Fort St. George.

*Answer*—Granted, for all balance outstanding.

*Answer*—Granted, under the same exception annexed to the 16th Article.

*Answer*—Granted.

*Answer*—Granted, subject to such Regulations as the British Government may hereafter judge necessary.

*Answer*—Granted, while they remain in Ceylon.

*Answer*—Granted.

*Answer*—Granted, but they must be decided in twelve months from this date.

*Answer*—All Deserters from the English service must be unconditionally given up.

*Answer*—Granted.

obscure, it shall be faithfully cleared up, and if any doubt should arise, it shall be construed for the benefit of the besieged.

*Article 26th*—(By Major AGNEW) The Garrison shall march out agreeable to the 9th Article at ten o'clock to-morrow morning, when the Gate of Delft shall be delivered to a Detachment of the British Troops—the Governor VAN ANGELBEEK will order an Officer to point out the Powder Magazine, Posts and public Stores that Guards may be placed for their security, and the preservation of order in the Garrison.

*Done in Colombo this 15th day of February 1796.*

J. G. VAN ANGELBEEK,

P. A. AGNEW,  
*Adj. General.*

Approved and Confirmed,

J. STEUART,

A. H. GARDNER.

---

### PROCLAMATION.

*(Expired.)*

*Proclamation, 18th December 1798.*

*The Exportation of Coconuts prohibited until further orders.*

**W**HEREAS it has been represented to us that the price of various articles of Provisions has risen to an exorbitant rate, highly oppressive to the Inhabitants of this Colony, and occasioned in a great measure by the speculations of individuals; We have thought it necessary to prohibit, until further orders, the Exportation of Coconuts, Copper, and Coconut Oil, and all Civil and Military Officers are hereby required accordingly to prohibit and prevent their Exportation from any District or Port in Ceylon except on the Island Donies for Coasting Trade, when the Shippers will give security for their being relanded at the Port for which they shall take out a Clearance to be Certified on the back thereof by the Officer in Charge of the Customs there.

*Colombo 18th December 1798.*

By order of the Governor.

HUGH CLEGHORN,  
*Sec. to Government.*

---

### PROCLAMATION.

*(Repealed by Ordinance No. 20 of 1844.)*

*Proclamation, 15th January 1799.*

**W**HEREAS doubts have arisen concerning the Right of disposing of, and of acquiring property in, slaves in this Island.

It is therefore hereby Published and made known, that such persons as were considered as slaves by the existing Laws of the Island on the 1st of this present January, shall continue to be the private Property of those to whom they belong; and may be transferred from one person to another resident in the Island according to the rules prescribed by the Laws of the late Dutch Government, but are not to be disposed of out of the Island, under the penalty of 500 Rix Dollars, one half of which sum is to be paid to the Informer, and the other half to the slave.

All Importation of slaves from the date hereof is totally and absolutely prohibited. And if every slave thus illegally imported, the person in whose possession such slave shall be found, shall pay to the sum of 500 Rix Dollars, one half of such sum to be paid to the Informer, and the other half to the slave.

Declaring however that nothing herein contained shall be construed to operate against a Master of a vessel, or Passenger thereof, bringing a slave on shore for his occasional service during his residence in the Island, or against such Families as may choose to remove from other parts, to this Island, provided that the number of slaves thus imported do not exceed the number which the service of such persons or families may be supposed to require, and provided evidence can be given of such slaves having been in the service of such families, for at least one year before their arrival in this Island, and that the names and quantities of such slaves be lodged with the principal Civil or Military Officer of the place where they land.

*Colombo, 15th January 1799.*

By order of the Governor,

W. BOYD,  
*Adj. Sec. to Gov.*



PROCLAMATION.

(Expired.)

THE frequent atrocious acts which have lately been committed within these Settlements having occasioned the greatest alarm amongst the well disposed Inhabitants thereof and having become highly prejudicial to the Peace, good order and security of the said Settlements. We hereby command that all Malays not in the Military Service, and excepting Infants and aged and infirm persons do present themselves to the Commandant of some Town or Fortress within the Colony on or before the 30th day of April answering to the 25th of the Month of Delhaidoo, next, there to be registered by such Commandant, and that they do fix themselves and their Families in such Place as shall be assigned and allotted to them by the Commandant.

Proclamation 13th March 1799.

All Malays not in the Military Service to be Registered.

And moreover we ordain and command, that if any Malay shall be found after that day wandering about or being within these Settlements and who shall not have presented himself to any Commandant as hereby is directed, or who having so presented himself shall be found at the distance of more than one mile from the Town or place which shall have been so destined for his habitation without having obtained a Passport from the Commandant (a form of which Passport is hereunto subjoined) certifying that he has allowed the said Malay to remove to the place specified in such Passport and certifying the number of days during which the said Passport shall be valid, such Malay shall be apprehended by the orders of the Collector of the District or the Commandant of the Town or Fortress in which such Malay shall be found, and shall, if such Malay were found without having any dangerous or offensive weapon upon him, be committed to confinement as a disorderly Person and be dealt with accordingly, but if such Malay be at the time of his apprehension found to be armed with any dangerous or offensive weapon whatsoever he shall be committed to close confinement, and shall with all convenient speed be banished and removed from these Settlements.

And that no Malay may excuse himself from obeying the orders hereby issued from a fear of being seized by the Commandant to whom he shall present himself and of being punished for any offence or crime by him theretofore committed, we do hereby declare that all and every Malay and Malays shall be by us pardoned for any offence or offences crime or crimes by him or them heretofore committed (high treason, wilful murder, misprision of treason, stabbing and House breaking in the night time always excepted) Provided such Malay or Malays shall have presented himself to the Commandant of some Town or Fortress within these Settlements on or before the said 30th day of April next, in the manner hereinbefore mentioned, and shall have obtained a certificate thereof (which such Commandant is hereby authorized and directed to give) according to the form for that purpose subjoined hereto.

Given at the Castle of Colombo 13th March 1799.

By Order of the Governor,

W. BOYD,  
Asst. Sec. to Govt.

FORM OF THE PASSPORT FOR MALAYS.

I do hereby Certify that the bearer hereof (the name) a Malay, is permitted to pass from \_\_\_\_\_ to \_\_\_\_\_ and this passport is to be in force for \_\_\_\_\_ days from the date hereof and no longer, unless such Malay is prevented from completing his journey within that time by sickness or other unavoidable accident.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 1799  
(the Signature)  
Commandant of \_\_\_\_\_

FORM OF THE CERTIFICATE FOR MALAYS

I do hereby Certify that \_\_\_\_\_ a Malay the bearer hereof did on the \_\_\_\_\_ day of \_\_\_\_\_ present himself to me and was Registered according to the tenor of the Proclamation issued on the 13th of March 1799.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 1799.

PROCLAMATION.

(Obsolete.)

HAVING received various Complaints from Persons inhabiting the villages in the Colony of oppression which they have suffered from the Attendants on Gentlemen travelling through the Country, and being determined to extend to every Class of Inhabitants the full protection of the Law in the security of their persons and property.

Proclamation 13th March 1799.

We order that on and after the fifteenth day of May next, no person of any rank or condition whatever shall set out to travel through the Island in a Palenquin or Dooly or on Horseback without a passport from the Commandant or Chief of the place which he intends to leave, in the subjoined form.

No Person is to travel through the Island without a Passport from the Commandant or Chief of the place he intends to leave

And that no inconvenience may arise to Travellers, we have given orders through the Postmaster General to all PostHolders stationed as PostHolders to procure for passengers all such provisions as they can reasonably procure, charging for such provisions five and twenty per Cent above the Market price of the nearest Town, which if he fails, or if he charges more than the sum so specified, the Post Holder so offending shall on conviction before the Post Master General forfeit for his first offence four times the value of the article demanded or charged and on the second, be dismissed from his office.

At the same time it is expressly forbidden to any person travelling to exact from the villagers any kind of provisions whatever, or to allow his servants and attendants to do so, any person convicted of having done or allowed his servants so to do, will be condemned by the Collector to a fine of ten times the value of the Articles so exacted, one half to the Sufferer, and one half to the Deacony, and

# ADMINISTRATION OF JUSTICE.

[1799]

PROCLAMATION 13TH MARCH 1799.

any Servant so doing without order from his Master, will, if a native Cingalese or Malabar of Ceylon, receive Fifty Lashes of a Chambouk, and if a Foreigner be immediately and for ever banished from the Island.

And, whereas such exactions are reported principally to have been made by parties of Soldiers removing from place to place without European Officers, we order all such in future, under pain of the severest Military punishment, to address themselves for whatever they may want to the Post Masters at the different stations, and to them alone.

Provisions as well as Coolies or Bearers are also only to be procured by application to the Post holder, and on payment to him of Ten per Cent over and above the established hire money of the Cooly.

Colombo 13th March 1799.

By Order of the Governor,

W. BOYD,  
Asst. Sec. to Govt.

*Date*

This is to Certify that \_\_\_\_\_ is going from \_\_\_\_\_ to \_\_\_\_\_  
aid and assist \_\_\_\_\_ with \_\_\_\_\_ and to order all Post holders on that Road to  
provisions at the established Rate in facilitating \_\_\_\_\_ Journey and procuring  
\_\_\_\_\_ Good for  
(Signed) \_\_\_\_\_

## PROCLAMATION.

(Repealed by Ordinance No. 5 of 1835.\*)

Proclamation 23rd September 1799.

WHEREAS it is His Majesty's gracious Command, that for the present and during His Majesty's will and pleasure, the temporary Administration of Justice and Police in the Settlements of the Island of Ceylon now in His Majesty's Dominion, and in the Territories and Dependencies thereof, should, as nearly as circumstances will permit, be exercised by us, in conformity to the Laws and Institutions that subsisted under the ancient Government of the United Provinces, subject to such deviations in consequence of sudden and unforeseen emergencies, or to such expedients and useful alterations as may render a departure therefrom, either absolutely necessary and unavoidable, or evidently beneficial and desirable; and subject also to such directions, alterations, and improvements, as shall be directed or approved of by the Court of Directors of the United Company of Merchants of England trading to the East Indies, or the secret Committee thereof, or by the Governor General in Council of Fort William in Bengal.

The Institutions which subsisted under the late Dutch Government to continue in force subject to such alterations &c.

We therefore, in obedience to His Majesty's Commands, do hereby publish and declare, that the administration of Justice and Police in the said Settlements and Territories in the Island of Ceylon, with their Dependencies, shall be henceforth and during His Majesty's pleasure exercised by all Courts of Judicature, Civil and Criminal, Magistrates, and Ministerial Officers, according to the Laws and Institutions that subsisted under the ancient Government of the United Provinces, subject to such deviations and alterations by any of the respective powers and authorities herein before mentioned, and to such other deviations and alterations as we shall by these presents or by any future Proclamation, and in pursuance of the authorities confided to us, deem it proper and beneficial for the purposes of Justice, to ordain and publish, or which shall or may hereafter be by lawful Authority ordained and published.

Torture and Barbarous modes of punishment, formerly existed.

And Whereas it having been represented to His Majesty that the practise of proceeding by Torture against persons suspected of Crimes, and of Punishment after conviction in many Capital Cases, by breaking upon the wheel and other barbarous modes of execution, had prevailed in the said Settlements on the Island of Ceylon, it was His Majesty's will and pleasure that we should wholly abolish those forms of Trial and Punishment which humanity condemns and experience has shown to be less efficacious in the prevention of Crimes than more lenient and equitable proceedings.

Practise of Torture and Barbarous modes of punishment abolished.

We therefore do hereby abolish throughout all and every the said Settlements and Territories, and their Dependencies, within our Government, the practise of proceeding by Torture against any person or persons suspected of any Crime or Crimes, and we do hereby also abolish the practise of inflicting punishment on any person or persons convicted, or who shall or may be convicted of any Crime or Crimes by breaking on the wheel, mutilation or other barbarous modes of punishment and execution; and the same are hereby abolished accordingly. And we do ordain and appoint that all Capital punishment shall be inflicted by hanging the offender by the Neck, until he be dead, and not in any other manner whatsoever; Provided always nevertheless that it shall, and may be lawful for the Governor for the time being, in special Cases, and at the Petition of the party convicted, to commute the punishment of hanging for that of decapitation, and by Warrant under his Hand and Seal to authorize and command the execution of such offender by decapitation accordingly.

Offenders to be hanged.

Decapitation instead of hanging.

And whereas His Majesty has been graciously pleased to authorize us according to our judgment and discretion, to establish and enforce more lenient and equitable forms, as well of trial as of punishment, than those practised under the Government of the United States:

Proceedings to be public and in open Court &c.

We hereby ordain and command, that in all cases of Criminal trial, no sentence whatever be in future pronounced, promulgated or passed, by any Court of Criminal Judicature established, or to be established in these Settlements, on the private examination of the party accused, or on the written Depositions of witnesses taken by or before any Fiscal or any Commissary or Commissaries out of Court, or on the conclusions delivered in by the Fiscal to the Court, but that in all Criminal Cases, the proceedings be public and in open Court, and be conducted in manner and form following, that is to say,

On a day certain, to be appointed by us for holding a Sessions for the trial of offenders, the Fiscal or other person or persons, having authority or power of keeping of Prison and of Prisoners, committed

\*NOTE—This Ordinance does not repeal such of the provisions of the Proclamation as declare the Dutch Law to be in force in the Maritime Provinces; or such as relate to the abolition of Torture; or as allow liberty of conscience and the free exercise of Religious Worship.

for any Offence or Crime, shall, and is hereby commanded to transmit the name of every such Prisoner in his or their custody, together with the charge on which such prisoner was so committed, and by whose authority, to the President of the Court of Criminal Judicature hereinafter mentioned, whereby the said Court may proceed to the Trial of such Prisoners according to law, and the said Court shall command that the said prisoners on a day to be appointed by the President of the said Court, be brought, and the said prisoners shall accordingly be formally brought before the Court; Upon which the Registrar of the said Court shall openly and distinctly read the Articles of accusation against such prisoner or prisoners upon which they or any of them is or are to be tried; which articles shall have been previously prepared by the proper Officer for that purpose to be appointed, and in which shall be set forth the particular fact or facts, Crime or Crimes, Offence or Offences, of which such Prisoner or Prisoners is or are respectively accused, with the time and place, when and where, and in what manner, the same was or were committed, after which each Prisoner shall be asked whether he be guilty of the Offence or Crime whereof he is accused, or not Guilty. Whereupon every such Prisoner shall propound to the Court any exception in law to the said articles of accusation which he may be advised or think fit to propound; on which exception the Court shall proceed to decide according to law, but if such Prisoner do not propound any such matter of exception or if the same be not allowed by the Court, such Prisoner shall immediately plead thereunto Guilty; or not Guilty; Provided always that if any such Prisoner do contumaciously neglect or refuse to plead thereto, the said Court shall cause such neglect or refusal to be registered in the acts of the Court, and shall proceed to the examination of witnesses and to sentence of acquittal or condemnation, as the case shall require in like manner as if such Prisoner had pleaded not Guilty thereto. But if any Prisoner shall plead not Guilty, a reasonable time shall be allowed him to obtain the presence of the witness or witnesses whom he shall state to be necessary for his defence, and compulsory process if necessary shall be decreed against such witnesses to enforce their attendance and on the day of Trial the articles against such Prisoner shall again be openly and distinctly read by the Registrar of the Court, and witnesses shall be produced by the said Registrar and duly sworn, in such manner and form as the said Court shall deem most binding on their consciences; and shall be respectively examined openly viva voce, and in the presence of the Prisoner, and after a witness hath answered all the questions proposed by the President of the Court and given his evidence, it shall and may be lawful for the Prisoner to have the witness cross-examined, by first declaring to the Court what question he would have asked and thereupon the President of the Court shall interrogate the witness accordingly, and the Prisoner shall then have liberty to produce the witnesses for his defence, who shall be sworn and examined upon Oath in such manner and form as the Court shall esteem most binding on their Consciences as those that testified against him were: and the whole of the evidence as well on the part of the prosecution as of the Prisoner shall be reduced to writing by the proper Officer or person for that purpose appointed by the Court: and afterwards the Prisoner shall be fairly, attentively and favourably heard in his defence, all which being done the Prisoner shall be taken away and kept in safe Custody, and all other persons except the said Registrar shall withdraw from the said Court, and then the Court, shall consider of the evidence which hath been given and the Law as applying thereto, and shall debate the matters and circumstances of the Prisoners case and the President of the Court shall collect all the votes of the persons who do sit and have voices in the said Court, beginning at the Junior first, and ending with himself; and according to the plurality of voices sentence and judgment shall be then given and pronounced publicly in the presence of the Prisoner or Prisoners, they having been for that purpose called in again, and shall be duly entered on the acts of the Court and according to such sentence and judgment, the Prisoner or Prisoners shall be wholly acquitted and discharged, or condemned and put to death, or such other punishment as the Court shall have decreed, which sentence previous to its being published, or put in execution, shall be signed by the Chief Secretary to the Government, by the authority of the Governor.

PROCLAMATION 23d SEPTEMBER 1799.

And whereas, by the Criminal law as administered under the Government of the United States, no sentence of death could be legally pronounced against any offender, however conclusive the evidence given against him might be unless he confessed his Guilt, for the purpose of obtaining which Confession it was the practise to pronounce a sentence of Torture against the prisoner, and as on the one hand neither the influence of promises nor the dread or menace of Torture will hereafter be employed to obtain from offenders a confession of their Guilt, so on the other hand Public Justice requires that the Laws shall be duly maintained and carried into execution, without being impeded by want of the Confession of the Offender; and it is therefore expedient that the necessity of obtaining such Confession should be removed. We do therefore direct and ordain that, in all Criminal cases, the Court shall in future proceed to pronounce sentence according to law and in the evidence given, and in manner and form prescribed by these presents, without requiring the Confession of the Prisoner, any law of the United States, provincial, or other statute, usage, or custom to the contrary notwithstanding.

The practise of procuring Confession by Torture abolished.

And whereas, the establishments for the administration of Justice, Civil and Criminal, under the Government of the United States were numerous and complicated, consisting of three several Courts of Judicature at each of the Town of Colombo, Jaffnapatam and Galle, together with many other inferior establishments of various Jurisdiction: and whereas also from the long and unfortunate suspension of Criminal Judicature, it has become peculiarly necessary that it should be conducted with all practicable vigilance strength, and promptitude, and that Government be acquainted with its proceedings, and the consequent state of Civil order in these Settlements. We do hereby Command and ordain that the Criminal functions of the three Chief Courts, held at the several Towns of Colombo Jaffnapatam and Galle, and called respectively (Hoff van Justitie,) shall from the promulgation of these Presents be consolidated and exercised by one Tribunal only; and we do therefore hereby publish and declare, that we will exercise all Criminal Jurisdiction hitherto by them or either of them exercised, for the Trial of all Crimes and Offences heretofore done and committed, or which shall hereafter be done or committed within any of the Settlements and Territories aforesaid, with their Dependencies in the Island of Ceylon, and will for that purpose issue one or more Commission or Commissions, during pleasure, to such Chief or other associate Judge, or Judges as we shall think necessary, who, together with us shall administer Criminal Justice according to the tenor of His Majesty's instructions, and shall accordingly in manner herebefore prescribed, try, hear, and determine, and promulge sentence and order execution upon and against all crimes and offences done or committed, or which shall be done or committed within any of the Settlements and Territories aforesaid, with their Dependencies in the Island of Ceylon, and which Criminal Jurisdiction shall be exercised at such places and times within any of the said Settlements and Territories with their Dependencies, as to us shall seem expedient for the purposes of Justice, and the speedy and due administration thereof throughout the whole British territorial jurisdiction in the Island of Ceylon.

Criminal Courts consolidated and reduced to one.

Provided always, nevertheless, that all inferior offences and disorders against the Police the cognizance of which formerly belonged to the Fiscal, shall be tried and punished by, and before the Fiscal or such other person or persons as we shall for that purpose think it to appoint throughout these Settlements and according to such Regulations as we shall in that respect establish and which will be duly published and declared accordingly.

Fiscal to take cognizance of inferior offences.

PROCLAMATION 23<sup>d</sup> SEPTEMBER 1799.

Power of the Civil Courts extended.

And whereas the Courts called respectively the Court of matrimonial and petty causes, and the Court called the Civil or Town Court, held respectively at the Towns of Colombo Jaffnapatam and Galle were limited in Jurisdiction to the Cognizance of Civil Causes to the amount in value of one Hundred and Twenty Six dollars, and whereas it appears to us expedient that the Jurisdiction of the said Courts be extended to all Civil causes whatsoever, arising within the local limits of their former Jurisdiction. We do hereby ordain and appoint, that the said Courts, and each of them, shall respectively be called the "Civil Court" only, and shall respectively exercise Jurisdiction, and take Cognizance of all Civil causes of whatsoever amount in the same manner and with the same powers as the said Courts respectively formerly exercised to the limited amounts hereinbefore recited, and with the additional power of decreeing the execution commonly called Parata Executive, in all cases where it may lawfully be decreed.

One Judge to form a Civil Court and three a Criminal.

And whereas by the Laws and Institutions which subsisted under the ancient Government of the United States it was ordained that, in all Criminal cases, not less than seven, and in all Civil cases not less than five Judges, should assist, and give their voice on passing sentence. And whereas for the prevention of a total failure of Justice it has become necessary, and the present emergency requires that an alteration should take place in the number of persons competent to sit in Judgment, and in Civil and in Criminal cases in the Courts of these Settlements, and that the same shall be reduced. We do therefore ordain and command that in all Courts of Judicature established or to be established within the said Settlements in the Island of Ceylon, one Judge shall form a competent Court to hear, try, determine and give sentence in all Civil causes, matters or things whatsoever, and in all Criminal cases, three Judges shall form a competent Court, to hear, try, determine and give sentence, any former or other institution, custom or usage to the contrary notwithstanding.

The President to have a casting vote in Civil cases.

And we do further publish and declare, that it shall not be lawful for any Party or Parties to decline the Jurisdiction of any Court or Courts so respectively constituted, nor any exception arising from a defect in the number of Judges, but such exception shall be wholly inoperative.

In Criminal cases the party accused to be acquitted should the Judges be equally divided.

And we do further ordain and appoint, that all Rules, Orders, Decrees and Acts of authority or power whatsoever, to be made or done by any Court or Courts of Judicature established or to be established in the said Settlements, shall, in all Civil causes, be made or done by and with the concurrence of the major part of the Judges assembled and sitting therein, if more than one, provided always that in case the Judges of any Civil Court be equally divided, the President of such Court for the time being shall have a double or casting vote.

Country Courts or Land Raads to be resumed.

And we direct and ordain that in all Criminal cases and Prosecutions, every Sentence and Decree therein to be given, shall be given with the concurrence of the major part of the Judges assembled and sitting therein. Provided always that in case the Judges shall happen to be equally divided the party accused shall be acquitted and wholly discharged of the Prosecution.

Proceedings to be summary in Civil cases.

And for the further Administration of Justice among the Native Inhabitants of these Settlements, We direct and ordain, that the functions of the Country Courts commonly called Land Raads, be immediately resumed, and that Justice be therein administered as nearly as circumstances will permit according to the Regulations published and established by WILLIAM JACOB VAN DER GRAAFF late Governor of these Settlements, and such further Regulations as are hereby, or shall hereafter, be lawfully introduced and established in that behalf.

Witnesses to be examined in open Court, and Depositions to be reduced to writing in appealable cases.

And whereas it is expedient for the welfare of these Settlements, for the preservation of public credit and the protection of Commerce, that the administration of Civil Justice should be rendered as plain and simple as possible, and that such forms only should be observed as are essential to the great ends of Justice, and the full and impartial investigation of the truth; And whereas also from the present circumstances of these Settlements, an observation of all the formal parts of proceeding which were practised under the ancient Government of the United States, is equally unnecessary and impracticable. We do therefore ordain and direct, that in all Civil suits to be instituted in any of the Courts of Judicature in these Settlements the proceedings be summary, and without such delays and formal parts of procedure, as are not conducive to the full and fair investigation of the merits of the case. And as we deem it to be highly essential to the due administration of Justice, as well as to its prompt dispatch, that the examination of witnesses, even in Civil cases shall take place viva voce, in open Court. We do therefore direct and ordain, that all witnesses in every Civil suit, shall be produced, sworn and examined, viva voce in open Court, and that in all Appealable causes the depositions of the witnesses on both sides shall be reduced to writing by the proper officer of the Court, and that the Judge or Judges shall also ex-officio ask such questions as shall to him or them appear necessary to bring forth the truth.

The Governor Commander of the Forces, and Secretary to Government to form a Court of Appeal.

Provided always, that in special cases of the great age or infirmity, or of the absence of any witness or witnesses in a different Jurisdiction from that in which the suit is instituted, the examination of such witnesses may take place upon Interrogatories in the usual form of such examinations.

Appeal to the King in Council permitted.

And whereas His Majesty has been graciously pleased to direct, that the Governor for the time being, the Commander in Chief of His Majesty's Troops for the time being, acting as Lieutenant Governor and the Secretary of the Colony, for the time being, should form a Court of Civil Jurisdiction for hearing and determining Appeals in certain cases within the said Settlements of the Island of Ceylon. We do therefore hereby publish and declare, that on application being made to us for that purpose, we will permit and allow Appeals from any of the Courts of Laws in the said Settlements unto us, and the persons aforesaid, provided nevertheless that in all such Appeals, the sum or value Appealed for, do exceed the sum of Two hundred Pounds of lawful money of Great Britain, or Two thousand Six dollars of lawful money of the currency of Ceylon and that security be first duly given by the appellant to answer such charges as shall be awarded in case the first Sentence be affirmed.

Appeals.

And we further publish and declare, that it is His Majesty's Will that if either party shall not rest satisfied with the Judgment of us the Governor, and the persons aforesaid in our Appellate Jurisdiction, it shall be and is lawful for such party to Appeal unto His Majesty in His Privy Council, provided the sum or value so Appealed for unto His Majesty, do exceed Five Hundred Pounds of lawful money of Great Britain, or Five Thousand Six Dollars of current money of Ceylon, and that such Appeal be made within Fourteen days after Sentence and good Security be given by the appellant, that he will effectually prosecute the same, and answer the condemnation, as also pay such Costs and Damages shall be awarded by His Majesty in case our Sentence be affirmed.

Provided nevertheless where the matter in question relates to the taking or demanding any duty payable to the United Company of Merchants of England trading to the East Indies, or to any established Fee of Office, or annual Rent or other such like matter or thing where the Rights in the same may be bound; in all such cases we will admit an Appeal to His Majesty in His Privy Council, and though the

Immediate sum or value Appealed for, be of a less value, and in all cases in which we shall admit Appeals unto His Majesty in His Privy Council. Execution will be suspended until the final determination of such Appeals, unless good and sufficient Security be given by the Appellatee to make ample restitution of all that the Appellant shall have lost, by means of such Decree or Judgment in case upon the determination of such Appeal, such Decree or Judgment should be reversed, and restitution ordered to the Appellant. And it is His Majesty's command also that we do permit, and we therefore publish and declare that we will permit, Appeals unto His Majesty in His Privy Council, in all cases of Fines imposed for misdemeanors, provided the Fines so imposed amount to, or exceed the sum of One Hundred Pounds Sterling the Appellant first giving good Security that he will effectually prosecute the same, and answer the condemnation, if the Sentence by which such Fines was imposed in our Government shall be confirmed.

And whereas from the present state of these Settlements, from the inferior amount in value of the generality of Civil suits, and from our earnest desire that justice be duly administered to all ranks of Society, we deem it expedient and beneficial that Appeals should be allowed from decrees in Civil cases, although the sum or value Appealed for does not exceed Two Hundred Pounds of lawful money of Great Britain or Two Thousand Six Dollars of the current money of Ceylon. We further publish and declare. That we will permit and allow Appeals in Civil Causes, to us or if we shall find it expedient, to us, together with such Chief or other Associate Judge or Judges as we shall, by any Commission for that purpose to be issued, appoint, from any of the Courts of Civil Judicature in the said Settlements, provided always that every Appellant do in his petition of Appeal, shortly state the cause or causes of Appeal, and provided also that in all such cases of Appeal (except in Appeal from any Landraad or Country Court) the sum or value Appealed for, do exceed the sum of Five Hundred Six Dollars, and do not exceed the sum of Two Thousand Six Dollars of lawful money of Ceylon, and that such Appeals be made within ten days after Sentence, and that security be duly given in the manner and to the same effect as herein before is directed, in cases of appeal to His Majesty in His Privy Council; and provided that in all cases of Appeal from any Landraad or Country Court the Sum or value appealed for do exceed the Sum of Three Hundred Six Dollars of the lawful money of Ceylon.

And it is His Majesty's will and pleasure that we should execute and we do therefore hereby publish and declare that we will execute the Ecclesiastical Jurisdiction, and the Office commonly called the office of ordinary, in so much as relates to the collation of Benefices, the granting of Licenses for marriages and Probates of Will.

And it being of the greatest importance that Justice be at all times and in all places speedily and duly administered and that all disorders delays and other undue practices in the administration thereof be effectually prevented, we do require and enjoin that in all Courts of Judicature established or to be established within the said Settlements of the Island of Ceylon, Justice be impartially administered, and that all Judges and other persons therein concerned do likewise perform the several duties without delay or partiality.

And we do hereby allow liberty of Conscience and the free exercise of Religious worship to all persons who inhabit and frequent the said Settlements of the Island of Ceylon, provided always that they quietly and peaceably enjoy the same without offence or scandal to Government; but we command and ordain that no new place of Religious worship be established without our Licence or Authority first had and obtained.

And we do hereby command, that no person shall be allowed to keep a School in any of the said Settlements of the Island of Ceylon without our Licence first had and obtained, in granting which we shall pay the most particular attention to the Morals, and proper Qualification of the Persons applying for the same.

And we do hereby in His Majesty's name require and command all Officers Civil and Military and all other Inhabitants of the said Settlements, that, in the execution of the several Powers, Jurisdiction and Authorities hereby, and by His Majesty's Command, erected, created, and made, or revived and enforced; they be aiding and assisting, and obedient in all things, as they will answer the contrary at their peril.

*Given at Colombo the Twenty-third day of September One Thousand Seven Hundred and Ninety-nine,*

By Order of the Governor,

HUGH CLEGHORN,  
Sec. to Government.

## PROCLAMATION.

*(Repealed by Charter of 1801.)*

WHEREAS by our late Proclamation issued and given at Colombo on the 23d day of September 1799, we did command and ordain that the Criminal functions of the Three Chief Courts held at the several Towns of Colombo, Jaffnapatam and Galle in the said Island of Ceylon and called respectively Hoff van Justitie should from and after the promulgation thereof be consolidated and exercised by one Tribunal only. And whereas we did thereby publish and declare that we would exercise all Criminal Jurisdiction theretofore by them or either of them exercised for the Trial of all Crimes and Offences done and committed or which should thereafter be done and committed within any of the Settlements and Territories with their Dependencies in the said Proclamation mentioned in the Island of Ceylon and that we would for that purpose issue one or more Commission or Commissions during pleasure to such Chief or other associate Judge or Judges as we should think necessary who together with us should administer Criminal Justice according to the tenor of His Majesty's Instructions and should accordingly in manner in and by the said Proclamation prescribed try, hear, and determine and promulge sentence and order Execution upon and against all Crimes and Offences done or committed or which should be done or committed within any of the Settlements and Territories aforesaid with their Dependencies in the Island of Ceylon and that the said Criminal Jurisdiction should be exercised at such places and times as to us should seem expedient for the purpose of justice and the speedy and due administration thereof throughout the whole British Territorial Jurisdiction in the Island of Ceylon.

Now know Ye, that We, by virtue of the powers and authorities vested in us by His Majesty and in pursuance of the said Proclamation have thought fit to grant, direct, ordain and appoint and by these presents We do accordingly grant, direct, ordain and appoint a Court of Judicature for the purposes aforesaid which shall be called The Supreme Court of Criminal Jurisdiction wherever the same shall happen to sit within the Settlements and Territories aforesaid with their Dependencies. And we do hereby further ordain and appoint that the said Supreme Court of Criminal Jurisdiction shall be holden by and before us as President or Principal Judge thereof, and we do hereby constitute and appoint the several persons following (that is to say) Major General HAY MACDONALD, HUGH CLEGHORN Esq. JAMES DUNKIN Esq. Colonel JOSIAS CHAMPAGNE and JOSEPH GREENHILL Esq. to officiate as Judges respectively in the said Supreme Court, and that all or any one or more of them shall jointly with us together with such Associate Judge or Judges as we may at any time hereafter think fit to appoint for that purpose, shall and may dispense Criminal Justice therein wheresoever the said Court shall happen to sit through-

PROCLAMATION 23d SEPTEMBER 1799.

Appeals to the Governor &c. in certain cases.

The Governor will execute Ecclesiastical Jurisdiction.

Judges to perform their duties without delay or partiality.

Liberty of Conscience and the free exercise of Religious worship allowed.

No School to be permitted without a License from Government

Universal obedience required.

Proclamation 14th October 1799.

PROCLAMATION 14th OCTOBER 1799.

out the said Settlements and Territories with their Dependencies on the said Island of Ceylon. And We do further ordain and appoint that all and every of the said Judges that is to say the said Major General HAY MACDOWAL, HUGH CLIGHORN Esq. JAMES DUNKIN Esq. Colonel JOSIAS CHAMPAGNE and JOSEPH GREENHILL Esq. and every of them shall hold their said Offices respectively during pleasure and not otherwise, but that while they continue to hold the said Offices respectively they shall severally and respectively be and they are all and every of them hereby appointed to be Justices and Conservators of the Peace within and throughout the whole extent of the said Settlements and Territories with their Dependencies in the said Island of Ceylon. And We do further ordain and appoint that the said Supreme Court shall have and use as occasion may require a Seal bearing a device and impression of an Elephant with an Exergue or Label surrounding the same with this inscription "The Seal of the Supreme Court of Criminal Jurisdiction and that the said Seal shall be kept in the Custody of us and our successors respectively or in the Custody of such Persons as we may from time to time appoint. And We do hereby further ordain and appoint that all Mandatory Process to be issued or awarded by the said Court shall run in the name of us or of our successors Governors of Ceylon and shall be sealed with the Seal of the said Supreme Court and shall have and bear the attestation of us or of our Successors and shall be signed by the Registrar of the said Court for the time being who is to prepare and make out such process. And We do hereby appoint JAMES SUTHERLAND Esq. to the Office of Registrar of the said Supreme Court of Criminal Jurisdiction and to hold the same during our pleasure. And We do hereby further ordain and appoint that the said Supreme Court of Criminal Jurisdiction shall have and may exercise within and throughout all or any of the said Settlements and Territories with their Dependencies full power and authority to enquire by the Oaths of good and lawful Men of all Treasons Murders and other Felonies Forgeries Perjuries Trespasses and other Crimes Misdemeanors and Oppressions, and for that purpose shall and may issue their Warrant or precept to be prepared as aforesaid and directed to all or any of the Fiscals or other Keepers of Prison within the limits aforesaid to certify to the said Court the several Persons then in their or any of their Custody committed for any of the said Criminal offences and the said Fiscals or other Keepers of Prison are hereby required to make due returns to all such Precepts, specifying in their said returns respectively the time or times when all and every of the said Persons so in their Custody was or were committed and by whom particularly and for what Crime or Crimes respectively together with such information or informations upon Oath as may have been taken against them or any of them then in the hands of the said Fiscal, or true Copies thereof attested by the said Fiscals or Keepers of Prison respectively or if need be according to the Exigence of such precepts or warrants respectively to bring the said persons so in their Custody or any of them before the said Supreme Court of Criminal Jurisdiction wheresoever the said Court shall then be held within the Limits aforesaid together with such Witness or Witnesses whose name or names shall appear to be written or endorsed on the respective Commitments by virtue of which such Prisoner or Prisoners was or were delivered over into their Custody respectively in order that such Prisoners may be speedily dealt with according to Law. And We do hereby authorize all and every the said Fiscal and Fiscals and other Keepers of Prison to summon all and every such witness or witnesses for the purposes aforesaid; And all and every such witness or witnesses are hereby enjoined to pay strict obedience to all and every such Notification or Notifications by Summons as aforesaid. And in Case of wilful disobedience to any such Warrant Precept or Summons by any of the said Fiscals, Keepers of Prison or witnesses the said Court shall and is hereby authorized to punish all and every such Contempt and Contempts or Contumacy by fine and imprisonment or either of them according to their discretion. And the Trial of all and every such Prisoner and Prisoners shall be had and proceeded upon and finally determined in such manner and form as we by our said in part recited Proclamation have in that behalf directed and prescribed and not otherwise. And Whereas we have already signified in and by our said in part recited Proclamation that His Majesty has been graciously pleased to direct that THE GOVERNOR FOR THE TIME BEING THE COMMANDER IN CHIEF OF HIS MAJESTY'S TROOPS FOR THE TIME BEING ACTING AS LIEUTENANT GOVERNOR AND THE SECRETARY OF THE COLONY FOR THE TIME BEING should form a Court of Civil Jurisdiction for hearing and determining Appeals in certain Cases within the said Settlements on the Island of Ceylon. And Whereas we did by our said Proclamation publish and declare that on application being made to us for that purpose we would permit and allow appeals from any of the Courts of Law in the said Settlements unto us to and to the persons aforesaid under such provisions and in such Cases together with such Appeal over to His Majesty in His Privy Council in certain Cases upon such terms and under such Provisions as in our said Proclamation set forth and prescribed. We therefore in order fully to effectuate His Majesty's gracious intentions in that behalf do hereby ordain and appoint that the said Court of Appeal so to consist of us together with the said Commander in Chief and the said Secretary for the time being, be called The Greater Court of Appeal and that the said Court be permanent and fixed and do sit as occasion shall require in the said Town of Colombo and not elsewhere for the hearing and determining of all such appeals as lie within its Jurisdiction. And We do further ordain and appoint that the said Court of Appeal shall have and use as occasion may require a Seal bearing a Device and impression of an Elephant within an Exergue or Label surrounding the same with this inscription "The Seal of the Greater Court of Appeal" and that the said Seal shall be kept in the Custody of us and of our Successors respectively or in the Custody of such Person as We or they may from time to time appoint. And We do hereby further ordain and appoint that all process to be issued or awarded by the said Court of Appeal shall run in the name of us or of our Successors and shall be signed by the Registrar of the said Court for the time being who is to prepare and make out such process. And We do hereby nominate constitute and appoint the said JAMES SUTHERLAND to the Office of Registrar of the said Court "The Greater Court of Appeal" and to hold the same during our pleasure. And We do hereby further ordain and appoint that the said Court "The Greater Court of Appeal" shall have full power and authority not only to confirm or reverse all and every the Sentence and Sentences Decree and Decrees in all or any Cause or Causes that come before them on Appeal, but that if they think it expedient for the great ends of Justice the said Court may remand all such Causes so brought before them by appeal to the Courts below respectively where such Decrees and Sentences have or shall have been respectively passed or given with such direction or directions as they may think proper to award for the further or fuller investigation of the Merits of such Causes respectively or of any one or more Point or Points of enquiry which they may judge of importance towards the elucidation thereof or they the said Court if they deem it more conducive to Justice may institute a further enquiry before themselves and order direct and receive such additional proof or proofs therein as may enable them to decide finally on the real merits thereof. And Whereas we have in and by our said Proclamation declared that from the present state of these Settlements from the inferior amount in value of the generality of Civil suits and from an earnest desire that Justice be duly administered to all Ranks of Society we deem it expedient and beneficial that appeals should be allowed from Decrees in Civil Cases although the Sum or Value appealed for do not exceed Two Hundred Pounds of Lawful Money of Great Britain or Two Thousand Six Dollars of the current money of Ceylon: and that We would permit and allow appeals in Civil Causes to us together with such Chief or other associate Judge or Judges as we should by any Commission for the purpose to be issued appoint from any of the Courts of Civil Judicature in the said Settlements upon such Terms and under such Provisions and restrictions as in our said Proclamation, particularly set forth We therefore in prosecution thereof and by virtue of the powers and authorities in us vested by His Majesty do hereby grant, direct, ordain and appoint a Court of Judicature for the purposes aforesaid which shall be called "The Lesser Court of Appeal" and that the same shall be holden before us as Presidents or Principal Judge thereof.

And We do hereby constitute and appoint the said Major General HAY MACDOWAL HUGH CLEGHORN and JAMES DUNKIN Esquires and the said Colonel JOSIAS CHAMPAGNE to act as Judges respectively in the said Court "The Lesser Court of Appeal" and that the said Court be permanent and fixed and do sit for the dispatch of business from time to time and as often as occasion shall require in the said Town of Colombo or elsewhere as we shall hereafter ordain and appoint. And We do further ordain and appoint that the said Court "The Lesser Court of Appeal" shall in like manner as the Court before mentioned have and use as occasion may require a Seal bearing a Device and impression of an Elephant within an Exergue or Label surrounding the same with this inscription. The Seal of the Lesser Court of Appeal and that the said Seal shall be kept in the custody of us and of our successors respectively or in the Custody of such Person as we or they may from time to time appoint. And We do hereby further ordain and appoint that all process to be issued or awarded by the said Court "The Lesser Court of Appeal" shall run in the name of us or of our successors and shall be signed by the Registrar of the said Court for the time being who is to prepare and make out such Process. And We do hereby nominate constitute and appoint the said JAMES SUTHERLAND to the office of Registrar of the said Court "The Lesser Court of Appeal" and to hold the same during our pleasure. And We do hereby further ordain and appoint, that the said Court "The Lesser Court of Appeal" shall in all Cases within the extent of their Jurisdiction, in like manner as the Greater Court of Appeal, have full power and authority not only to confirm or reverse all and every the Sentence and Sentences Decree and Decrees in all or any Cause or causes that come before them on Appeal but that if they think it expedient for the great ends of Justice, the said Court may remand all such Causes so brought before them by appeal to the Courts below respectively where such Decrees and Sentences have or shall have been respectively passed or given, with such Direction or Directions as they may think proper to award for the further or fuller investigation of the Merits of such Causes respectively or of any one or more Point or Points of Enquiry which they may judge of importance towards the elucidation thereof, or they the said Court if they deem it more conducive to Justice may institute further enquiry before themselves and order direct and receive such additional Proof or Proofs therein as may enable them to decide finally on the real merits of such Causes respectively.

PROCLAMATION 14th October 1799.

Given at Colombo this Fourteenth day of October One Thousand Seven Hundred and Ninety-nine.

By Order of the Governor,

HUGH CLEGHORN,  
Sec. to Government.

## PROCLAMATION.

(Repealed by Charter of 1801.)

WHEREAS by the Provisions established in most of the Courts of Judicature which prevailed under the Government of the United States throughout the Settlements on the Island of Ceylon, Appeals were allowed from their Sentences and Decrees in a variety of Cases. And Whereas the said Courts of Judicature on a sudden discontinued and surceased the performance of their Judicial Functions. And Whereas various Appeals may have been then either actually depending or about to be brought from such Decrees and Sentences thereof. And Whereas in consequence of such discontinuance the Suitors therein were deprived of all opportunity of prosecuting their said Appeals in the ordinary Course, prescribed by the then existing Regulations. We therefore in order to remedy (as far as in us lies) a failure of Justice equally unexpected and injurious, do hereby give Notice that we will receive Petitions, in the nature of Appeals for the purpose of revising such Decrees and Sentences in all those Cases, where Appeals were then actually depending before any Superior Tribunal either internal or external and also in all Cases where the Parties at the time of the discontinuance of such Courts had not by lapse or flux of time been precluded from Appealing. Provided always that such Petitions, in the nature of Appeals of appeal be preferred to us within Three Months after this Our Proclamation shall have been promulgated, and that the said Sentences and Decrees so to be revised do respectively amount in Value to the Sum of Three Hundred Rix Dollars and upwards current Money of Ceylon and that good Security be given before us by the Appellants therein respectively to prosecute the same with effect, and to answer the Condemnation, as also to pay such Costs and damages as shall be awarded by us in case the former Decrees and Sentences be affirmed. And Whereas after the said Settlements had submitted to His Majesty's Arms a Court of Equitable Jurisdiction was established at Colombo by the then existing British Government for the purpose of dispensing Justice in lieu or in the place of the Native Courts which had at that time surceased all Judicial Proceedings. And Whereas although no formal Appeal lay from the decisions of this Court to any other Tribunal it was yet provided that none of its Decrees, when the amount in value respectively exceeded the Sum of Five Hundred Rix Dollars, could be carried into effect before the same were submitted to the Representative of His Majesty on the said Island of Ceylon, and had received his approbation. And Whereas in such Cases, as come within that Regulation, and have not yet been submitted accordingly, the Suitors may wish to have the benefit thereof, We therefore from a desire of promoting Justice as far as in us lies, do hereby give Notice, we will, in like manner and under the like restrictions as above, receive Petitions in the Nature of Appeals of Appeal from the Sutor last mentioned in all Cases which have been determined since the accession of the said Settlements by His Majesty's Arms. Provided always that the Sum in Contest on such Petitions last mentioned do amount to 500 Rixdollars or upwards any thing in our former Proclamations contained notwithstanding.

Proclamation 14th October 1799.

Given at Colombo the Fourteenth day of October One Thousand Seven Hundred and Ninety-nine.

By Order of the Governor,  
HUGH CLEGHORN,  
Sec. to Government.

## PROCLAMATION.

WHEREAS the mischief done to the Gardens belonging to Government by Cattle grazing therein has obliged us to issue a Proclamation\* in date fourteenth November ordering all Cattle found therein to be taken, shot, or otherwise destroyed, and moreover that no person inhabiting within the said Gardens should be allowed to keep any Cattle, Sheep, Goats, or Swine, within the limits thereof even in their own enclosures, after

Proclamation 19th November 1799.

PROCLAMATION 19TH NOVEMBER 1799.

the first day of January next on pain of Confiscation of the Grounds possessed by him by whatever title he possess them.

And whereas it is our sincere desire to prevent as far as our duty will permit, any disadvantage or inconvenience to any of the Inhabitants of these Settlements, whose welfare is the first object of our heart.

We do hereby give Notice to all whom it may concern, that we have appointed a Commission consisting of JOSEPH GREENHILL Esq. President, GEORGE GREGORY Esq. Vice President, JAS. SUTHERLAND Esq., JOSIAS DUPRE ALEXANDER Esq., GAVIN HAMILTON Esq., and JOSEPH JONVILLE Esq. to receive all Petitions from such as may think themselves aggrieved by the aforesaid Proclamation, and to agree with them to give them Lands belonging to Government in exchange for those occupied by them in the Cinnamon Gardens on the following Conditions.

To all such as produce an undisputed Title Deed to Lands they possess therein, shall be granted cultivated Lands belonging to Government, superior in value to those possessed by them by five and twenty per cent, subject however to the payment of one-tenth to Government and to all other general taxes.

To all such as possess Grounds in the Cinnamon Gardens, either by Canois Parveny, or by Ratmaherre, or by actual possession before the occupation of the Town of Colombo by His Majesty's Arms, Lands shall be granted equivalent to those they so possess, subject to the Contributions mentioned in the foregoing article.

Those who have occupied Land in the Gardens since the Establishment of the British Government, having acted contrary to Law and to the orders of Government, shall immediately be driven from the same, and their habitations destroyed as soon as they can remove their effects.

And we hereby pardon them from all further Punishment.

Therefore, all persons holding or claiming property of Land within the Cinnamon Gardens in the Marendhan, at Morottoo, Ekele, and Kaderanie, are hereby required to produce to the Committee herein before named, their Titles to the same without delay.

And such persons as shall fail to do so on or before the 1st day of February next ensuing, shall be considered as having no title or claim to any property in the said Gardens, unless there shall appear to the Committee sufficient reason to the contrary.

Colombo, 19th November, 1799.

By Order of the Governor,

HUGH CLEGHORN,  
Sec. to Government.

#### PROCLAMATION.

Proclamation 1st December 1799.

WE FREDERIC NORTH Governor of the Island of Ceylon &c. &c. do inform all Native Headmen, Schoolmasters and Inhabitants within the Jurisdiction of Colombo, that it is our earnest desire that the Christian Religion should be continued and propagated as much as possible, and therefore do order all the aforementioned persons to assist, every one in their Offices and Situations, in order that the Christian Religion which has been planted with so much labour on this Island may be cultivated to the Glory of God and for the salvation of the Immortal Soul. The Schoolmasters are most seriously ordered to fulfil their duties, the Native Headmen to afford the necessary assistance to the Schoolmasters and the Inhabitants to send their Children diligently to School, to the Glory of our most beloved SAVIOUR and to spread forth his Kingdom.

Colombo the 1st December 1799.

By Order of the Governor,

HUGH CLEGHORN,  
Sec. to Government.

#### PROCLAMATION.

Proclamation 20th January 1800.

WHEREAS we have heard with great astonishment and displeasure that notwithstanding our Proclamation of the 19th November 1799 none of the Inhabitants of the Marendhan have produced their Titles to the Land they possess in that Garden to the Committee by us appointed to examine them.



And whereas we will not allow our orders to be slighted or disobeyed.

PROCLAMATION 20TH JANUARY 1800.

We hereby give notice to all whom it may concern, that we are determined to put those our orders in Force, and that the Houses of those Inhabitants of the said Marendhan who shall not have produced their Titles to the said Committee before or on the first day of February next, will be demolished and their Property in the said Garden confiscated.

We do further declare that all Persons convicted of deluding the said Inhabitants and encouraging them to persist in their Disobedience, will feel the weight of our severest Displeasure.

Colombo, 20th January, 1800

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

PROCLAMATION.

(*Repealed by Proclamation of 13th February 1802.*)

WHEREAS pursuant to His Majesty's gracious will and pleasure, all barbarous modes of punishment have been abolished in and throughout the Settlements of the Island of Ceylon, now in His Majesty's Dominions and in the Territories and Dependencies thereof. And whereas it is His Majesty's further gracious will and pleasure, that more lenient punishments should be introduced in lieu thereof; we therefore do hereby ordain and appoint that High Treason shall of course be punished with Death, and that Petty Treason, Murder, Sacrilege, the Crime against Nature, Rape, Robbery on the Kings Highway, Burglary and Arson shall not be entitled to Clergy but shall receive Capital punishment, to be inflicted in manner and form, as declared in and by Our Proclamation of the twenty third of September 1799 and not otherwise. And we do further ordain and appoint that all other Felonies at Common Law shall be entitled to the benefit of Clergy in the same manner as that privilege has been modified and restrained by Statute Law in England, and not otherwise, That is to say that all persons being Laymen, convicted of any of the said Felonies last mentioned, shall for the first offence be branded or burned in the Hand with a hot Iron, but on a second offence of the like kind shall suffer as Felons. And we do further ordain and appoint that every other Crime and Offence herein before not specified, which is malum in se, and not within the extent of the Fiscal's Jurisdiction to correct, shall be punished in like manner as Crimes and Offences of that nature are punishable by and under the Common Law of England. Provided always and be it known that we do hereby reserve to us and our Successors, Governors of Ceylon, full Power and Authority to pardon all Crimes and Offences whatever, High Treason and Murder only excepted, or to exchange and inflict (if we shall deem it more expedient) any lesser punishment in lieu of a greater, the Person or Persons convicted assenting thereto, but not otherwise. And that in cases of High Treason and Murder execution may be respited by Us and Our Successors as aforesaid, till His Majesty's Pleasure therein shall be known, any thing herein before contained, to the contrary thereof notwithstanding.

Proclamation 30th January 1800.

Colombo, 30th January 1800.

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

PROCLAMATION.

(*Repealed by Ordinance No. 5 of 1835.*)

WHEREAS we have much Reason to fear that great oppression is daily suffered by many of the poorer Landholders in these Settlements, from the destructive operation of heavy and ruinous Mortgages, which their necessities oblige them to enter into with their more opulent neighbours: We do hereby make known and declare, that the legal Interest of all Sums, lent on mortgage to any Lardholder, amounting to the sum of two hundred Rix Dollars lawful money of Ceylon, or upwards, to be made on, or, after the first day of May in this present year 1800, is hereby fixed at eight per cent per Annum, and that all such Mortgages, reserving an higher rate of Interest, shall be null and void; Provided always that it shall and may be lawful for the contracting Parties in any such Mortgages to assess the rate of the Interest to be paid at any Sum under Eight per cent if they shall think proper to do so. And we further declare, that all Sums of Money or other Property according to its over Valuation proved to have been received from the Mortgager by the Mortgagee under or pending such Mortgage, over and above the said stated Interest of eight per cent, shall be held deemed, and taken as payments made in or towards the discharge pro tanto of the capital sum lent on such Mortgage. We also declare, that for all sums, hereafter to be lent on such Mortgages, not amounting to two hundred Rix dollars lawful money of Ceylon twelve per cent Interest per Annum may be reserved and taken but that all and every payment and payments in Money or other Property under or by colour of such Mortgage, so far as the same shall on a fair calculation exceed the said Interest so reserved, such Payment or Payments shall go in discharge or towards the discharge of the capital sum lent on such Mortgage—We also declare that the legal Interest of all Mortgages now existing or heretofore made on which an higher rate of Interest than twelve per cent per Annum has been reserved is by these presents reduced to twelve per cent per annum to be calculated from the date of such Mortgages respectively, and that in all accounts to be taken on the foot of such Mortgages respectively, the Mortgagees shall be intitled to credit for all Payments either in specie or other property according to the real value thereof at the time of such property delivered. And in every such Case, if it shall appear that the Mortgagee has received the full amount of the Capital sum lent, together with Interest for the same at the rate of twelve per cent per Annum, calculating the same from the Date, of the Mortgage deed or security, the said Mortgage shall

Proclamation 12th March 1800.

Proclamation 15th March  
1800.

be deemed and taken to be fully discharged and paid off; and in every such case the Mortgage Deed, or Security shall forthwith be delivered up to the Mortgagee to be cancelled— But in all cases where the principal sum lent on Mortgage together with Interest for the same at the rate of twelve per cent per annum, to be calculated from the date of the mortgage Deed, or Security, shall not have been fully paid off and discharged, such Mortgage Deed or Security shall be deemed valid and binding for so much of the principal sum lent or remains unpaid, together with all such Interest, at the rate last aforesaid, as shall thereafter accrue due thereon; Any thing herein before contained to the contrary thereof notwithstanding.

Colombo, 12th March 1800.

By Order of the Governor,

WILLIAM BOYD,  
Act. Sec. to Govt.

### PROCLAMATION.

Proclamation 15th March  
1800.

**W**HEREAS it has come to our knowledge that the Cast of Chalias or Cinnamon Peelers in Providing Salt for their Families Duty free, under pretence of the Privilege granted to them by Governor IMAN WILLEM FALCK, in the 22d day of December in the Year of our Lord One Thousand Seven hundred and sixty six for one year only, have committed and continue to commit gross and notorious impositions on the Revenues of our Government to the great detriment thereof.

We do hereby, and from the publication of these presents, declare the Privileges so granted to the Cast of the Chalias by the said Act of our predecessor Governor IMAN WILLEM FALCK abovementioned, to have expired, and we do not renew them. But in lieu thereof we order all the Managers or Renters of Salt within these Settlements to deliver to all such Persons being Chalias in actual service, as shall present to them Indents in the form following.

(The Bearer of the village of the Chalia Cast to receive from Parrahs of salt on paying therefor at the rate of fourteen stivers per parrah) the quantity of salt therein specified, at the rate of fourteen stivers per parrah, such Indent being duly signed by the Commercial Resident, the Deputy Commercial Resident, or such Assistant as the Commercial Resident may have in the District where the said Indent may be presented, provided always the said Indent be not made for a larger quantity than four Parrahs of Salt and that more one than one such Indent be not given in favour of the same person within the space of Twelve Calendar Months, which Indents shall not be transferable and shall be signed by the Person in whose favour they are given and left with the Salt Renter or Keeper of Government Salt Stores, to whom they are addressed, when the same shall have been complied with.

Colombo 15th March 1800.

WILLIAM BOYD,  
Act. Sec. to Govt.

### PROCLAMATION.

(Annulled by Ordinance No. 2 of 1834.)

Proclamation 1st April 1800.

**W**HEREAS it is our wish that the contributions necessary for the maintenance of the State should fall as lightly as possible on the People of these Settlements, and be levied rather upon luxuries, than upon the necessities of Life, we have determined to farm out a Tax on Joys and Ornaments on the following Conditions which by these Presents we make known and publish.

1st. That from and after the first day of May next, every Renter of the Tax upon Joys and Ornaments which are made or consist of Gold Silver, or other Metal, Stone, Pearl, Ivory, Glass, Coral, Shank, or Bone shall be entitled to levy the sum of one Rix Dollar or forty Eight stivers from every male person young or old, and the sum of one half Rix Dollar or twenty-four stivers from every Female Person, young or old, (slaves not excepted) of whatever Nation or Country, living, residing, or sojourning, as therein after is more particularly mentioned, in or upon the Island of Ceylon within the said Settlements or any district thereof.

2d. That on or before the said first day of May, all regular and fixed Inhabitants within the Limits aforesaid who are objects of the Tax in question, are by these Presents required to provide themselves each with a Licence or Permit comprizing also a receipt from the Renter of that Districts within which they reside, which Licence while it continues in force, namely, from one year from and after the first day of May next, shall exempt them from payment of the like Tax, in case they should in the mean time change their place of Residence and settle in any other district within the said Settlements, and the renter is hereby required to issue no Licence whatever unless at the same time the amount of the Tax be paid for such period as the licence shall extend to. We also declare that if any person shall after the said first day of May be detected of having worn or shall be found wearing any of the Joys or Ornaments aforesaid, without being able to produce such licence as aforesaid, such person shall be liable to a fine or penalty of ten Rix Dollars, one moiety thereof to go to the informer and the other moiety to the Diacony; on conviction of the said offence, after reasonable time given the Defendant to produce his Licence before the nearest Fiscal, who is

Hereby empowered to levy the same and distribute the amount accordingly. Strangers, Travellers, and persons recently come from beyond Seas, are not to be condemned in the above penalty unless they have resided in the district thirty days: Provided always that no Head or Master of a Family shall under this Regulation be obliged to pay more than the sum of two Rix Dollars annually for all or any Joys and Ornaments worn or used by himself, his wife, children and slaves, and that on payment of the said Sum of two Rix Dollars he shall be entitled to a receipt in full, from the Renter or sub-Renter as the case may be, which receipt in full shall be a protection for him against all Demands on account of the Tax in question for one whole Year, from the date of such receipt, or from and after the said 1st day of May next, and all Renters and sub-Renters are hereby required to take heed accordingly.

PROCLAMATION 1ST APRIL  
1800.

3d. Each Renter of this Tax shall deposit with every other Renter a specimen of his signature for the more speedy detection of Frauds and also to prevent all vexatious detention of the Inhabitants, Travellers, or others. And in case any person who has paid the Tax shall have lost his licence, the Renter on being applied to for that purpose, shall be obliged to furnish him with another and without expence.

4th. The different Renters shall be at liberty to sub-Rent any part or parts of their Districts, and all other Renters shall be obliged to acknowledge as valid the Signature of every sub-Renter, provided that specimens thereof be deposited with them as directed by Article No 3.

5th. Each Renter and Sub-Renter shall keep a List of the persons who have paid him the Tax, specifying therein the Sex, and Country, Tribe or Cast of the party paying the same, whether such party be a Native, or a Foreigner, and in case of the non observance of this Regulation, each Renter and Sub-Renter neglecting the same, shall forfeit the sum of five Rix Dollars for every name or description as aforesaid so omitted. And this List must be forthcoming to the Revenue Manager, on demand for his inspection and guidance.

6th. No Coins, Jewels, Trinkets, &c. carried about the Person in a Bag, Purse, or Cloth, shall be esteemed Ornaments within the Tax. For Ornaments to become subject thereto must be affixed or fastened to the body itself, or must appear upon the Garments.

7th. Each Renter and Sub-Renter shall hold an office at some known and conspicuous place within the limits of his District or Authority and shall give public notice of its situation, that all Persons may know to whom they are to pay the Tax and from whom they are to receive Licences respectively.

8th. No person suspecting another of not being provided with a Licence shall be at liberty to use either force, or abusive Language, to the Person so suspected, but, if the person so suspected should alledge that he has not the Licence about his person, but that the same in his house or lodging (as the case may be) the Person suspecting must attend him to his habitation, without however entering such habitation, unless by permission of the owner, and must allow him reasonable time to produce the same. And if after a reasonable time for that purpose, the Person suspected shall not be able to produce the Licence required, the person suspecting shall be at liberty to apply to the next Fiscal, who shall decide between the parties as before mentioned and levy the Penalty or fine if necessary.

9th. And in order to prevent the exercise of either force, or abuse towards Persons suspected of wanting Licences, be it known that if any degree of force or abuse be used on such occasion, the person or persons using the same, shall not be entitled to receive any part of the penalty, but the whole thereof on conviction shall go to the Diacony.

10th. And we further declare that no Renters sub-Renter, or other Person or Persons, shall dare, with impunity to enter the house, or habitation of any Man, for the purpose of discovering any person or persons in the act of wearing Joys, or other Ornaments, or for the purpose of requiring any Licence or Licences to be produced. And that all or any Person or Persons offending therein, shall, on Complaint before the next Fiscal, if convicted of such offence, be fined or imprisoned, or both, at the discretion of the Fiscal under all the circumstances of the case.

11th. That all Officers Civil and Military in the service of His Majesty, of the Honorable East India Company of England, of the late Dutch East India Company and of the Government of Ceylon, together with all Privates, European as well as Native, in the Land and Sea service, with their Wives and Children shall be exempted from the payment of the above Tax.

12th. And that all Lascoires, Cangaans, with all other degrees of Head men shall in so far as the use of any Ornaments, on their Swords and Belts belonging thereto, the same being the Badge of their office but no farther, be also exempted from payment of the said Tax.

Given at Colombo the 1st day of April 1800.

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

## PROCLAMATION.

(Annulled by Ordinance No. 2, of 1834.)

WE being desirous to allow to all Persons who may be affected by the penalties in our Proclamation of the 1st day of April Instant specified a further time to provide them with permits in order to protect them against the said penalties, do hereby proclaim and declare that the said Proclamation so far as respects the penalties therein mentioned shall take effect from and after the 31st day of May next and not sooner any thing in the said Proclamation contained notwithstanding.

Proclamation 4th April 1800.

Given at Colombo this 4th day of April 1800.

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

## P R O C L A M A T I O N . \*

PROCLAMATION 3<sup>d</sup> MAY  
1800.

**W**HEREAS it is the most earnest wish of our heart, as it is our chief duty, to extend to all Classes of His Majesty's Subjects on this Island the Blessings of His paternal Government; we have taken into our serious consideration the Evils under which many Landholders in these Settlements labour, either from the uncertainty of their tenure, or from the inconveniences with which it is clogged, to relieve them from which, and to enable every man to enjoy with security the fruits of his industry, we hereby make known and declare.

1st.—That on and after the first day of May in the Year of Our Lord One Thousand Eight Hundred and One. All Land within these Settlements, now held in undivided tenure by more than one Proprietor, shall pay to Government the Tax of one-fifth part of its produce, until the same be divided among the said proprietors; after which division, the said Tax shall be reduced to one-tenth, excepting, where the said Land be subject to the payment of Ande, or any proportion amounting to, or, exceeding one-fourth part, the payment of which, shall still continue as heretofore; or where the said Land be held on tenure of service, concerning which particular provision is hereinafter made.

2nd.—And that all persons having a common and undivided Interest in the same Land, are enjoined before the said first day of May One Thousand Eight Hundred and One to make the same known to the Landraad of the District in which the said Land is situated.

3rd.—And that having in such manner made known and stated their joint Interest, they do with all convenient speed assemble, and agree to a fair and equitable division of the same, either by themselves or their Agents duly authorized; or, if the parties be minors or otherwise incapacitated from taking care of their own concerns, by their natural or appointed Guardians.

4th.—That such division shall take place in such manner, as shall be approved of, by two-thirds of the persons interested in the possession, either, by the division into separate and adequate portions of the property in question, among all the joint proprietors; or by the sale of the property to the highest bidder among the proprietors; or by the public sale of it by outcry and the division of the proceeds.

5th.—This division must take place in the presence of the Vidahn or Headman of the Village where the said property is situated, and must be registered by the Register of the District within one month after it takes place. All protests against the informality or irregularity of any such proceeding, must be entered before the Landraad within the term of one month after the said division, excepting, in the case of persons unavoidably absent at the time thereof, who will be allowed one month to enter such protest after their return home.

6th.—All such protests when entertained by the Landraad shall be treated as all other cases, their decision upon these must be communicated to the Dessave, and appeal will lie to us in our Court of lesser appeal, if the value of the share of the protesting party amount to three Hundred Rixdollars lawful money of Ceylon, and do not exceed Two Thousand; and if it exceed the said sum of Two Thousand Rixdollars, in such case, the appeal must be preferred before us, in our Greater Court of appeal.

7th.—It is however especially provided, that nothing herein above contained does affect the property of Corporate bodies, recognized by Government, or of associations of Persons obtaining or having especial grants of Land for especial Purposes, nor to the Right of common and pasturage enjoyed by the public, or by particular Villages or descriptions of men, in particular places.

8th.—All Land now enjoyed without Title or Grant under the denomination of Canois Parveny, Ratmahere or any other whatsoever, may be appropriated by the occupier, on condition that he do state the said possession before the Landraad before the first of November next, and have the same enregistered duly in the Registry of the district. And the Land so appropriated shall pay one-tenth of its produce annually to Government from the time of its appropriation. If it be not presented to be enregistered by or before the first of November next, it shall pay one-half of its Produce to Government from that day.

9th.—Provided always, that any thing herein before contained shall not prejudice the Rights of any Individual claiming Ground, now in the occupation of another, but merely relate to Land, belonging to Government and occupied and cultivated without its consent.

10th.—From the effect thereof however are excepted Lands situated in the Gardens of Marendahn, Ekele, Morottoe and Kadirane, concerning which we have issued certain Proclamations in date 19th November One Thousand Seven Hundred and Ninety-nine and 20th January One Thousand Eight Hundred which still remain in full force.

PROCLAMATION 3d MAY 1800.

\*11th.—We do further ordain and declare that all persons holding Land by tenure of Service, whatever be their cast or denomination, have permission to appropriate to themselves those Lands, on the payment of a tenth of the produce of the high Lands and a fourth of the produce of the low Lands, annually to Government; the same being duly proved before the Landraad, and enregistered in the Registry of the District, except that, if the tenure of such Service or accommodated Land were formerly Mallapalla, Nellapalla, Ratinda, or Ande, it may be appropriated in manner as aforesaid, retaining one-fourth of the whole Produce to Government.

12th.—And we do furthermore declare that in favour of the said payment, the persons holding such Lands shall be free from all obligation of service, except on particular order of ourself or our successors, Governors of Ceylon, in which case they will receive pay for that service at the rate of labour in the Chief Town of the District where they perform it.

13th.—Provided always, that those who hold Lands in common on Tenure of service, do previously divide the same among themselves according to one of the modes herein mentioned; so that each may enjoy to his separate use the share belonging to him, on the payment of the produce of that share to Government according to the proportions herein before mentioned.

14th.—And we, by these presents give notice that all persons inclined to provide for their livelihood by agricultural industry may address themselves to the Dessave, or the persons conducting the business of the Cutcherry in their absence, to obtain Grants of uncultivated Lands from Government, which we promise to grant at the recommendation of the aforesaid Dessaves, to all deserving persons, in full and perpetual property on the following conditions.

“That the Quantity of Ground granted at one time shall not exceed four Ammonams of low, or eight of high Ground, unless in peculiar cases, when the reason for the exception shall be stated in the Grant.”

“That the person obtaining it shall enjoy it Duty free for the first five years.”

“That at the expiration of that term the part which may be found uncultivated shall be resumed by Government.”

“That what may be found cultivated will remain in full and entire property to the Grantee, on the terms of paying annually to Government the fourth part of the produce of the low Grounds, and the tenth of that of the high Grounds.”

15th.—And for the further encouragement of agriculture we hereby declare, that no monopoly will be made by Government of any production of the soil whatsoever, save and except Cinnamon; but, that when a quantity of any article may be wanted by Government it shall be fairly purchased of the proprietor at the market price or such other as may be agreed on by mutual consent.

\*16th.—And we further declare by these presents that all Lascoreens or families of Lascoreens having Accommodesans from Government, and being obliged to serve on account of such Accommodesans, are at liberty from the date hereof to give up the said Accommodesans, having the said renunciations registered by the Register of the District; and that in consequence of such renunciation, they shall continue subject to serve only on the especial command of our self and our successors Governors of Ceylon, and shall receive adequate pay for their service and that the same rule shall hold good in respect to those Lascoreens who prove that they receive from Government neither Lands nor Accommodesans.

Colombo 3rd May, 1800.

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

### PROCLAMATION.

**W**HEREAS it has pleased Almighty God by the operation of his Holy spirit and the Ministry of sundry pious men, to call to the knowledge of his grace and the way of salvation through faith in our Lord JESUS CHRIST the Inhabitants of this Island in a manner distinguished from the surrounding nations of India. We considering it as our bounden duty to take care under his Divine Providence that the seed of his Gospel be not choked with tares nor lost by neglect, have commissioned the Reverend CHAR-

Proclamation 24th May 1800

PROCLAMATION 54TH MAY  
1800.

LES FREDERIC SHROTER Minister of the word of God to translate the Liturgy of the Church of England into the Malabar Language, which translation being completed, we hereby order that it may be duly read and used in all established Malabar Churches, Chapels, Schools and Seminaries maintained by Government for the use of Protestant Christian Natives of this Island.

*Given at Colombo this 24th day of May 1800.*

By Order of the Governor.

WILLIAM BOYD,  
*Act. Sec. to Govt.*

PROCLAMATION.

*(Repealed by Proclamation of 12th July 1800.)*

*Proclamation 9th June 1800.*

WHEREAS all Tobacco the produce of the Province of Jaffnapatam pays a duty equal to one-fourth of its value on Exportation, We do by these presents order that the same Rule shall be observed with respect to Tobacco exported from any other Port in this Island, on and after the first day of August next, and that till a Tariff of the value of each particular sort be established, the Custom Master shall be entitled to retain for the use and profit of Government the fourth Part of all Tobacco so exported, wherever he is not able to ascertain the value thereof.

*Given at Colombo the Ninth day of June 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

PROCLAMATION.

*(Expired.)*

*Proclamation 13th June 1800.*

WHEREAS we have heard with the greatest surprize and concern that certain Inhabitants of the District of Manar instigated as we suppose by evil minded Persons have assembled together and declared their intention not to obey our just authority in the payment of the light and equitable tax which we have imposed on those persons who choose to wear Joys and Ornaments.

We hereby make known and declare, that, to curb so wicked and refractory a spirit and to support as we always shall the authority with which we are duly invested, we have ordered a Military Force to march into the aforesaid District and that it is our intention to take exemplary vengeance on such as (after the promulgation of these presents) do not disperse and return to their own Homes and submit as good and peaceable subjects to the operation of the aforesaid Tax and of the wholesome and salutary Laws which we have enacted for the good of the Inhabitants of these Settlements and which we are determined to enforce by the full exercise of the Power which is lodged in our hands.

*Given at Colombo, the thirteenth day of June 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

PROCLAMATION.

*(Expired.)*

*Proclamation 13th June 1800.*

WHEREAS we have heard that certain Inhabitants of the District of Negombo have assembled in a riotous and unlawful manner, at Jaille and proceeded to insult the Renter of the Joy Tax and to put him in fear of his Life.

We have ordered a force to march into that District, to seize the authors of that disturbance, whom we shall bring to Justice, and to proceed to extremities against all such as on the promulgation of these Presents do not disperse and submit patiently to the operation of the Law.

And to shew our wish to relieve such of the Persons under our Government as are really indigent by any burthens which may bear hard upon them, we declare that the wearing of a Comb made of Horn will not subject any person to the payment of the Tax.

We however specially except from the benefit of the above declaration all such persons as shall be convicted of having acted in a riotous and turbulent manner against the orders of Government whom we will punish with all the severity of the Law.

*Given at Colombo this 13th day of June 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

## P R O C L A M A T I O N .

*(Annulled by Charter of 1833.)*

**W**HEREAS Courts of Conscience for the summary decision of such lesser dealings and contracts as cannot, owing to the smallness of their amount, bear the expence of more tedious and regular suits have been found, wherever established, most highly beneficial to the lower orders of Society; and whereas it is conceived that inferior Courts of Criminal Jurisdiction for the more speedy punishment of higher Crimes and misdemeanours would have an useful effect upon the morals of the People: We therefore being desirous of providing such Regulations as may answer the ends proposed, do hereby, in pursuance of the powers vested in us by His Majesty, grant direct, ordain and appoint, that in all places, where a Fiscal is established within the Territories ceded to His Majesty upon the Island of Ceylon there shall be at each of the said places a Court (which Court shall be called the Fiscal's Court) for the purpose aforesaid, to consist of Three Members (whereof the Fiscal for the time being shall be one and shall act as President of the said Court) and the said Members shall hold their said respective Offices during the pleasure of us and our Successors Governors of Ceylon and not otherwise; and we do also direct and appoint that the said Courts shall sit for the dispatch of Business so soon and as often as we shall by one or more warrant or warrants under our hand and Seal respectively nominate and appoint such associate Members as we shall think proper to officiate with the said Fiscals respectively in the said Courts as Members thereof respectively, and that they shall from time to time so continue to do as may be most conducive to the purposes of their establishment respectively and that wherever the Members are not unanimous the Majority shall decide; and we do further direct ordain and appoint that the said Courts may and shall have Power and Jurisdiction, and they are hereby respectively authorized to hear, examine, try and determine in a summary way all claims and demands arising upon any dealings and Contracts (pleas of Land excepted) where the sum or matter in dispute shall not exceed twenty five Rix Dollars, and also to hear, examine, try, determine, and pass sentence upon all common Assaults and Trespasses whether against individuals or the Police, and on Thefts not exceeding the limits of petty Larceny, and to fine, imprison or inflict Corporal Punishment in case the offender or offenders be convicted thereof. Provided always that the said Courts respectively shall not have power or authority to impose any fine beyond the amount of Fifty Rix Dollars, to imprison for more than one Calendar Month (except for disobedience to Decrees in Civil suits) or inflict a greater Corporal Punishment than forty strokes of the Chambouck; and we do likewise direct and appoint that in all cases, whether of a Civil or Criminal nature, where the Complaint is not presented in writing to the Court before whom it is made, such Courts shall at or before the commencement of every trial, enter or cause to be entered in writing the offence or misdemeanor, the grievance or matter complained of, and that all witnesses produced on either side upon any trial to be had before the said Courts respectively shall be first duly sworn (that is to say) in such manner and form as shall appear to be most binding on their consciences respectively, and that such Witnesses shall afterwards be examined viva voce in open Court, and that the said Courts respectively shall and may in all cases where they shall think it necessary for the attainment of Justice examine the parties themselves upon Oath (Criminal cases excepted where parties upon their trial are not to be examined under any pretence whatever) and we do hereby authorize and empower the said Courts respectively to summon and enforce the attendance both of parties and witnesses and to administer an Oath in all cases where Justice may require it.

P R O C L A M A T I O N 21st JUNE  
1800.*Given at Colombo the 21st day of June 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

## P R O C L A M A T I O N .

*(Repealed by Proclamation of 13th February 1802.)*

**W**HEREAS by our Proclamation in date the twenty first day of June last we did constitute and appoint a Court called the Fiscal's Court for the Trial of smaller crimes and misdemeanours, and did limit the powers of the said Court to the infliction of forty strokes of the Chambouck, one month's imprisonment, and fines of Fifty Rixdollars, we do by these presents grant authority to the said Court to punish by one hundred strokes of Chambouck or Rattan two months' imprisonment and fine to the amount of seventy five Rixdollars lawful money of Ceylon.

Proclamation 2d July 1800.

*Given at Point de Galle the 2nd day of July 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

## P R O C L A M A T I O N .

*(Expired.)*

**W**HEREAS Don Simon Mohandiram and his Brother Don Simon Arachy Inhabitants of Candebad-depattoo in the District of Matura under the Dominion of the British Government of these Settlements stand charged with divers acts of sedition and rebellion against our said Government; and whereas the said Don Simon Mohandiram and Don Simon Arachy have absconded from their said place of abode and there is reason to suspect that they are now in actual rebellion against our said Government they the said Don Simon Mohandiram and Don Simon Arachy are hereby required and commanded to return within the space of ten days from the date hereof to their said place of abode or within the term aforesaid to surrender themselves to the Commandant Magistrate Headmen or other person in authority in the District or place where they may happen to be or nearest to the same to take their trial for the offences of which they so stand charged and are suspected as aforesaid on pain of being considered as in actual rebellion against our said Government and of being both (in their effects and persons) proceeded against accordingly and to the end that the said Don Simon Mohandiram and Don Simon Arachy failing to comply with this our requisition and command may be secured and brought to Justice a reward is hereby offered and promised to any person or persons who shall appear

Proclamation 2d July 1800.

PROCLAMATION 2d JULY 1800.

hend and deliver into the Custody of any Commandant, Magistrate, Headmen or other person in authority in our said Settlements the Bodies of the said Don Simon Mohandiram and Don Simon Arachy or either of them, to wit five Hundred Rixdollars for each of the said Persons so secured apprehended and delivered into Custody unless they the said Don Simon Mohandiram and Don Simon Arachy shall at the time of being so apprehended be in the act of proceeding to their said abode or to surrender themselves according to the exigence true intent and meaning of this Proclamation and within the time thereby prescribed; but if the said term shall not have elapsed or if (the same not being elapsed) the said Don Simon Mohandiram and Don Simon Arachy shall be found in actual rebellion or opposition to our said Government or the Officers of the same or in flight from our said Settlements or being required by the per-on or per-ons so apprehending them to surrender themselves shall refuse, resist or fly or otherwise fail to do so, then, and in that case our promise herein before contained shall have its full effect.

*Given at Point de Galle this 2nd day of July 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg Sec. to Govt.*

PROCLAMATION.

Proclamation 12th July 1800.

**W**HEREAS much inconvenience and many abuses have arisen from partial Duties levied in some parts of this Island on Tobacco, the produce of Jaffnapatam.

We do hereby declare that all such Duties are henceforth abolished, and that Tobacco the produce of any part of these Settlements, may be imported duty free into any other part of them.

*Given at Point de Galle the 12th day of July 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

PROCLAMATION.

*(Repealed by Proclamation of 30th Decmber 1802.)*

Proclamation 28th July 1800.

**W**HEREAS the Merchandizes of China (Cloth: Nankeens and Silk excepted) have been hitherto imported into the several Ports of this Island, as well in the Ships and Vessels of His Majesty's subjects, as other, without paying any duty whatever; we the said Governor for good cause, us thereto moving have resolved and do hereby proclaim, declare and direct.

1st. That on all Goods, Wares and Articles of Merchandize whatever of the growth, produce or manufacture of the Empire of China, which from and after the thirtieth day of August now next ensuing shall be imported direct into any Port of this Island upon any ship or vessel of the subjects of His Majesty or of the Honble E: I: Company, and navigated according to the Laws in force concerning such ships and vessels, there shall be levied and paid a duty of five Rixdollars for every Hundred Rixdollars of the value of the same excepting on Cloths, Nankeens, Silks and stuffs, wheron as is directed in our Proclamation of the 13th November 1798 a duty of seven and a half per cent shall continue to be levied.

2d. And on all such Goods, Wares and Merchandizes of China as aforesaid that shall from and after the said day be imported on the ship or ships or vessels of any other nation, or bearing other colours than those herein above specified, there shall be levied and paid a duty of seven and a half Rixdollars per cent of the value thereof (the duty of seven & half per cent to be levied upon Cloth, Nankeen and Silk to continue as heretofore.)

3d. That any China Goods or Merchandizes not imported direct but from an English Port shall only be liable to a duty of Two and a half per cent, save and except Cloth, Nankeens, Silk and Stuffs, the duties on which will be levied as directed in the aforesaid Proclamation of the 13th November 1798. Provided always that such importation be made on English Bottoms or Vessels, and that nothing heretofore mentioned shall be made to extend to imports from foreign Ports or on foreign Vessels.

4th. And we do further direct that the value of the aforesaid China Goods or Merchandize which after the said Thirtieth day of August may be imported, and wheron these respective rates of Duties are to be levied, shall be ascertained in the following manner viz.

By producing and swearing to the invoice before a Magistrate, after which forty per cent shall be added thereto, and the Duty levied on the aggregate.

*Given at Colombo the 28th day of July 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

PROCLAMATION.

Proclamation 2d August 1800.

**W**HEREAS the present mode of Survey and measurement of Land within these Settlements has been found imperfect and ineffectual, we have deemed it necessary to establish a new system for that purpose.



PROCLAMATION 2d August 1800.

We therefore hereby publish and make known such Parts as are necessary for general information, viz.

That a Surveyor General shall be appointed who will reside principally at Colombo, and correspond with and receive orders directly from Government.

Under him shall be appointed Five Principal Surveyors, between whom these Settlements shall be divided in the following manner: one shall Superintend the Survey from the River of Chilaw to the Calanie Ganga, one from the Calanie Ganga to the River of Galle, one from the River of Galle to the North Easterly extremity of the Mahagampattoo, one from the North Easterly extremity of the Mahagampattoo to the Northern extremity of the District of Mulletivoe, and the remaining one from the Northern extremity of the District of Mulletivoe to the River of Chilaw, and shall be thus distinguished, the Surveyor,

- of Negombo
- of Colombo
- of Matura
- of Trincomalie
- of Jalliapattan

attached to each of these shall be one Assistant Surveyor and one Sub-Assistant Surveyor.

The Surveyors are to obey the Requisitions of the Collectors and Land-Raads, and to send an account of such Requisitions to the Surveyor General, together with the foul Copy of their Surveys, on a Scale to be determined by the extent of the Land measured, but with an accompanying account of the number of Ammonams (according to the usage of the Country where the ground is situated) and also of English acres and poles contained.

The Surveyor General will have three fair copies made out in his Office, one on the small scale named Bosch-Schaal representing Ten Rhenish Roods, and two on the same scale with the foul Copy of the Surveyor, one of these last mentioned to be sent to the Register of the District, the other to the Collector to be delivered to the Proprietor of the Land Surveyed on his payment for it to Government at the rate of one half Rixdollar per English acre.

No other Fees of any sort shall be exacted or received.

And for the relief of Persons possessing Title Deeds on which partial maps have been drawn before the promulgation of these Presents, we allow of their perfect and entire validity, but we order that they deliver them to the Surveyor of the District on his Receipt, and that he shall send them to the Surveyor General, who shall return them with his Initials to be delivered to the Proprietor, and that unless they be so delivered by the Proprietor to the Surveyor before the first of January in the Year of our Lord One Thousand Eight Hundred and five (as shall appear from the Receipt of the said Surveyor) they shall from that day lose validity, and a new Survey must take place at the expence of the Proprietor.

Given at Point de Galle, the 2d day of August 1800.

By Order of the Governor,  
WILLIAM BOYD,  
Actg. Sec. to Govt.

PROCLAMATION.

Proclamation 16th August 1800

WHEREAS several persons transported as convicts from the British Dominions in Europe to New South Wales have repaired from thence to various Parts of India, we hereby order and declare.

That all Persons, having been transported as above stated, who may be on Board of any ship which may touch at any Port or Place within the Limits of this Government or who may resort hither from any Part of the Continent of India are prohibited from landing except in case of absolute danger from the Sea, and any person who shall disobey this prohibition shall be forthwith apprehended, and sent to England in the manner prescribed by act of Parliament with regard to persons resorting to India without Licence.

Convicts escaping from New South Wales previous to the expiration of the period for which they may have been transported, and who may be found within the limits of this Government, are to be apprehended and detained in Custody until an opportunity shall offer of returning them to New South Wales.

And the several Magistrates and Officers of Police, are hereby required to carry this Proclamation into effect, according to its tenor, within the limits of their respective Jurisdictions.

Given at Matura this 16th day of August 1800

By Order of the Governor,  
WILLIAM BOYD,  
Act. Sec. to Govt.

## P R O C L A M A T I O N .

*(Expired.)*P R O C L A M A T I O N 18<sup>TH</sup> A U G U S T 1800.

**W**HEREAS the Tumult lately excited in these Settlements by wicked and designing persons have been completely subdued and the deluded Inhabitants who had joined in them have returned to their Duty—We by these presents grant a full Pardon to all such as may have committed acts of Tumult and sedition throughout our Government, excepting therefrom only the persons herein aftermentioned, viz. Don Simon Moodliar and Don Simon Arachy late of— in the District of Matura; Puncia Signio son of the Burgher Arnold and Mathys Ruwal Fisherman both late of Negumbo, and Koemaresinga Moodliar Vellale late of the District of Manaar, which said several Persons we have reason to consider as the chief instigators of the riots in the Districts aforesaid. The said several persons are therefore hereby required to surrender themselves to some Commandant, Magistrate or Person in authority under our said Government to answer and take their Trial for and upon the several charges which have been or may be preferred against them, within twenty one days from the publication of these presents—In default whereof all Property whatsoever, as well real as personal, of and belonging to the said five several Persons above named respectively, shall from thenceforth become forfeit and shall be seized and confiscated accordingly for the use of Government.—And the Persons of the said several offenders shall from thenceforth be considered as out of the protection of the Law.

And we do hereby offer and promise to any person or persons who shall apprehend and secure or cause to be apprehended and secured and delivered to any Commandant, Magistrate or Person in authority under our said Government, any one of the said five persons herein above named, or give such information as that any one of them may be so apprehended and secured, the sum of five Hundred Rixdollars lawful money of the Island of Ceylon.

And we trust that the Inhabitants of these Settlements will render themselves, deserving of this act of clemency by resisting in all future times the instigations and persuasions of such wicked persons as may endeavour to induce them to distrust the intentions and disobey the commands of a Government whose only object is their happiness, and which will not fail to punish with the most exemplary severity all such as may hereafter draw upon themselves its just displeasure by attempting to disturb the public tranquility.

*Given at Matura this 18th day of August 1800.*

By Order of the Governor,

WILLIAM BOYD,

*Act. Sec. to Govt.*

## P R O C L A M A T I O N .\*

P r o c l a m a t i o n 19<sup>th</sup> A u g u s t 1800.

**W**HEREAS by our Proclamation of the 12th day of March last we established the rate of Interest on mortgages for sums above two Hundred Rixdollars lawful money of Ceylon, at eight per Cent per annum, we are induced by a conviction that such a Return is not equal to the value of the use of money within these Settlements to raise the legal Interest which may be received on money lent. (and by these presents do raise it accordingly) to the sum of one per Cent per Mensem or twelve per Cent per Annum.

*Given at Matura the 19th day of August 1800.*

By Order of the Governor,

WILLIAM BOYD,

*Act. Sec. to Govt.*

## P R O C L A M A T I O N .

P r o c l a m a t i o n 20<sup>th</sup> A u g u s t 1800.

**W**HEREAS we have great reason to believe that persons ignorant of the European Languages and desirous of giving Petitions to us or to other Magistrates and Courts of Justice are obliged to pay great and unconscionable Rewards to those who draw up their Petitions.

We hereby give notice and declare, that we will not receive any Petition which is not signed by the person who drew it up together with the sum which he received or has been promised for it; which sum we shall modify and regulate in such a manner as may seem to us equitable.

And we also hereby order and empower all the Magistrates and Courts of Justice to whom Petitions may be addressed or before whom papers may be brought, to follow the same rule.

And we farther enact that any Person noting a false Sum at the bottom of such paper instead of such as he has really received or bargained to receive, shall upon conviction be declared incapable of drawing up any Petitions or public papers in future; and that no papers so drawn up by him shall be afterwards received by us or any Magistrate or Court of Justice under our Government.

*Given at Matura the 20th day of August 1800.*

By Order of the Governor,

WILLIAM BOYD,

*Act. Sec. to Govt.*

PROCLAMATION.

**W**HEREAS we have been informed that on the appearance of the Small-pox in any part of these Settlements the Inhabitants thereof leave their Homes to the great damage of their own Property and to the danger of their Lives.

PROCLAMATION 7TH SEPTEMBER 1800.

We hereby give Notice, that on the appearance or likelihood of appearance of that disorder in any part of these Settlements, we have empowered & enjoined the Worshipful the Dessaves & in their absence the Magistrates of the Districts, to send into the Villages so threatened, medical assistance, by which it will be made perfectly safe for the Inhabitants to remain in their own Houses, as all communication with infected Persons will be cut off, and the Sick treated with all tenderness & care which their case requires and we exhort the People who may be in the neighbourhood thereof, to continue without apprehension their usual occupations in their usual Residence: assuring them that their Health and safety is the constant object of our care, and that they may rely with confidence on the measures which we have taken to protect them.

And we furthermore prohibit under pain of our severest displeasure, any Headman from leaving his Village or District when the small Pox makes its appearance there, and declare that on Conviction of his having deserted the People under his Charge in a season which so much requires his presence, he will be degraded from his Rank and office and otherwise severely punished according to the exigency of the case.

*Given at Batticaloa the 7th day of September 1800.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

PROCLAMATION.

**W**HEREAS in our Proclamation of the 3d May 1800 the 1st November 1800 has been fixed as the period, on or before which all Lands held without Title Deed or grant under the denomination of Canois parveny or Ratmahere or any other whatsoever shall be duly enregistered before the Landraads under the penalty of paying one half of its produce to Government if delayed beyond that day we hereby allow until the 1st May 1801 to all persons possessed of Lands of such descriptions to enregister the same, and on neglect of which the said penalty will after that period be strictly enforced.

Proclamation 10th October 1800.

*Colombo 10th October 1800.*

By Order of the Council,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

PROCLAMATION.

*(\*Repealed by Ordinance No. 5 of 1835.)*

**W**HEREAS by our Proclamation of the twenty third day of September One Thousand Seven Hundred and Ninety-nine, We did for the reasons therein assigned, ordain and direct, "That in all Civil suits to be instituted in any of the Courts of Judicature in these Settlements the proceedings should be summary and without such delays and formal parts of procedure as were not conducive to the full and fair investigation of the merits of the case." And whereas our said direction hath not had its due effect, but the ancient forms of procedure used in these Settlements under the Government of the United States, have been for the most part retained and adhered to, and the rules anciently existing in that behalf for the several Judicatures then existing and calculated for the various classes of Actions recognized by the practice of the said Courts have been partially and unequally adopted and diversly applied, whereby the proceedings of the Courts lately established and now existing in these Settlements have become unnecessarily circuitous prolix and expensive,—and great diversity has taken place therein not only between Courts of different denominations but in those of the same and in different Causes in the same Court. For remedy of the premises. We do hereby ordain direct and appoint; That from and after the first Day of March now next ensuing there shall be in the three Civil Courts of these Settlements, and in all and every the Courts of Land Raad within the same, and in all Causes of whatever description instituted or carried on therein, except Pleas of Land not exceeding the value of Fifty Rix Dollars, and other Suits not exceeding the value of One Hundred Rix Dollars, which Suits are herein after specially provided for, one uniform practice and form and course of procedure and that the same shall be as herein after specified.

Proclamation 23d January 1801.

Practice of all Courts and in all Cases to be the same.

Exception.

And Whereas by the practice of Courts under the said late Government it was usual and necessary to apply for and obtain the permission of the Presidents of the respective Courts, and in some Cases even of the Governor before an action could be commenced or entertained in the said Courts respectively. And whereas there is reason to believe such usage is considered by many as still in force. We do hereby declare that no such application or permission as aforesaid, nor the permission of any person whomsoever is necessary to authorize the entertaining of a suit to which the Court is competent,

No permission necessary for commencing a Suit.

\* Clause 33 of this Proclamation is not repealed.

PROCLAMATION 22<sup>D</sup> JANUARY  
1801.

Form of Proceeding.

Petition or Pleint.

Summons.

Warrant of arrest instead of  
Summons.

Warrant of arrest in other  
stages.

Defendant appearing and ad-  
mitting the Demand.

Answer.

Replication.

No further pleadings with-  
out permission of the Court,

Issue.

Attachment for default of ap-  
pearance.

Notice to plead on attach-  
ment and other proceedings in  
case of default.

Sequestration on non-appear-  
ance to a Summons.

but that all suits falling within the Jurisdiction of a Court may be commenced therein in manner here-  
in before directed, and shall be by such Court received and entertained as of course. And the form  
and course of proceeding in all Civil suits except as herein before excepted shall be as follows to wit.

1st. There shall be presented to the Court thro the Secretary thereof by or on behalf of the  
Complainant a Petition stating the nature of his complaint and the relief or remedy which he Prays for,

2ndly. A Summons will issue under the Hand of the Secretary by the authority of the Court re-  
quiring the appearance of the Defendant at such certain day as shall be reasonable, considering the  
distance from which he may have to come, the said Summons, in the case of parties resident in Gar-  
risons or Towns or Stations where the respective Courts are held, or in the environs of the same, to be  
directed to the proper officer of the Court, but in the case of Persons resident in the Country the same  
shall be directed to, and be served by, the Head man of the Village in which the Defendant shall reside.

3rdly. If the Plaintiff in any Suit shall apprehend that the Defendant may not obey the Sum-  
mons of the Court but abscond on being served therewith, and shall at the commencement of such  
suit make direct and positive affidavit that the Defendant is and stands actually at the time of such affi-  
davit being sworn, indebted to him the Plaintiff, in the Sum of One Hundred Rix Dollars or upwards,  
and that he the Plaintiff hath been credibly informed and verily believes, or hath reason to believe and  
verily doth believe that the Defendant is about to abscond or to leave the Jurisdiction of the Court,  
and that he the Plaintiff hath no Mortgage Pledge or Security for his demand or none adequate thereto  
beside the personal undertaking of the Defendant, in that case there shall issue in lieu and stead of the  
usual Summons, and directed in the same manner, a warrant to arrest and take the Body of the Defen-  
dant. And the Defendant being apprehended on such warrant shall remain in custody until he shall  
have given reasonable security to abide the Judgment of the Court or to surrender himself to be charged  
in Execution for the same. Provided always that if the Plaintiff shall be in possession of any Security  
in part, he shall set forth the same particularly in his affidavit. And no such warrant as aforesaid shall  
issue unless the amount remaining unsecured shall amount to or exceed one hundred Rixdollars, nor  
shall Security be exacted from the Defendant in case of his being apprehended, further than for the  
discharge of the Judgment after deduction and allowance of the amount for which the Plaintiff may  
already hold Security. And provided also that the affidavit herein before required shall be made  
and sworn before the Court or the President or one of the Members of the same the Secretary assisting  
thereat. And that a minute of such Proceeding if the same shall pass out of Court shall be taken by the  
Secretary and the same regularly entered on the minutes of the Court on the first succeeding Court  
Day. And provided farther that no such warrant of arrest or attachment as is herein before men-  
tioned shall issue but by the immediate order of Court or an order in writing directed to the Secre-  
tary of the Court by the President thereof unless in case of the absence of the President in which case  
the same may issue on the order of the next Senior Member or other Member acting as President.

4thly. And not only at the commencement of the suit but at any stage of the same before Judg-  
ment, provided the Defendant shall not have previously given Bail or Security in Court. The Plain-  
tiff on the like affidavit as aforesaid shall be entitled to such warrant of arrest and such Security on  
apprehension of the Defendant as is herein before provided.

5thly. If the Defendant shall appear and admit the Claim against him such his admission shall be  
taken down by the Secretary of the Court and signed by the Defendant, or some person properly au-  
thorized by him for that purpose and thereupon the Court shall forthwith pronounce Judgment.

6thly. If the Defendant shall appear at the time prefixed and shall refuse to admit the Claim  
against him. A term of eight days shall be assigned to him to prepare his answer. That in such an-  
swer all the material Facts alleged in the complaint shall be either admitted or denied or confessed and  
avoided, in order to throw the utmost light possible upon the merits, during this stage of the cause,  
and to ascertain and shorten the proofs necessary to be made on both sides.

7thly. The Defendants answer being lodged, the Complainant shall within four days file or lodge  
his Replication which shall consist of a general averment of the Justice of his own demand and the  
insufficiency of the Defendants defence and nothing more. That no further pleadings shall be admit-  
ted on either side except by special permission of the Court on reasonable cause shewn for the same or  
by the Courts order if cause shall appear for further explanation.

8thly. That at the first meeting of the Court after the Replication shall have been lodged or in  
case of the permission or order of the Court for further papers, then on the Court day next following  
the filing of the last paper so ordered or permitted, Issue shall be considered as joined between the Par-  
ties, and so entered on the minutes of the Court.

9thly. If the Defendant being duly served shall fail to appear without offering any reasonable  
excuse for such default a second Summons may issue if the Plaintiff consent thereto, but otherwise and  
on the prayer of the Plaintiff to that effect there shall issue a warrant to be directed, in like manner  
as is herein before mentioned of the Summons, to attach the Body of the said Defendant and bring  
him before the Court, and he shall remain in the Custody thereof, until he shall have given such se-  
curity as is mentioned in article 3d.

10thly. The Defendant being attached shall be served with a written Notice to deliver in his an-  
swer within a reasonable given time, which Notice, shall express, that in default of such answer and no  
good cause assigned for failure therein, the Secretary of the Court shall ex-officio note down on his  
behalf a general answer, that is to say a general denial of the complaint, and thereupon the Plaintiff  
shall reply and issue be joined by default, in like manner as if the Defendant had filed his own answer  
and the Plaintiff shall proceed to trial as is herein aforesaid and provided in article 27th.

11thly. If the second summons or warrant of attachment so to be issued as provided in the last  
preceding Article shall be returned with Certificate that the Defendant is not to be found, the Court  
shall issue directed to the proper Officer of the Court or to the Headman to whom it shall belong in  
like manner as is provided for other process, a Warrant in the nature of a Sequestration to seize se-  
quester and secure the Lands and Goods of the said Defendant wheresoever, or in whose hands or  
custody soever the same may be, together with all Debts which may be due to him, Securities for  
money and all and singular his effects and property whatsoever or so much thereof as may amount to  
reasonable and competent Security for the matter in question. And all persons in whose possession  
or power the Monies or Effects of the Defendant shall happen to be or who may be indebted to him  
on their being duly served with Process of Sequestration touching such Monies, Effects, or Debts, are  
hereby required to take due notice of such service and reserve and retain the Monies and Effects so in  
their possession, and the amount of the debts so due by them to await the further order of the Court and  
accordingly to conform to, and obey such order or orders as the Court shall so make in respect thereof.

12thly. And the like Sequestration shall and may take place where the first Summons or the warrant of arrest which may in certain cases issue in lieu and stead thereof shall be returned not to be found. Provided that the Plaintiff shall in such manner as is herein before directed in respect of warrants of arrest make such an affidavit as shall satisfy the Court or the President thereof, or in his absence the next Senior Member or other member acting as President that the Defendant has retired from this Island or from out of the British Territories in the same, in order to elude his Creditors, or with an intention not to return.

PROCLAMATION 22ND JANUARY 1801.  
Sequestration where the first Summons or Warrant is returned not to be found.

13thly. That in case there shall not be levied under one Sequestration a sufficient sum or value to amount to such reasonable or competent Security as aforesaid, further sequestration, one or more, may issue until the completion of the amount required.

Further Sequestrations in case of need.

14thly. That the Goods of the Defendant so sequestered, shall, unless the Defendant shall appear and give Security as herein after mentioned, remain under sequestration for the space of Six Months, or for twelve months, in the case of the Defendants having left the Island. That the said terms respectively shall be reckoned from the date of the minute or entry of the sequestration on the proceeding of the Court, and in case of more sequestrations than one, then from the minute of the last, and during the said terms respectively so to be reckoned as aforesaid, no further proceedings shall be had in the suit and once in every month of the said term of six months or once in every two months of the said term of twelve months as the case may happen to be, Advertisements shall be published and stuck up in convenient public places purporting that such sequestration has taken place, which Advertisements shall always be in English and in case of the Defendant being of any other nation or Language shall (if the same be practicable) be in his Language also. And the same shall contain the names and designations of the parties to the suit and the cause of action, and an account or description of the Property so sequestered.

Term of sequestrations in case and Proceedings therein.

15thly. That if the Defendant shall appear within the terms herein before respectively prescribed and shall give Security to the satisfaction of the Court the sequestration shall thereupon be dissolved and a day assigned to him the Defendant to file his answer and the suit shall proceed as in ordinary cases and in case the Defendant so appearing shall fail to give such Security he shall in like manner be admitted to his defence but the Property shall remain under sequestration.

Defendant appearing after sequestration before Judgment.

16thly. In default of the Defendants appearing within the respective terms so prescribed as aforesaid, the Plaintiff on the expiration thereof shall and may proceed to Trial as is herein after mentioned in Article 27th.

Manner of proceeding to trial on sequestration.

17thly. And if it shall so happen that any third Person or stranger to the suit shall make claim to the Property so sequestered, the right thereto shall be tried between the claimant and the original Plaintiff as an incidental suit the original suit remaining Dormant until the same be decided.

Claims of third persons to property sequestered.

18thly. Issue being joined the Court shall on the motion of either party assign a convenient day for each party to deliver into Court a list of his witnesses of each, of which lists a Copy shall be made and delivered to the opposite party. And thereupon a further day shall be appointed against which to summon the said witnesses for the trial of the cause.

List of Witnesses to be delivered by each party and Communicated to the other.

19thly. That the witnesses shall be summoned in like manner as is herein directed in respect of Defendants, but the Summons will contain a penal Clause subjecting the witness on being duly summoned and not appearing to a penalty or fine of Fifty Rixdollars which sum may be mitigated at the discretion of the Court but cannot be increased.

Manner of summoning Witnesses.

20thly. And whereas there is reason to believe that the difficulties and delays which are experienced in respect of the attendance of witnesses are in a great measure occasioned by the want of some proper allowance being fixed for their subsistence and expences. We do hereby direct and establish that from and after the date herein above mentioned there shall be allowed to every native witness claiming the same an allowance of subsistence of Two fanams per diem, and to every European witness claiming the same an allowance of four fanams for every day which such witnesses respectively shall be absent from their own abode as witnesses by reason of the process of any Court of Justice. And we do hereby direct that an estimate shall be made from and upon the Lists of witnesses delivered by the respective parties of the Sum which will be required for their subsistence and the same shall be deposited by the party previous to the witnesses being summoned. And shall remain with the Secretary under the direction of the Court to be transmitted delivered or otherwise paid to the respective witnesses as the Court shall find most conducive to the intent of these presents. And that all Sums so disbursed by either party shall be considered as costs on the decision of the cause and be taxed and allowed against the losing party. And where there shall have been adduced any witness or witnesses whom the Court shall consider as absolutely unnecessary in which case we do authorize and direct the Court to reject and disallow the expences of such witness or witnesses in the taxation of Costs.

Allowance of Witnesses.

21stly. That provision having been herein before made that each party shall have due Notice of the Witnesses intended to be adduced by the other party, both parties shall on the day appointed for the trial of the cause come prepared to make such exception as they may have to make to the competency of the witnesses (that is tending to the exclusion of their testimony) and also with all Interrogatories and cross Interrogatories which either party may have to put to his own witnesses or to those of the other party all which are to be made vivâ voce in open Court. And no adjournment or further time shall be allowed to consider of, or prepare such exceptions Interrogatories or cross Interrogatories.

Parties to come prepared with their Exceptions Interrogatories and cross interrogatories.

And that the Examination of witnesses shall be taken and conducted in strict conformity with the directions in and by our Proclamation of the twenty third of September One Thousand Seven Hundred Ninety Nine in that behalf contained and specified.

Examination of Witnesses to be conformable to the proclamation of 23d September 1799.

Provided always that nothing herein contained shall tend to restrain the Court from calling for such further Evidence on either side as they may deem necessary for the full elucidation of the case or from allowing either party to adduce any witness or piece of Evidence which he may see reasonable cause for.

The Court to have the power of allowing or dis-allowing of calling further evidence.

And whereas cases and suits may occur wherein the transactions in question may be declared and evidenced by any sufficient Document in writing, in which cases Justice may be done that the Plaintiff should have the benefit of the Defendants Oath and vice versa. And

Oath of the parties in certain cases.



PROCLAMATION 22<sup>d</sup> JANUARY  
1801.

whereas in actions of account and other complicated transactions, the proof of every item or every material circumstance charged in the Complaint by Evidence may be liable to great delay, expence, and difficulty in which cases it may be expedient that the Defendant should answer the Plaintiffs Complaint on Oath. We do hereby authorize all and every our Courts aforesaid in the cases first mentioned to require the Oath of the Plaintiff or Defendant as the case may be, of and concerning such facts as from the nature of the transaction may not appear to admit of other proof. And in the cases last mentioned to oblige the Defendant to answer the Plaintiffs Complaint on Oath for which purpose where the action lies in matters of account an account shall be stated by the Plaintiff and delivered in with his first pleading which account the Defendant shall admit or deny and in the event of his not admitting the same shall subjoin to his answer an account stated on his own part and verify the same on his oath.

Exceptions to Witnesses.

25thly. That no witness shall be held incompetent or excluded from giving testimony except for want of age or sufficient discretion or of sanity of mind or for immediate Interest in the subject matter of the suit, or unity of Interest by the tie of Marriage or for disability by Sentence or Conviction of some competent Court lawfully operating to that effect. And that all other exceptions shall only be considered by the Court as affecting the credit of the witness and not his competency.

Judgment.

26thly. That the Evidence on both sides being closed the Judges shall proceed to deliberate on the case and deliver their opinions. And thereupon Judgment shall forthwith and without the usual delay of Eight days be openly pronounced and recorded.

Manner of proceeding to trial  
in cases of default.

27thly. That the case of issue by default as mentioned in Article 10th the Plaintiff shall move for a day to be appointed for delivering in Lists of the witnesses and for summoning the same and for the trial or hearing of the cause in like manner as if the Defendant were regularly in Court and due notice or such service as the Court shall think reasonable shall be made and given to the Defendant of such motions respectively, and he not appearing or shewing cause to the contrary, the same shall pass as of course and the witnesses be examined and the cause heard exparte and Judgment pronounced and recorded therein as is herein before mentioned in the last Article.

If defendants property in sequestration at the time of judgment to be subject to execution.

28thly. That whenever Judgment shall be had pronounced and recorded against the Defendant, his property being under sequestration the property so sequestered shall be subject to the Judgment in due course of Execution.

In certain cases defendant appearing after judgment by default may be let into his defence.

29thly. And whereas Defendants whose Goods may have been sequestered as herein before provided, and against whom proceedings may have been had thereon, and Judgment obtained without such Defendant having been served with any process personally, may by accident or misfortune have been prevented from having any information of such proceedings against them and may nevertheless have a good and sufficient defence to such action, we do hereby ordain and direct, that if any such Defendant as aforesaid shall within any reasonable time after Judgment in the said cause, provided he shall not previously have appealed from such Judgment appear and by a Petition for that purpose to be preferred to the Court in which Judgment shall have been so obtained set forth any sufficient cause why he did not appear before and pray to be admitted to his defence, and shall also give such Security for the original demand as is herein before provided for in cases of sequestration, and further for all such costs, loss of Interest or other loss or damage as may have theretofore accrued to the Plaintiff by the delay. The Court shall thereupon consider of such Defendants Prayer and make such order for admitting him to his defence or otherwise as may to them appear reasonable.

Proviso for a reference in the nature of appeal if such prayer be refused.

Provided always that if the resolution of the said Court shall be against the Prayer of the Defendant and if the said Defendant shall not theretofore have preferred nor shall thereupon if the ordinary time for appealing from the Judgment shall be still unexpired) prefer an appeal from the said Judgment in the ordinary course, then and in that case the said Petition with the order or Resolution of the Court thereon shall on the prayer of the Defendant to that effect be forthwith transmitted and referred to us in our greater or lesser Court of Appeal, as the case may be, as herein after is directed in our Regulations concerning appeals, and subject to the Provision in our said last mentioned regulations contained in this behalf.

Term which shall be sufficient to bar actions.

30thly. And whereas much doubt and uncertainty has arisen respecting the term which should be sufficient to bar actions of recovery at Law. We do hereby declare and ordain that in any suit for or concerning Property in Land, or any Estate or Interest or claim in or to the same wherein the cause of action shall have arisen thirty years or more prior to the commencement of such suit, and in any suit for or concerning personal Property, where the cause of action shall have arisen ten years or more before the commencement of the suit it shall and may be lawful to the Defendant to plead the lapse of time in bar of such Actions and the same being duly proved shall be a good bar accordingly, any law usage or custom to the contrary notwithstanding unless the Plaintiff or Defendant in such suit shall have been for all or some part of the said terms respectively resident beyond the Seas or out of the British Settlements on this Island or that the Plaintiff shall have been for all or some part of the said terms respectively in Prison or of insane mind or Minor age, in all which cases the time which the Plaintiff shall appear to have been under such disability or the Defendant to have been absent as aforesaid shall not go or be reckoned in or towards the respective terms of prescription herein above mentioned. Provided always that this Rule be had, taken and understood without prejudice to the rights of Government.

Exceptions as to disabilities.

Exception as to the rights of Government.

Execution.

31stly. That on the expiration of twenty four hours after Judgment pronounced, the party shall on application to the Secretary receive an Extract or Copy of the Decree which he shall cause to be served on the opposite party or at his last place of abode in case of his absconding, by the proper Officer of the Court and six days there after in case of non payment shall be entitled to process of Execution excepting in such cases in which there lies an Appeal.

Particular practice in certain suits. Pleas of Land from 25 to 50 Rix Dollars, other suits from 25 to 100 Rix Dollars.

32ndly. That in pleas of Land exceeding 25 Rix Dollars and not exceeding 50 Rix Dollars and other suits exceeding 25 Rix Dollars and not exceeding 100 Rix Dollars no written pleadings shall be necessary, but the complaint, answer and other allegations of the parties shall be delivered ore tenus to the Secretary and by him be minuted but shall in all other respects except the pleadings and the time grantable for the same be proceeded in and brought to issue and trial according to the course herein before laid down. But suits of every kind not exceeding the value of 25 Rix Dollars shall be proceeded in, heard and determined in a summary way. And in such manner as now called de plano and without costs of any kind. And on the Judgment which may be had and passed in the several suits in this Article particularly specified the like process of Execution shall follow as herein before provided for other suits.

All suits of 25 Rix Dollars and under.

33rdly. And Whereas it is highly expedient that some competent Provision should be made for the maintenance and support of Prisoners confined in Goal in Civil Actions. We do hereby declare and order that any Plaintiff at whose suit one or more Defendants shall be imprisoned whether on mesne process or in Execution shall allow to each person so confined a daily allowance of two Fanams for a Cingalese or other pure Native of India, three Fanams for a Burgher or Person descended from an European by a Native, and four fanams for an European or Person born of European Parents the same to be paid one month in advance and if the said allowance shall fail to be made for the space of one whole month the Court on application of the Defendant will give a reasonable notice to the Plaintiff to make the same on Penalty of the Defendants being discharged. And in default of compliance with such reasonable notice the Defendant shall be discharged accordingly. And the sums so disbursed for the support of the Prisoner shall in case of Judgment against him in the cause be taxed and included with the Costs of the suit and recoverable against the Defendant therewith.

PROCLAMATION 22d JANUARY 1801.  
Allowances to Prisoners.

34thly. And Whereas it is necessary to ascertain what amount of Costs shall be levied in Execution or otherwise recoverable in actions to be had and instituted in our said Courts. And whereas hitherto certain differences have existed between the fees and other Cost of suits in Civil Courts and those of the Land Raads. We have resolved and do hereby declare and order that from and after the publication of these presents all fees and other Costs of suits whatsoever to be had, claimed or recovered whether by the Secretaries or other Officers of our Courts, or by the Attornies Proctors or other Persons practising in or about the said Courts whether Civil Courts or Land Raads shall be every where the same. And such fees and Costs collectively taken, that is to say the fees of Secretaries and Officers of the Court and the Costs of the Attornies or Proctors employed on both sides, but exclusive of the expences of witnesses and of the Batta, if any such shall have been paid to Prisoners and exclusive also of fees and Costs in cases of Appeal which we do hereby reserve to be taxed by the appellate Court to which the same shall belong, shall not in any one suit exceed the following proportions of the sum or value sued for, to wit.

Fees and Costs.

1st, In suits of above 25 Rix Dollars and not exceeding 100 Rix Dollars.... 10 per Cent.

Rates thereof.

(Except the suits mentioned in Article 33rd in which there shall be allowed only 5 per Cent.)

2ndly From 100 to 200.....	7½ per Cent.
3rdly From 200 to 300.....	6 do.
4thly From 300 to 400.....	5 do.
5thly From 400 to 500.....	4½ do.
6thly From 500 upwards.....	4 do.

And that the Fees or costs exclusive as aforesaid shall in no case whatever exceed One Hundred and Fifty Rix Dollars.

35thly. The said percentage to go and be divided in the ratio and proportion of one-third thereof unto and amongst the Secretary and other Officers of the Court in such manner as shall be ordered by the Court or other competent authority be regulated in that behalf two-third to the Attorney or Proctor employed on the part of the Plaintiff and the remainder one-third to the Attorney or Proctor employed on the part of the Defendant, except in the suits herein before referred to in this Article and particularly specified in Article 32d in which suits as there will be no occasion for the assistance of Proctors the costs are taxed at 5 per Cent which pr. Centage shall go in toto to and amongst the Secretary and Officers of the Court.

Appointment of Fees and Costs Secretary and Officers of the Court.  
Plaintiff's Attorney or Proctor.  
Defendant's Attorney or Proctor.  
Particular disposal of Costs in Suits mentioned in article 32d.

36thly. And we do hereby prohibit all and every the Secretaries and Officers whomsoever of our said Courts and all Proctors or Attornies employed or practising in or about the same from claiming taking or receiving directly or indirectly on any pretence or by any expedient whatsoever any greater amount proportion or rate of Fees than is hereby established as they shall answer at their Peril.

Further Exactions prohibited.

37thly. And whereas in some Jurisdictions it hath been customary for the Members of the Court to exact and receive fees as Commissioners for extra sittings or other officiation in the suits in Court. We do hereby abolish annul and peremptorily prohibit all such Charges. And all Charges whatever over and beyond those herein before allowed. Except in case of local inspections by order of the Court in which the Members Commissionets are to be allowed their reasonable Expences as the Court shall tax and assess.

Prohibition against the Members of the Court receiving fees.

Exceptions in cases of local inspections.

38thly. And whereas it may happen that a Defendant against whom Judgment shall have been obtained in any of our said Courts shall before satisfaction thereof have removed and be found residing in another Jurisdiction. Our desire is that in such case the Judgment so obtained in any of our said Courts shall have the like effect and that like Execution may be had thereon in the Jurisdiction where the Defendant shall be found residing as in the original Courts without the necessity of a fresh action. We do therefore order and direct, that on production in any of our said Courts of a decree or authentic extract thereof from any of our said Courts against any person or persons who shall be residing in the Jurisdiction of the Court where such Decree or authentic extract shall be so produced and Certificate of recent date from the proper Officer of the Court in which such Decree shall have been obtained, that the same is unsatisfied and still in force, the party producing such Decree or authentic Extract he being the person legally entitled to the benefit shall have and obtain such Execution thereon as he would have been entitled to in the Original Jurisdiction. Provided however that such Judgment or Decree shall be liable to all such exception or exceptions by reason of lapse of time or otherwise as the same would be subject to in the Original Court, and the like process if any as would be necessary in the original Court for the revival of such Judgment, before Execution could issue or be obtained thereon, shall also be required in the Jurisdiction to which the same shall be transferred unless the Certificate to be produced therewith as aforesaid shall attest that all such necessary process hath been previously had and completed.

On Judgment obtained in one Jurisdiction, Execution may be had in another.

39thly. And whereas by the erection and Establishment of new Courts of Justice and other Judicial Regulations and arrangements divers alterations have taken place in the ancient Jurisdiction. We do hereby declare ordain and Establish that from and after the Publication of these presents the respective Jurisdictions of our said several Courts respectively shall be as herein after specified and defined to wit.

Jurisdiction defined.

PROCLAMATION 22D JANUARY  
1841.

COLOMBO  
Civil Court and Land Raad.

JAFFNAPATAM  
Civil Court, and Land Raad.

GALLE  
Civil Court and Land Raad.

Other Land Raads.

Ancient.  
Matura.  
Chiliv.  
Putlam.  
Manar.  
Moletvoe.  
Batticaloa.  
New  
Caltura.  
Negombo  
and  
Trincomale

Proviso for suits already begun.

Jurisdiction to extend to all Persons and to questions of every kind within their local limits.

Conclusion.

Presidents and Members of Courts to see the detail of these General Regulations duly conducted and fulfilled.

Notification of all Proceedings to be made by the Party affected by them.

All Services to be duly attested.

Copies Translations and other Documents to be promptly completed and delivered.

The pleadings to be complete and Evidence full.

All reasonable Excuses and representations to be attended to.

Causes to be heard in turn.

Proper measures to be taken for effectuating the Regulation about costs.

Power to frame bye Rules.

Proviso that they shall be in consistency with the General Regulations.

That they shall be submitted to the Governor.

Injunction to the Officers of Courts Proctors, Attornies &c.

To Head Men.

AT COLOMBO. The Civil Court shall have sole Jurisdiction within the Fort and Pettah and the Land Raad or Country Court shall have sole Jurisdiction without and beyond the limits called the four Gravets and without the Fort and Pettah the said two Courts shall have concurrent Jurisdiction each with the other.

AT JAFFNAPATAM. The Civil Court shall have sole Jurisdiction within the Fort and Pettah and the Land Raad shall have sole Jurisdiction without and beyond the limits called and known by the description of the three Churches. And within the said limits last mentioned and without the Fort and Pettah the Jurisdiction of the said Two Courts shall in like manner be concurrent.

AT GALLE. The Civil Courts shall have sole Jurisdiction within the Fort, that without the Fort and within the limits called the four Gravets the said Civil Courts together with the Court of Land Raad of the said station shall have concurrent Jurisdiction and all places situated without the said limits of the four Gravets shall be subject to the sole Jurisdiction of the Land Raad or Country Court. And whereas at each of the remaining stations where Courts of Justice are established there is only one to wit, a Land Raad or Country Court which Country Courts existed and were established under the Government of the united states except the Land Raads of Caltura Negombo and Trincomale, all and every the Land Raads so heretofore established as afore-said shall have the like extent and limits of local Jurisdiction as under the said former Government except in so far as the same may have been abridged or altered by the establishment of the several new Land Raads herein above-mentioned. And except that the station and District of Calpenny heretofore, that is to say under and during the said ancient Government, subject to the Jurisdiction of the Chief Resident at the said station, is now added to the Jurisdiction of the Land Raad of Putlam. And in respect of the said three new Land Raads the same are hereby declared to have Jurisdiction in and throughout the respective Districts in which the same are established as aforesaid, except that the Jurisdiction of the Land Raad of Negombo shall be limited and bounded towards Colombo by the River of Dandoegim and that the Jurisdiction of the Land Raad of Trincomale shall extend to the Districts of Cotty Tamblegam and Colacollampettah, any Rule Regulation Usage Custom heretofore established or prevailing to the contrary notwithstanding. Provided always that our present Regulation respecting Jurisdiction shall not extend to or affect any suit or suits which may before the publication hereof have been duly instituted and begun in any of our said Courts. And within the local extents and limits herein before respectively to entertain, try, Judge and determine all suits between Persons and parties of every description residing in these Settlements and touching and concerning all matters whatsoever of Civil Cognizance including questions of Slavery touching which and the proper Jurisdiction for the same there has heretofore existed some doubts.

40thly. And whereas several of the matters herein before regulated and established are in themselves and by the tenor and intent of the Rules concerning them of a general nature comprehending divers minor Acts and proceedings not specially provided for. As well in the several Offices and Departments of the Court, as in and before the Court itself. We do therefore earnestly exhort and peremptorily require all and every the President and Members of our Courts respectively to see that all such acts and proceedings as aforesaid not herein before specified in detail but falling under the general provisions herein before established, be duly, faithfully and regularly performed and done according to the true intent and meaning of these our Regulations. And especially that due notification of all steps proceedings acts or Resolutions of the Court intended or about to be had in any suit shall be made and given to the party or parties whom it may behove to be informed thereof by personal service or such other service as shall be deemed lawful and reasonable, according to the circumstances of the case, and that the Court shall cause such Service and all service of notices or Process whatsoever to be duly attested and proceed before them in the best manner that circumstances may admit and entered on their minutes of proceeding before they shall proceed to the act or Resolution to ensue thereon. That all necessary copies translations or other documents or acts to be had of the Secretaries, Interpreters, or other Officers of the Court, and on which the parties litigant, or either of them may depend for information, shall in all cases be duly regularly and promptly expedited and delivered or done. That in the pleadings and Evidence on both sides all material facts be clearly set forth and fully examined into. That in all cases of contempts, defaults, omissions and mistakes, every sufficient cause, excuse, or impediment be fairly and equitably considered and attended to and every reasonable opportunity allowed by which such errors may be rectified, amended, and retrieved. And that all causes as well in the hearing and decision thereof, as in all other the steps, stages and proceedings, in the same, shall come on in their regular turn and course according to their state and circumstances and without preference or priority to any in particular otherwise than as the same may be from the state or circumstances thereof fiter or readier to be proceeded in.

And whereas the Regulations herein before laid down in respect of Costs is merely a general principle, the detail and particulars thereof depending on arrangements not yet fully completed, we do exhort the said Presidents and Members of our said Courts to adopt in the mean time and until further order herein such measures as may best tend to effectuate our intentions in this behalf.

And as well for the regularity and uniformity of proceeding in and before our said Courts themselves as for the governance and direction of the several Offices and Departments thereof in the divers matters herein before mentioned and enumerated. We do hereby authorize and require our said Courts and every of them to frame and devise proper bye Rules or Regulations for the conduct and performance of such matters of detail comprehended under the general tenor and intent of these our Regulations as are not particularly specified and provided for.

Provided always that all such bye Rules and Regulations and all proceedings or acts whatsoever of the Court or its Officers in and touching such matters of detail shall be in strict consistency with and conformity to the true intent and meaning of the general Regulations herein before contained. And provided also that all such bye Rules and Regulations as aforesaid must and shall previous to the adoption thereof be submitted to our consideration and revsial and obtain our sanction and approbation.

And all Officers of or belonging to our said Courts respectively and all Attornies Proctors and Persons of every description employed by, in or about the same, are hereby enjoined and required to observe the strictest fidelity, regularity and attention in discharging, fulfilling, and performing the functions, and duties of their respective Officers or Employments and carefully to observe and conform to all such Regulations, Rules, or Orders as have been or shall be made and established in respect thereof and all Head Men to Whom Process or writs of any kind shall be committed by virtue of these our Regulations are hereby required with all convenient speed and promptitude to make due service of the same or to do and execute such other lawful act or acts as the said Pro-



cess or writs may require and to make due and prompt return or report of what shall have been so done thereon, and if it shall happen not to be practicable to comply with the exigence of such Process or writs to certify and report the reason thereof. And all such returns, reports, or certificates as aforesaid shall be made under the Hand of the Head Man to whom the process or writs shall be directed and be written on the back of such process or writ or in such other manner as the case may best admit or as may be regulated or directed in that behalf.

PROCLAMATION 23d JANUARY  
1801.

And all these our Regulations, Rules, Orders, injunctions, and requisitions both general and particular the several Persons aforesaid and all others to whom respectively the same do relate or extend shall strictly observe abide by and fulfil as they shall answer the contrary at their Peril.

General Injunction.

### APPEALS.

And for the direction and governance of our said several Courts of original Jurisdiction in and concerning cases in which there may be an Appeal to our greater or lesser Appellate Courts according to our Proclamation of the 23d day of September 1799, as well as for the convenience of our said Appellate Courts themselves and the regularity and uniformity of business therein and that all Persons entitled to Appeal may without any uncertainty, doubt, or delay or the inconvenience or expence of leaving their abodes and places of residence have and enjoy the full benefit of such Appeal. And at the same time that none may have undue advantage by colour thereof. We have resolved to establish and do hereby establish in our said Courts of original Jurisdiction the following Rules of practice concerning cases of Appeal.

Preamble.

1st. That where the amount or value sued for shall not be apparent as a covenant or right or thing unvalued or damages or compensation for a wrong, the value of such covenant right or thing or the amount of the loss or injury sustained shall be specially averred by the Plaintiff in his first pleading. And shall by the Defendant in his answer be admitted or denied. If the same shall not be admitted by the Defendant in so far as to render the suit appealable the fact must be ascertained by Evidence with the other facts of the case.

Rule for ascertaining the value in question.

2ndly. That in all cases appealable that is to say where the amount or value sued for shall either apparently as in the case of a Debt or valued contract or by ascertainment in Evidence as before directed in cases where the same may not be apparent, exceed in any Civil Court the sum of 500 Rix Dollars or in any Land Raad the sum of 300 Rix Dollars in which cases an Appeal will be on the part of the Plaintiff, or where in any Civil Court there shall be a Judgment or decree against the Defendant for the sum of 500 Rix Dollars or upwards or in any Land Raad for the sum of 300 Rix Dollars or upwards or where the value performance right or thing decreed against the Defendant shall have been ascertained by Evidence to amount to or exceed those amounts respectively, in which cases last mentioned an Appeal will be competent to the Defendant, ten full days after Sentence shall be allowed (without further proceedings) to the party entitled to an Appeal for the purpose of commencing the same by filing his Petition of Appeal as herein next after mentioned.

Appealable cases explained.

On the part of the plaintiff.  
On the part of the Defendant.

In such cases stay of proceedings for ten days after Sentence.

3rdly. That Appeals shall be by Petition to be lodged in the Court below addressed to *The Honble FREDERIC NORTH President* (or to the President for the time being) *And the Members of the Court of Greater Appeal or The Court of Lesser Appeal* as the case may be, which Petition shall in a short and pertinent manner set forth the circumstances of the case and reason or reasons for Appeal. And such Petition or the substance thereof may if the Appellant shall so think fit be altered added to or otherwise amended at any time before the hearing and determination of the cause in Appeal by a new or amended Petition to be lodged in the first instance in the original Court from whence the same will and is hereby required to be transmitted to us in our Court of Greater or Court of Lesser Appeal as the case may require.

Petition of Appeal.

Appellant may amend the same at any time before the hearing in appeal.

4thly. That as soon as such Petition of Appeal shall be lodged in the Court below the same shall be reported to the Appellate Court to which the case may belong, by letter to be addressed by the proper Officer of the Court below to the Registrar of the Courts of Appeal for the information of the Court.

On appeal being lodged the same to be reported.

5thly. That the Appellant on lodging his Petition of Appeal shall offer two Securities to be bound according to the provisions of our said Proclamation of the 23d of September 1799, to which Securities the opposite party shall be entitled to propose any reasonable exception and the same shall be decided by the Court and the Securities offered shall be received or others more competent required and the Securities being agreed on their undertaking shall be taken in Court below, by Bond according to the Form which will accompany these instructions.

Manner of taking Security.

6thly. That thereupon the Petition or Petitions of appeal shall be transmitted to the Court of Appeal accompanied by a Certificate according to the form for that purpose accompanying these instructions and all proceedings in the cause shall cease until order of the Court above.

Petition of appeal to be transmitted.

7thly. And whereas in the contemplation of all good Laws the blessing of liberty with respect to the individual suing for or claiming the same, is not reducible to any given amount in money but exceeds and is beyond all pecuniary value. Whilst on the other hand the property of and in any Slave considered as to the profit or utility which the owner may derive from the labour or ingenuity of such Slave or the Price which he may obtain for the same cannot in any case reasonably amount to the sum or value for which we have established that an Appeal may be from the Civil or Country Courts to either of our Courts of Appeal. And whereas we have herein before declared that our several Civil Courts and Courts of Land Raad respectively shall be competent to and have cognizance of all questions of Slavery arising within the local limits of their respective Jurisdictions. We do hereby ordain, establish, and declare that where-over the decision of our said Courts respectively shall be against the party alleged to be a Slave there shall be from such decision an Appeal to us in our lesser Court of appeal but where the decision shall have been in favor of the Person so alleged to be Slave such decision shall be final and without any appeal and the alleged Slave shall thereupon be for ever free.

Appeal in questions of Slavery.

8thly. And whereas by the 29th Article of our Regulations hereinbefore contained for the general practice of the Courts of original Jurisdiction, we have provided in certain cases of Judgment by default where a Petition shall have been preferred by the Defendant to be admitted to his defence and where such prayer shall have been rejected by the Court that the petition, and the order, or resolution of the Court thereon, shall be forthwith transmitted to us in our greater or lesser Court of Appeal as the case may be. We do hereby direct that if the amount decreed in such suit shall not exceed the amount cognizable in our Court of lesser Appeal that then such

Reference in the nature of an appeal in certain cases of Judgment by default.

PROCLAMATION 23d JANUARY 1801.

Petition and the order and resolution thereon shall be transmitted and referred to us in our said Court of lesser Appeal, notwithstanding such amount shall be less than the amount ordinarily cognizable in that Court, and in all other cases the said Petition shall be transmitted and referred to us in the Court of greater Appeal. Provided always as in and by the said 29th Article is provided and subject more over to the provisions mentioned and contained in Article 10th of these our Regulations for Appeals.

Reference in the nature of an appeal in questions of Jurisdiction.

9thly And whereas notwithstanding the Regulations herein before contained respecting Jurisdiction it may happen, especially at stations where there are more Courts than one, that questions may arise respecting the Jurisdiction to which a suit doth properly belong. And as great inconvenience would ensue if Appeals were made on such point after the decision of the cause in first instance it will be a standing Rule of practice in all the Courts of original Jurisdiction that any exception to the competency of the Court shall and must be made when the party first appears in Court and before he pleads to the action. And such exception being made the Court shall consider of the same and make such order therein as shall be conformable to our directions herein before contained. And if the party making the exception shall not rest satisfied with the decision of the Court below thereon the same shall notwithstanding any incompetency of amount which might in ordinary cases preclude an Appeal be referred to us in our Court of lesser Appeal where the value in question shall not exceed the amount cognizable there, otherwise to our Court of greater Appeal but without any Petition of the party or other forms of pleading further than shall have taken place in the Court below and there shall be no stay of proceedings in consequence of such reference unless on order of the Superior Court to that effect.

References in cases of Judgment by default and on questions of Jurisdiction may be heard in the Lesser Court of appeal when the greater Court cannot sit.

10thly. And whereas touching the reference to be made to us in our respective Courts of greater and lesser Appeal as specified in the two last preceding Articles (Articles 8. and 9.) respectively in order that the privilege and remedy in and by the said 8 Article provided for Defendants in certain cases of Judgment; by default should tend as little as may be to delay such Judgment (in so far as the same shall not be reversed or altered) of its due effect and in order that in questions of Jurisdiction as little intermediate proceeding should be had and as little expence incurred as possible pending the reference. And that in case of the Jurisdiction being ruled to be in any other Court parties should not be delayed of their lawful rights of Action longer than may be absolutely unavoidable it is greatly desirable and expedient that the determination of such references as aforesaid should be as prompt and expeditious as may be practicable. And whereas it may some times happen that our said Court of greater Appeal may not be able to sit for the despatch of business by reason of the demise indisposition or absence from Colombo of the President or some of the Members thereof or other casualties which cannot at present be foreseen. We do hereby for the reasons herein before assigned ordain and appoint that in all such cases or in the event of any other casualty occurrence or state of circumstances whereby our said Court of greater Appeal may be prevented from sitting for the despatch of business all such references as aforesaid as shall be then pending before our said Court of greater Appeal or so many thereof as expediency shall to us or our successors appear to require shall and may be heard and finally determined in our Court of lesser Appeal and such determination shall be as good, valid, and effectual to all intents and purposes as if the same had been had and made in our said Court of greater Appeal. Provided always and it is hereby declared that this clause or any thing therein contained shall not be taken or understood to derogate from or infringe the Jurisdiction of our said Court of greater Appeal as defined in and by our Proclamation of the 23d day of September 1799, or to effect extend or relate to any appeal or appeals which in the cases in this and the two preceding clauses particularly specified or in any other cases whatsoever would lie unto and before the said Court of greater Appeal in the ordinary course, but shall be taken and understood to relate merely and solely to the references by us in and by these our present Regulations provided, constituted, appointed and ordained for the benefit and relief of certain Defendants under peculiar circumstances.

Proviso.

Proceeding where appeal is demanded in cases not appealable.

And lastly. If notwithstanding these our Rules and Regulations touching and concerning appeals it shall in any case whatsoever so happen that persons not entitled to appeal shall nevertheless lodge and prefer Petition for that purpose such Petitions with certificate of the Secretary of the Court below touching the amount and other circumstances of the case shall be transmitted to our Court of lesser or Court of greater Appeal as the same may be directed for its order thereon but no stay of execution or other proceeding shall take place in the Court below unless upon order of the appellate Court.

Given at Colombo the 22nd day of January 1801.

By Order of the Governor,

WILLIAM BOYD,  
Act. Sec. to Govt.

## PROCLAMATION.

(Expired.)

Proclamation 3d February 1801.

WHEREAS various Districts of this Island have been for some time past afflicted by a dreadful and deleterious malady among the Cattle, to the great loss of individuals and discouragement of the general industry.

We being desirous of affording relief, as far as in us lies, to the Inhabitants of this Colony, do by these presents make known and declare:

That on and after the promulgation of these presents, individuals introducing into this Island Cows in good condition and fit to breed, shall receive for each Cow so introduced (on proving the same to the satisfaction of the Collector or his principal Agent in the District into which the said Cow may be imported) a gratification of two Rix Dollars lawful money of Ceylon.

Given at Colombo, the 3rd day of February 1801.

By Order of the Governor,

WILLIAM BOYD,  
Act. Sec. to Govt.

## P R O C L A M A T I O N .

*(Repealed by Proclamation 13th February 1802.)*

**W**HEREAS by our Proclamation of the twenty first day of June 1800, we did establish certain Courts called Fiscals Courts imparting to the said Courts the several powers in the said Proclamation set forth; And whereas by our further Proclamation of the second day of July in the said Year 1800, we did enlarge the Powers of the said Courts respectively in the Article of Punishments as by the said respective Proclamations more fully appears; And whereas much public benefit has arisen from the establishment of the said Fiscals Courts; And whereas we are satisfied that the said Courts may be rendered still more beneficial to the public by granting them an increase of Powers, not only in the Article of punishments, but also as to the trial of offences. We do therefore hereby, in pursuance of the Powers vested in us by his Majesty, grant, direct and appoint, that the said Courts respectively shall have Power and Jurisdiction and they are hereby respectively authorised to hear examine try and determine and to pass sentence in and upon all cases of Theft and Larceny, simple or mixed, and to any amount whatever, and that the said Courts shall respectively have full Power and authority (which the said Courts are hereby authorized to exercise) to fine, confine, and inflict corporal punishment on all offenders convicted by and before the said Courts respectively. Provided always that no fine, set or imposed by the said Courts respectively, shall exceed in its amount five Hundred Six Dollars lawful money of Ceylon and that no imprisonment awarded by them respectively shall exceed the term of four Calendar Months and that no corporal punishment to be inflicted by and under any sentence of the said Courts respectively shall exceed the complement of two Hundred and fifty Lashes of a Cat of 9 Tails, the only instrument permitted to be used in such punishments; and Provided always that whenever the said Courts respectively shall in any of their sentences award any punishment either by fine imprisonment or corporal correction by flogging as aforesaid, beyond the limits of, or not authorized by the said above recited Proclamation of the twenty first day of June and the second day of July 1800; no such sentence shall be carried into execution until the same shall have been approved of by the Governor or Lieutenant Governor for the time being to whom a full report of every such case with the Sentence thereto annexed shall forthwith, after the passing of such Sentence, be transmitted for that purpose, any thing herein before contained to the contrary notwithstanding.

PROCLAMATION 20TH FEBRUARY 1801.

*Given at Colombo the 20th day of February 1801.*

By Order of the Governor,  
WILLIAM BOYD,  
*Actg. Sec. to Govt.*

## P R O C L A M A T I O N .\*

**W**HEREAS we have taken into our consideration the urgent necessity of establishing a certain and convenient mode of enregistering the Property of Individuals, we do by these presents make known that we have authorized the Presidents and Acting Presidents of the several Civil and Land Raads to hold Register of Land within their respective Districts, and we do hereby authorize the said Persons to draw up, make out and enroll the several Title Deeds, (to serve as Vouchers for the tenure of immoveable or landed property permitted and directed to be applied for in the various cases mentioned in our Proclamation of the 3d of May last as also to draw up, make out, and enroll all manner of Transfers Mortgages, Mortgage Bonds and Assignments thereof and all other Deeds affecting landed or immoveable property of what nature or description soever, situate and lying within their respective jurisdictions according to the Forms, Rates of Stamped Paper, and Charges prescribed; concerning which instructions have been transmitted to them respectively.

Proclamation 1st March 1801.

And we do hereby declare that such Title Deeds, Transfers, Mortgage Bonds, Assignments, &c. so made out and enrolled by the aforesaid Registers, shall at all times be lawful and valid, and shall have preference and precedence of every the like kind, drawn out and executed before a Notary or other person, excepting always those that have been passed previous to the date of these presents by or before the Courts of Justice, Land Raads, Weeskamers or elsewhere, according to the formalities required by the late Dutch Government.

And for the sake of regularity we do hereby declare that, for the future all Title Deeds, (those issued by Government in the first instance alone excepted) Transfers, Mortgages, Mortgage Bonds, Assignments and all other Deeds affecting landed or immoveable property, shall be drawn up and enrolled by the persons hereby authorized to hold Registers and by them only, any law, usage or custom; rights power or authority heretofore exercised by any person or persons whomsoever to the contrary thereof notwithstanding.

And farther, in the spirit of our said Proclamation of the 3d day of May last, we declare that all immoveable or landed property, enregistered, or enrolled in the manner hereby prescribed, shall only be held in single Proprietorship, and not by joint Proprietors, suitable to the Regulations in the said Proclamation contained the penalties prescribed in the first article thereof, saving always the Provisions of the Seventh Article of the said Proclamation, which we do by these Presents confirm.

And the better to preserve the regularity of the Register hereby established, and for the prevention of disputes that might arise from the neglect of timely notifica-

\*NOTE.—Much of this Proclamation, though not repealed, is fallen into disuse.

PROCLAMATION 30TH FEBRUARY 1801.

tion and the enregistering or inrolment of alienations of landed property, we do accordingly direct that the acquirer of a new Right or Title in any of the lands enrolled or enregistered therein shall by himself or his agents duly authorized prove such his right or title within the space of six calendar months from the date thereof (that is) the day on which such Right or Title accrued, under a Fine or penalty in Case of Five Rix Dollars for each and every month after the said Period of Six Months has elapsed until such Person shall have complied with this Regulation, the said Fine or Penalty on the Conviction of such person, to be adjudged to, and for the benefit of the In-former.

(Repealed by Proclamation of the 14th July 1802.) And for the reasons, herein before stated, (namely to render landed property secure by diminishing as much as possible all causes of dispute respecting the situation, extent and limits thereof, we have resolved that no Deed of property shall be valid unless it be authenticated by a figure issued by the office of the Surveyor General, for which figure there shall only be demanded at the rate of half a Rix Dollar per English Acre and for the use of the Public in this behalf, Surveyors have been appointed in the different Districts, to whom Individuals are directed to apply with all convenient speed in order to have their Lands Surveyed as by our Proclamation on the second day of August 1800 is more particularly enjoined.

And whereas it has been found inconvenient to reduce the Figure of the ground within the space ordinarily allotted to it in the Margin of Title Deeds it will therefore be drawn on a separate sheet of Paper and annexed to the Deed by the Register of the District with his seal of office and the said Figure will also be authenticated by the Signature of the said Register on the Register in the presence of witnesses, and a Record of that proceeding will be entered and preserved in the Register.

(Repealed by Proclamation of the 14th July 1802.) And whenever a new Title Deed becomes necessary in consequence of any Sale, Transfer, Donation, Devise or Inheritance, a new Survey according to the late established Form must be applied for by the person so entitled, and such application entered in the Journal of the Surveyor of the District, who is hereby required to make the said Survey with all reasonable expedition as he shall answer the contrary at this peril.

And that no doubt may remain with respect to the fees permitted to be received and taken by the person holding Register and his officers, we do by these presents establish and prescribe the same according to the Rates following, to wit for each and every Deed registered by the Register the property affected by which does not exceed 100 Rix Dollars the said Register will receive one Rix Dollar from one to two hundred Rix Dollars and so on at the rate of one Rix Dollar for every hundred.

The amount of the Fee shall be expressed by the Stamp of the Paper on which the Deed is written or printed, and that amount shall on no pretence be exceeded on pain that the person exacting more shall, be deemed guilty of extortion.

And whereas various Grants of Land, Transfers and Deeds, have heretofore been issued by the Collectors and acting Collectors of this Island, we do hereby declare, that all such acts of every description, the same having been duly signed and registered by them, prior to the date of these Presents, shall remain in full force and validity, and that such may be known we have ordered Copies thereof to be transmitted without delay from the office of each Collector to that of the Person holding Register without the same District.

And in order to remedy the mischiefs, arising from the confusion and the various abuses, which had crept into the Tombos during the time of the late Dutch Government we do hereby ordain that an undisturbed Possession of Lands, Messuages Tenements or Hereditament for 30 years shall be equivalent to and Constitute a prescriptive Right not to be shaken by any Record or Entry, which may be found in the said Tombo Registry, and that all Courts of Justice in deciding Titles thereto shall govern themselves accordingly.\*

(Repealed by Proclamation of 9th May 1803.) And as the said Tombos relate only to Lands, held in undivided moiety, or in common (a mode of Tenure, which we mean not only to discourage but gradually in as far in us List to abolish) we do hereby declare that on and after 1st day of January in the year of our Lord One Thousand Eight Hundred and Six the said Tombos and all Extracts therefrom shall not be considered as having any validity and as such shall be rejected as Evidence in every Court of Justice within these Settlements.

And as the Register established by these presents, will in future serve as a Record and perpetual Memorial to ascertain Titles to Land, Messuages, Tenements and Hereditaments, we do hereby direct and appoint that the several Persons holding the said Register and all officers acting under them do and shall, before they enter upon their said offices respectively take and subscribe the following oath (That is to say.)

I do swear that I will, well and truly and according to the best of my skill and knowledge execute the duties of my office of Register of Lands in and for the district of

And that without favor or affection, Prejudice or malice

SO HELP ME GOD.

And, if any person, holding Register or any Officer, acting under him shall wilfully and correctly falsify any Paper, making part of the said Register, or issue any false or spurious papers as a Copy or Extract therefrom, such offenders shall on conviction thereof by due course of law be punished as for forgery of the most heinous nature.

And any person or persons procuring such false paper to be made or such false and spurious to be issued as a Copy or Extract from the said Register, with intent to appropriate to himself, or to deprive the rightful proprietor of any Land, messuage, tenement or hereditament, shall upon conviction thereof by due course of Law be punished in like manner as if he or they had committed the forgery.

Given at Colombo the first day of March 1801.

By order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

## CHARTER

18TH APRIL 1801.

(*Repealed by Charter of 1833.*)

GEORGE the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; to all to whom these Presents shall come, greeting:

Charter 18th April 1801.

Whereas, by Our Commission under Our Great Seal of Great Britain, bearing Date at Westminster, the Nineteenth Day of April, in the Thirty-eighth Year of Our Reign, and in the Year of our Lord One thousand seven hundred and ninety-eight; reciting, That the Dutch Settlements in the Island of Ceylon, in the Indian Seas, and such Parts of the said Island as were formerly under the Dominion of the States General of the United Provinces, were then in Our Possession, and that We were desirous of providing for the necessary Government of the said Settlements, Territories, and Dependencies, in Manner therein expressed, during Our Pleasure, and until we should think fit to make further or other Provision touching the same, We were pleased to constitute and appoint, and We did thereby constitute and appoint, Our trusty and well-beloved Frederick North Esquire, to be Our Governor and Commander-in Chief in and over the said Settlements in the Island of Ceylon in the Indian Seas, with the Territories and Dependencies thereof, and all Forts and Garrisons established within the same, during Our Pleasure, and did thereby empower him to do and execute the several Things therein expressed, and any other Thing or Things which to Our Governor and Commander-in-Chief did of Right, or ought to belong, according to the Provisions which by such Commission, or otherwise, we had made, or should make, for the temporary Government of the said Settlements, with their Territories and Dependencies, during Our Pleasure:

Preamble.

Recital of the Commission, and Instructions of 19th April 1798.

II. And whereas, by Our Instructions to the said Frederick North, We declared it to be Our Will and Pleasure that for the present, and during Our Will and Pleasure, the temporary Administration of Justice and Police in the said Settlements, and in the Territories and Dependencies thereof, should, as nearly as Circumstances would permit, be exercised by Our said Governor in Conformity to the Laws and Institutions that subsisted under the antient Government of the United Provinces, subject to such Deviations in consequence of sudden and unforeseen Emergencies or to such Expedients and useful Alterations, as might render a Departure therefrom, either absolutely necessary and unavoidable, or evidently beneficial and desirable:

III. And whereas, by a Proclamation, bearing Date at Colombo, in the said Island of Ceylon, on the Twenty-third Day of September in the Year of Our Lord One thousand seven hundred and ninety-nine, and issued and promulged in the Name, and by Authority of Our said Governor, in pursuance of the said Instructions, certain Regulations for the due Administration of Justice Civil and Criminal, throughout the Settlements in the said Island of Ceylon, and the Territories and Dependencies thereof, were ordained and promulged:

Recital of the Proclamation, 23d Sept. 1799.

IV. And whereas, by Our Commission under Our Great Seal of Our United Kingdom of Great Britain and Ireland, bearing Date the Eighteenth Day of April, in the Forty-first Year of Our Reign, and in the Year of our Lord One thousand eight hundred and one, We have thought fit to repeal the said Commission to the said Frederick North, and again to constitute and appoint the said Frederick North to be Our Governor and Commander-in Chief in and over the said Settlements in the Island of Ceylon, with the Territories and Dependencies thereof, and all Forts and Garrisons within the same, during Our Pleasure, and did thereby empower him to do and execute the several Things therein expressed, and any other Thing or Things which to Our Governor and Commander-in-Chief did of Right, or ought to belong, according to the Provisions which by such Commission, or otherwise We had made, or should make, for the temporary Government of the said Settlements, Territories, and Dependencies during Our Pleasure; and We did also give other Instructions to the said Frederick North, with such Commission, for the temporary Government of the said Settlements, Territories, and Dependencies and Administration of Justice therein:

Recital of the Commission and Instructions, 18th April 1801.

V. And whereas it is necessary further to provide for the due Administration of Justice, in such Manner as the State and Condition of the said Settlements, with the Territories and Dependencies thereof, and of the Inhabitants thereof, for the present, (during Our Pleasure, and subject to such Alterations and Provisions as We may hereafter think fit to make), or as Circumstances may require.

VI. Now know ye, That We, upon full Consideration of the Premises, and of Our especial Grace, certain Knowledge, and mere Motion, have thought fit to grant, direct, ordain, and appoint, that there shall be, within the said Settlements of the Island of Ceylon, and the Territories and Dependencies aforesaid, during Our Pleasure, and until such Time as We shall think

Establishment of a Court of Record, to be called The Supreme Court of Judicature in the Island of Ceylon.

CHAPTER 18TH APRIL 1801.

It otherwise to provide for the Administration of Justice therein, a Court of Record, which shall be called *The Supreme Court of Judicature in the Island of Ceylon*; and We do hereby create, direct, and constitute the said Supreme Court of Judicature in the Island of *Ceylon* to be, during the Continuance thereof as aforesaid, a Court of Record

To consist of a Chief Justice and One Puisne Justice.

VII. And We do further will, ordain, and appoint, That the said Supreme Court of Judicature in the Island of *Ceylon*, shall consist of, and be holden by and before, One principal Judge, who shall be, and be called *The Chief Justice of the Supreme Court of Judicature in the Island of Ceylon*; and One other Judge, who shall be and be called *The Puisne Justice of the Supreme Court of Judicature in the Island of Ceylon*; which said Chief Justice and Puisne Justice shall be Barristers, in *England* or *Ireland*, of not less than Five Years standing, to be named and appointed, from Time to Time, by Us, Our Heirs and Successors, by Letters Patent, under Our and Their Great Seal of the United Kingdom of *Great Britain* and *Ireland*, and they shall each and every of them hold their said Offices, severally and respectively, during the Pleasure of Us, Our Heirs and Successors, and not otherwise.

The Judges to be Justices and Conservators of the Peace throughout the *British Territories in Ceylon*.

VIII. And it is Our further Will and Pleasure, That the said Chief Justice, and the said Puisne Justice, shall, severally and respectively, be, and they are, and each of them is hereby appointed to be, Justices and Conservators of the Peace, within and throughout the whole Extent of the said Settlements and Territories in the said Island of *Ceylon*, with their Dependencies.

All Acts of the Court to be done by the Judges present.

IX. And We further will and ordain, That all Sentences, Judgments, Decrees, Rules, Orders, and Acts of Authority, to be made or done by the said Supreme Court of Judicature, shall be made and done by and with the Concurrence of the said Chief Justice, and Puisne Justice, if they both be assembled and sitting, or if One only shall be sitting, then by such Chief Justice or Puisne Justice, as the case may be.

Proviso in case of Difference of Opinion in any Civil Proceeding.

X. Provided always, That in case the said Chief Justice and Puisne Justice shall happen to differ in Opinion in any Civil cause or Matter, the same shall be adjourned for Seven Days at the least, and in case, after such Adjournment, the said Justices shall continue to differ in Opinion, the Question shall be decided by the Opinion of the Chief Justice, and such Difference of Opinion shall be suggested on the Records of the Court.

Proviso in case of such Difference in any criminal Proceeding, a State of the Case to be laid before the Governor, whose Rescript thereon to be conclusive

XI. And provided, That in all criminal Cases and Prosecutions, if the said Chief Justice and Puisne Justice shall happen to differ in Opinion, the said Chief Justice and Puisne Justice shall draw up a State of the Case in which such Difference shall have arisen, and the Evidence thereon, and state the Nature and Ground of such Difference of Opinion in Writing, and shall both sign the same, and lay such Case before the Governor, or, in his Absence from the said Island of *Ceylon*, the Lieutenant Governor of the said Settlements in the said Island for the Time being who shall thereupon take the same into Consideration, and cause the said Statement to be returned to the said Chief Justice, with the Determination of such Governor, or Lieutenant Governor as aforesaid, thereon written, and signed by such Governor or Lieutenant Governor, which Rescript and Determination shall in every such Case be final and conclusive.

Proviso where One Judge only present.

XII. And provided also, That in case either the said Chief Justice, or the said Puisne Justice, shall not be present in the said Supreme Court of Judicature, it shall be lawful and competent to the said Chief Justice, or the said Puisne Justice, or which soever of them shall be present, to sit and act alone, as constituting the said Court, and to do every Act and Thing necessary for the Administration of Justice, in as full and ample a Manner, as if the said Chief Justice and the said Puisne Justice were both assembled and sitting in the said Court.

The Court to have a Seal, bearing His Majesty's Arms, to be kept by the Chief, or, during a Vacancy, by the Puisne Justice

XIII. And We do further grant, ordain, and appoint, That the said Supreme Court of Judicature in the Island of *Ceylon*, shall have and use, as Occasion may require, a Seal, bearing a Device and Impression of Our Royal Arms, with an Exergue, or Label, surrounding the same with this Inscription, *The Seal of the Supreme Court in Ceylon*: And We do hereby grant, ordain, and appoint, That the said Seal shall be delivered to, and kept in the Custody of the said Chief Justice, and in case of Vacancy of the Office of Chief Justice, the same shall be delivered over to the said Puisne Justice during such Vacancy: And We do hereby grant, ordain, and appoint, That if it shall happen that the said Seal shall by any Means come to the Hands of any Person or Persons other than the Chief Justice, or such Person as for the Time being is hereby authorized to have the Custody thereof, the said Supreme Court of Judicature in the Island of *Ceylon* shall be, and is hereby authorized and empowered to demand, seize, and take the said Seal from any Person or Persons whomsoever, by what Ways or Means soever the same may have come to his, her, or their Possession, other than the Person for the Time being hereby authorized and required to have the Custody thereof, and shall forthwith deliver such Seal to the said Chief Justice, or to such other Person as shall be for the Time being authorized by these Presents, to have the Custody of such Seal as aforesaid.

All Process to be issued under Seal, in the Name of the King.

XIV. And we do further grant, ordain, and direct, that all Citations, Monitions, Rules, Orders, and other Process, as well mandators as executive, to be decreed or issued by the said Supreme Court of Judicature in the Island of *Ceylon*, shall run, and be in the Name and Style of Us, or of Our Heirs and Successors, and shall be sealed with the Seal of the said Court, and shall have and bear the Attestation of the Chief Justice thereof, or in the Vacancy of the Office of Chief Justice, or his Absence from the Island of *Ceylon*, of the Puisne Justice, and shall be signed by the proper Officer whose Duty it shall be, according to the Arrangement herein after provided, to prepare and make out the same respectively.

Salaries to the Chief and Puisne Justice in Lien of all other Emoluments; but the Expences of the Circuits to be defrayed by Government.

XV. And we do further grant, ordain, appoint, and declare, That the said Chief Justice and Puisne Justice shall and may, and so long as they shall hold their said Offices respectively, shall be entitled to have and receive respectively, certain and established Salaries; that is to say, the Chief Justice Five thousand Pounds by the Year, and the Puisne Justice Three thousand Pounds by the Year; and Our Governor, or in his Absence from the said Island, Our Lieutenant Governor for the Time being of the said Settlements and Territories in the said Island of *Ceylon*, is hereby directed and required to direct and cause such Salaries to be paid to the said Chief Justice and Puisne Justice respectively; and such Salaries shall be paid and payable to each and every of them respectively, out of the Territorial and other Revenues of the said Settlements in the Island of *Ceylon*, at an Exchange of Eight Shillings Sterling for the *Madras* Star Pagoda.

XVI. And we do further grant, ordain, appoint and declare, That the said Salaries shall commence and take place, in respect to such Persons who shall be resident in *Great Britain* or *Ireland* at the Time of their Appointment, upon and from the Day on which any such

CHARTER 18TH APRIL 1801.

Person shall thereupon embark, or depart from *Great Britain* or *Ireland* for *India*, to take upon him the Execution of the said Office; and that the Salaries of all such Persons who shall at the Time of their Appointment be resident in *India*, shall commence and take place from and after their respectively taking upon them the Execution of their Office as aforesaid; and that all such Salaries shall be in lieu of all Fees of Office, Perquisites, Emoluments, and Advantages whatsoever, save and except such necessary Charges and Expences as shall be occasioned by the Performance of Circuits throughout the said Settlements in the said Island of *Ceylon*; which Charges and Expences shall be regulated by the Governor, or in his Absence from the said Island, the Lieutenant Governor of the said Settlements and Territories in the Island of *Ceylon*, from Time to Time, and shall be defrayed out of the said Revenues, as soon as conveniently may be after every such Circuit, and in all Cases before the Commencement of the Circuit next ensuing that, during which such Charges and Expences shall have been incurred.

XVII. And We do hereby give and grant to Our said Chief Justice, Rank and Precedence above and before all Our Subjects whomsoever, within the Island of *Ceylon*, with the Territories and Dependencies thereof, excepting Our Governor for the Time being of the said Settlements, and in his Absence from the said Island, Our Lieutenant Governor, and excepting all such Persons as by Law and Usage take place in *England* before Our Chief Justice of Our Court of King's Bench: And we do hereby also give and grant to Our said Puisne Justice, Rank and Precedence above and before all Our Subjects whomsoever within the said Island of *Ceylon*, excepting Our said Governor, or in his Absence from the said Island, Our said Lieutenant Governor, Our said Chief Justice of Our said Supreme Court of Judicature, and the Officer for the Time being commanding Our Forces in the said Settlements; and also excepting all such Persons as by Law and Usage take place in *England* before Our Justices of the Court of King's Bench.

Rank and Precedence of the Judges.

XVIII. And We do hereby constitute and appoint Our Trusty and well-beloved *Codrington Edmund Carrington* of the *Mittle Temple*, Esquire, First Chief Justice, and Our Trusty and well-beloved *Edmund Henry Lushington* of the *Inner Temple* Esquire, to be the First Puisne Justice of Our said Supreme Court of Judicature in the Island of *Ceylon*, the said *Codrington Edmund Carrington*, and *Edmund Henry Lushington*, being Barristers in *England* of Five Years standing, and upwards.

XIX. And We do further, for Us, Our Heirs and Successors, grant, direct, and appoint, that, as soon as may be after the Arrival of this Our Charter at the said Island of *Ceylon*, and the Proclamation thereof, Our Governor of the said Settlements in the Island of *Ceylon*, shall nominate and appoint certain Persons to serve the Office of Fiscal throughout the several Districts or Provinces of the said Settlements, during Pleasure; which Persons so appointed, and having taken the proper Oaths on such Appointment, and having given such Security to Us, Our Heirs and Successors, as the Nature and Responsibility attached to their respective Offices, may, in the Discretion of the said Supreme Court, render fit and necessary, shall by themselves, or their sufficient Deputies to be by them appointed, and duly authorized under their respective Hands and Seals, and for whom such Fiscals shall severally be civilly responsible during his or their Continuance in such Office; and he and they are hereby authorized to execute all the Citations, Monitions, Summonses, Mandates, Rules, Orders, Warrants, Commands, and Process of the said Supreme Court of Judicature in the Island of *Ceylon*, and to make and certify the Return of the same, together with the Execution thereof, to the said Supreme Court of Judicature, and to receive and detain in Prison such Persons as shall be committed to the Charge of such Fiscals respectively for that Purpose, by the said Supreme Court of Judicature in the Island of *Ceylon*, and by the Chief Justice and Puisne Justice thereof respectively, and by other the Justices of the Peace and Magistrates, lawfully appointed, throughout the said Settlements and Territories in the said Island of *Ceylon*.

Mode prescribed for the Appointment of Fiscals.

Duties of the Office of Fiscal.

XX. And We do further direct, ordain, and appoint, That whenever the said Supreme Court of Judicature in the Island of *Ceylon*, shall direct or decree any Process against any such Fiscal, or direct any Process in any Cause, Matter, or Thing, wherein, on Account of his being related to the Parties, or for any other just Cause, it should appear to the said Court to be improper that he should execute the same, in every such Case the said Court shall name and appoint some other fit Person to execute and return the same; and the said Process shall be directed to the said Person so to be named for that Purpose; and the Cause of such special Proceeding shall be suggested and entered on the Acts of the said Court.

The Court to direct Process to any other Person for Execution, where the Fiscal is interested.

XXI. And We do further authorize and empower the said Chief Justice of Our said Supreme Court of Judicature in the Island of *Ceylon*, from Time to Time, as Occasion may require, to nominate and appoint such and so many Registrars, Clerks, and other Ministerial Officers, as shall be found necessary for the Administration of Justice, and the due Execution of all the Powers and Authorities which are and shall be granted and committed to the said Supreme Court of Judicature, by these Our Letters Patent, and as shall be approved of by Our Governor, or in his Absence from the said Island, by Our Lieutenant Governor of the said Settlements for the Time being.

Appointment of Registrars and other Officers.

XXII. And it is Our further Will and Pleasure, and We do hereby give, grant, direct, and appoint, That all and every the Registrars, Officers, Ministers, and Clerks, to be appointed as aforesaid, shall have and receive respectively, such reasonable Salaries as Our Governor, or in his Absence from the said Island, Our Lieutenant Governor of Our said Settlements in the said Island of *Ceylon*, with the Advice, and by the Recommendation of Our said Supreme Court, shall appoint for each Office and Place respectively.

Their Salaries.

XXIII. Provided always, and it is Our Will and Pleasure, That all and every the Registrars, Officers, Ministers, and Clerks, to be appointed as aforesaid, shall give such reasonable Security, by Bond, to Us, Our Heirs and Successors, as the Nature, Charge, and Responsibility attached to their respective Offices may, in the Discretion of Our said Supreme Court, render necessary; and provided that all such Registrars, Officers, Ministers, and Clerks, shall be resident within the Jurisdiction of the said Court, so long as they shall hold their respective Offices.

Provide that they give Security, by Bond, and reside within the Jurisdiction of the Court.

XXIV. And We do hereby further authorize and empower the said Supreme Court of Judicature in the Island of *Ceylon*, to approve, admit, and enrol such and so many Persons, being properly qualified according to such Rules and Qualifications as the said Court shall for that Purpose make and declare, to act both as Advocates and Proctors, or in either of such Capacities, in the said Court, such Persons having first taken the Oath of Allegiance to Us, Our Heirs

Court to admit Advocates and Proctors.

CHARTER 18TH APRIL 1801.

and Successors, as to the said Supreme Court shall seem meet, and the said Advocates and Proctors on reasonable Cause to remove; and no other Person or Persons whatsoever, but such Advocates and Proctors so admitted and enrolled, shall be allowed to appear and plead, or act in the said Supreme Court, for or on Behalf of such Suitors, or any of them.

Proviso.

XXV. Provided always, and we do hereby further ordain and declare: That no Person, who shall not be resident in *India* at the Time of the Publication of this Our Charter, shall be capable of being admitted or enrolled, or of practising in the said Court, without Our Licence, to be signified under the Hand of One of Our Principal Secretaries of State for the Time being, for that Purpose first had and obtained; nor shall any Person resident in *India* at the Time of such Publication, be capable of being so admitted and enrolled, and of so practising, without the Licence of Our Governor of Our said Settlements for the Time being, for that Purpose first had and obtained.

Fees to be settled by the Court, subject to the Revision of the Governor.

XXVI. And We do hereby authorize and empower the said Supreme Court of Judicature in the Island of *Ceylon*, to settle a Table of the Fees to be allowed to such Fiscals, and all other the Registrars, Officers, Clerks, and Proctors aforesaid, for all and every Part of the Business to be done by them respectively, which Fees, when approved by Our said Governor of the said Settlements in the said Island, (to whom We hereby give Authority to review the same) the said Fiscals, and other Officers, shall and may lawfully demand and receive, subject to the Proviso hereinafter mentioned: And We do further authorize the said Supreme Court of Judicature, with the like concurrence of the said Governor, from time to time to vary the said Table of Fees, as there shall be occasion.

A Copy of the Table of Fees to be transmitted to One of the Secretaries of State, to be laid before the King, for his Approbation or Correction.

XXVII. And it is Our further Will and Pleasure, and We do require and enjoin the said Court, within One Year after these Our Letters Patent shall have been published in the said Island of *Ceylon*, and as soon as conveniently may be from the said settling and Allowance of the said Table of Fees, to certify under their several Hands and Seals, and to transmit to One of Our Principal Secretaries of State, to be laid before Us, Our Heirs and Successors, for Our and Their Royal Approbation and Correction, a true Copy of the said Table of Fees, together with the Approbation of Our said Governor; and also any Variation of the said Table to be made as aforesaid, as soon as conveniently may be after the same shall have been so varied: And We further direct and appoint, That the said Table, and the said Alteration or Variation thereof, if any Alteration or Variation shall be made, shall be hung up in some conspicuous Part of the Hall or Place where the said Supreme Court of Judicature in the said Island of *Ceylon* shall be publicly holden.

Fees received by Officers holding Salaries, to be accounted for on Oath, and applied as the Governor shall direct, except those paid to the Fiscals.

XXVIII. And it is Our further Will and Pleasure, That all and every the Fiscals, Registrars, Officers, Ministers, and Clerks aforesaid, and to whom Salaries shall have been appointed to be paid in Manner herein-before appointed, shall and they are hereby enjoined and required to make regular Entries of all such Fees as they shall receive, and file and exhibit such Entries upon Oath, in the Office of the Registrar of the said Court, which Oath the said Supreme Court is hereby authorized to administer; and all such Registrars, Officers, Ministers, and Clerks, (such Fiscals as aforesaid alone excepted), shall duly account for the same, at such Times and in such Manner as the said Court shall direct, for the Purpose of being paid over to such Person, and applied to such Purposes, as Our Governor of Our said Settlements shall from Time to Time appoint.

The local Jurisdiction of the Court in Civil Cases prescribed.

XXIX. And We do further grant, direct, ordain, and appoint, That the said Supreme Court of Judicature in the said Island of *Ceylon*, shall be a Court of Civil Jurisdiction for the Town and Fort of *Colombo* in the said Island, and such District surrounding the same, as shall have been, or shall be, declared by Our Governor of Our said Settlements and Territories for the Time being, to be, and be deemed the District of the said Town and Fort of *Colombo*; and such Supreme Court of Judicature shall have full Power and Authority to administer Justice and the Law as already declared and confirmed, or hereafter to be declared and confirmed, by Us and Our Authority, and to take Cognizance of, and proceed in all Civil Causes, Actions, Suits, and Matters which shall or may arise, happen, or be brought or promoted within the said Town and Fort of *Colombo*, and the said District surrounding the same, upon or concerning any Civil Injuries of what Nature or Kind soever, or any Debts, Duties, Demands, or Interests *in rem*, or any Concerns of what Nature or Kind soever, or any Rights, Titles, Claims, or Demands, of, in, or to any Lands, Houses, or other Property within the said Town, Fort, and District; and the said Causes, Actions, Suits, and Matters, with their Incidents, Emergents and Dependents, and whatsoever is thereto annexed, or therewith connected, to hear, try, dispatch, discuss, and determine.

The personal Jurisdiction of the Court in Civil Cases defined.

XXX. And We do further direct, ordain, and appoint, That the Civil Jurisdiction of the said Supreme Court of Judicature in the Island of *Ceylon*, shall extend to and over all and singular the Inhabitants of the said Town and Fort of *Colombo*, and the District aforesaid; and to and over any Person or Persons who shall, at the Time any such Action or Suit shall have been commenced against him, her, or them, be commorant, and being within the said Town, Fort, or District, although not domiciled therein; and to and over all Persons, as well *British* as all others commonly known and distinguished in *India*, by the Appellation of *Europeans*, who shall, at the Time any such Action or Suit shall have been commenced, be resident in any the Settlements and Territories, with their Dependencies, which now are or hereafter may be in the Possession of Us, Our Heirs and Successors, in the said Island of *Ceylon*; and to and over every Person, who shall then have been registered in the Office of the Secretary of Government in the said Island, as a Person licenced to reside within the said Settlements and Territories, with their Dependencies; which several Descriptions of Persons shall be, and are hereby ordained and declared to be, liable to the Jurisdiction, Powers, and Authorities of Our said Supreme Court, and all Process thereof, wheresoever they shall be within the said Settlements, Territories, and Dependencies, or any of them.

Proviso saving the Jurisdiction of the Landraad of *Colombo*.

XXXI. Provided always, That nothing herein before contained shall extend, or be construed to extend to any Causes, Suits, Actions, Matters, and Things, between Natives of the said Island of *Ceylon*, or of *India*, or wherein there shall be a native Defendant, which are now competent to be tried and determined in the Provincial Court, commonly called *The Landraad of Colombo*, if, after the Appointment of this Our Supreme Court, it shall appear expedient to Our Governor of Our said Settlements for the Time being, and beneficial to the native Inhabitants, that the Jurisdiction of the said *Landraad of Colombo* shall continue to be exercised.



XXXII. And provided also, That in the Cases of *Cingalese* or *Musulman* Natives, their Inheritance and Succession to Lands, Rents, and Goods, and all Matters of Contract and Dealing between Party and Party, shall be determined in the Case of *Cingalese*, by the Laws and Usages of the *Cingalese*, or in the Case of *Musulmans*, by the Laws and Usages of the *Musulmans*, and where One of the Parties shall be a *Cingalese* or *Musulman*, by the Laws and Usages of the Defendant.

XXXIII. And in all such Cases so to be determined by the Laws and Usages of the said Natives, the said Court shall make such Rules and Orders for the Conduct of the same, and frame such Process for the Execution of their Sentences or Decrees, as shall be necessary, and most consonant to the religious Prejudices and Manners of the said Natives, and to the said Laws and Usages respectively, and to the easy Attainment of the Ends of Justice; and in all Cases such Means shall be adopted for compelling the Appearance of Witnesses, and taking their Examination, as shall be consistent with the said Laws and Usages, so that all Suits may be conducted with as much Ease, and at as little Expence, as shall be consistent with the Attainment of substantial Justice.

XXXIV. And to the End that Justice may be administered in the said Supreme Court of Judicature in the Island of *Ceylon*, with all convenient speed, known Form, and certain Effect, Our Will and Pleasure is, and We do hereby grant, ordain, and appoint, That upon any such Cause of Action as aforesaid, it shall be lawful and competent for any Person whatsoever, by himself, or his lawful Proctor, admitted and enrolled as aforesaid, to prefer to the said Supreme Court, of Judicature in the Island of *Ceylon*, and file of Record in the said Supreme Court, a Libel or Summary Petition in Writing, containing the Cause of Action or Complaint, whereupon the said Supreme Court of Judicature shall, and is hereby authorized to award and issue a Citation in Writing, to be prepared by the Registrar of the said Supreme Court, directed to the Fiscal of *Columbo*, or other proper Fiscal or Officer, and intimating the Cause of Action set forth in such Libel or Petition, and commanding the said Fiscal to summon the Person against whom the said Libel or Petition shall have been filed, to appear at a certain Time and Place therein to be specified, to answer the said Libel or Petition; which said Citation, and the Execution thereof, the said Fiscal shall duly return, and certify to the said Supreme Court of Judicature; and the Person or Persons so cited shall accordingly appear, and may confess the Libel or Petition, or may plead thereto such Matter of Exception or Defence as he or they shall be advised; and after such Appearance, the said Supreme Court of Judicature shall proceed, from Time to Time, assigning reasonable Days to the said Parties, or to any other Party or Parties lawfully intervening in the said Suit, and alleging an Interest therein, to hear their respective Allegations, as Justice may require, and examine the Truth thereof, that is to say, in cases arising out of personal Contract or Obligation, as well on the Oath of the Parties to the Suit, on the Reference of either Party, and where such Oath may lawfully be tendered by the Court, as upon the Oath or Oaths of such competent or credible Witnesses as they shall produce in Court respectively; and in all other Cases upon the Oath or Oaths of such Witnesses as aforesaid; to which End We hereby authorize and empower the said Supreme Court of Judicature in the Island of *Ceylon*, at the Request of either of the said Parties, to issue a Citation, to be prepared by the Registrar of the said Supreme Court, or Person acting as such, directed to every One of such Witnesses, commanding him or her to appear at a Time or Place to be specified in such Citation, to depose his or her Knowledge touching the Suit so depending between the Parties, naming them, and specifying at whose Request such Citation shall have issued; and upon the Appearance of the said Witnesses, or any of them, the said Supreme Court of Judicature may, and is hereby required to order and decree them and each of them, such reasonable Sum of Money for his, her, or their Expence, as the said Supreme Court shall think fit, whether such Witnesses shall be examined or not, the same to be paid forthwith by the Party at whose Request the said Citation shall have issued; and if the said Sum of Money so ordered and decreed, shall not be forthwith paid or secured to such Witness, to the satisfaction of the said Court, the Party to whom it shall belong to pay the same shall not only lose the Benefit of such Witness's Testimony, but shall be compelled to pay him or her the Money so ordered and awarded, by such Ways and Process as are herein-after provided for enforcing the Payment and Satisfaction of Money recovered by Sentences of the said Court; and the said Supreme Court of Judicature in the Island of *Ceylon*, is hereby authorized and empowered to administer to such Witnesses, and others whom they may see Occasion to examine, proper Oaths and Affirmations; that is to say, to such Persons as profess the Christian Religion, the Oath upon the Holy Evangelists of God; and to Quakers, the Affirmation according to the Form used in *England* for that Purpose; and to others, such Oath in such Manner and Form as the said Court shall esteem most binding on their Consciences respectively; and the said Supreme Court of Judicature is, on the Hearing of all such Causes as are herein-after declared to be appealable, required to cause the Depositions to be reduced into Writing, and subscribed by the several Witnesses, with their Name or other Mark, and to file the same of Record; and in case any Person or Persons so cited shall refuse, or wilfully neglect to appear and be sworn, or, being Quakers, to affirm and be examined, or to subscribe such their Depositions as aforesaid, as the Supreme Court of Judicature shall appoint, the said Supreme Court is hereby empowered to punish such Persons so refusing or wilfully neglecting, as for a Contempt, by Fine, Imprisonment, or other corporal Punishment, not affecting Life or Limb: Provided always, That in special Cases, of the great Age or Infirmary, or of any Witness or Witnesses residing out of the Jurisdiction of the said Supreme Court of Judicature, the Depositions of such Witnesses taken by Commission duly issued and executed, may be admitted and read as Evidence in any Civil Suit, saving all just Exceptions thereto.

XXXV. And We do further give the said Supreme Court of Judicature in the Island of *Ceylon*, full Power and Authority, upon examining, considering, and taking Informations upon the several Allegations of the said Parties to such Suit, or of the Complainant alone, in case the Defendant shall make Default after Appearance, or shall contest the Libel or Petition, and on hearing the Depositions of the Witnesses produced, sworn, and examined, in Manner above mentioned, or on reading the Depositions of Witnesses examined by Commission, in the Cases herein-before in that Behalf provided, to conclude in the Cause, and to pronounce Sentence according to Justice and Right; and also to order and decree such Costs to be paid by either or any of the Parties to the other or others, as they the said Court shall think just.

XXXVI. And We do further authorize and empower the said Supreme Court of Judicature in the Island of *Ceylon*, to decree and issue a Mandate of Execution, to be prepared in Manner before mentioned, and directed to the said Fiscal for the Time being, commanding him to seize and deliver the Possession of Houses, Lands, or other Things, recovered in and by such Sentence, or to levy any Sum of Money which shall be so recovered, or any Costs which shall be so decreed, as the Case may require, by seizing and selling so much of the Houses, Lands, Debts, or

CHARTER 18TH APRIL 1801.

Proviso saving their Law of Inheritance, and Succession, to *Cingalese* and *Musulman* Natives.

Proviso to facilitate the Administration of Justice in Causes between Natives.

The ordinary Method of commencing and prosecuting Civil Suits.

by Libel or Summary Petition.

Citation thereon.

Return thereto.

Appearance and Plea.

Days to be assigned for any further Allegations of the principal Parties, or of other Parties in terrorem.

Examination of the Parties themselves in certain Cases.

Witnesses to be cited, their Expences paid, and themselves solemnly sworn.

Quakers may give Evidence on affirmation.

Depositions of Witnesses in appealable Causes to be taken in Writing, and recorded. Witnesses in Contempt to be fined or imprisoned.

Witnesses, when to be examined by Commission.

The Court to give Sentence according to Justice and Right.

Costs.

Court to decree Execution against the Goods, Lands, Debts, or Person of the Debtor.

## CHARTER 15TH APRIL 1801.

And to make Interlocutory Orders relative to Debts of the Defendant due from third Persons.

Method of proceeding on Default of Appearance to the Citation.

Mandate of Arrest.

A Clause may be inserted in such Mandate, authorizing the Fiscal to take Bail for Appearance.

On Appearance, Suit to proceed, as if the Defendant had appeared on the Citation.

Under what Circumstances verified by Affidavit, a Mandate of Arrest may issue in lieu of the ordinary Citation.

Effect of such Mandate.

On Appearance, Defendant to be committed, unless he give Bail to perform Sentence.

In Default of Appearance, and Return that Defendant is not to be found, a Mandate of Sequestration to be issued against the Effects of the Defendant.

Form of proceeding against Effects so seized.

After Proclamations and Four Defaults.

Cause to be heard and Sentence given *ex parte*.

On Sentence for Plaintiff, a Mandate of Execution to issue against the Effects, to satisfy such Sentence.

Surplus (if any) to be reserved for the Defendant.

If the Effects prove insufficient, further Execution may be decreed.

But should Sentence pass for Defendant, Costs to be decreed and levied against the Plaintiff.

Payment of Debts sequestered, except by Order of Court, invalid.

other Effects moveable or immoveable of the Party against whom such Mandate shall be issued, as will be sufficient to answer and satisfy the said Sentence, or to take and imprison the Body of such Party or Parties, until he or they shall make such Satisfaction, or to do both, as the Case shall require. And We do further order, direct, and appoint, that the several Debts to be seized and sequestered as aforesaid, shall, from the Time the same shall be sequestered or returned into the said Supreme Court of Judicature, be paid and payable in such Manner and Form, as the said Supreme Court of Judicature shall appoint, and no other, and such Payment, and no other, shall from thenceforth be an absolute and effective Discharge for the said Debts, and every of them respectively.

XXXVII. And, in case any Party so cited to appear on any Libel or Petition so filed as aforesaid, shall not appear upon the Return of the Citation according to the Penalty thereof, We do further authorize and empower the said Supreme Court of Judicature, to decree and issue a Mandate of Arrest, to be prepared in Manner above mentioned, and directed to the said Fiscal, commanding him to arrest and seize the Body of such Person so making Default, and to have his said Body at such Time and Place as shall be specified in the said Mandate for that Purpose, before the said Supreme Court, to answer the said Libel or Petition; and the said Supreme Court may, if it should be thought proper, by the said Mandate, authorize the said Fiscal, to take such Bail for the Appearance of the said Defendant, as the said Supreme Court shall think fit to direct, and upon such Appearance the said Defendant may plead in such Manner, as if he had appeared upon the Return of the Original Citation.

XXXVIII. And, if the Cause of Action contained in any such Libel or Petition shall be Personal, and of more Amount in Value than One hundred Rix Dollars of Current Money of Ceylon, and the Plaintiff by Affidavit, or being a Quaker, by Affirmation in Writing to be filed of Record, shall satisfy the said Supreme Court of Judicature, that the Defendant is justly and truly indebted to him, in a greater Sum than One Hundred Rix Dollars, aforesaid; or shall by like Affidavit or Affirmation to be filed as aforesaid, verify, to the Satisfaction of the said Supreme Court, a Case of such enormous personal Wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Court, to render such Security necessary for the Purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon, shall, and is hereby authorized and empowered to award and issue, in lieu of the Citation aforesaid, a Mandate of Arrest, to be prepared in Manner above mentioned and directed to the said Fiscal, commanding him to arrest and seize the Body of such Defendant, and to have his said Body at a Time and Place in the said Mandate to be specified, before the said Court, to answer the said Libel or Petition, and to give sufficient Bail, to be approved of by the said Supreme Court, that he will stand to and perform the Sentence of the said Supreme Court upon the Premises, and pay all such Sum or Sums of Money as shall thereby be decreed; and the said Supreme Court of Judicature may, in and by the said Mandate, authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient Stipulation and Security given, that such Defendant shall appear at the Time and Place mentioned in such Mandate, and in all Things perform and fulfil the Exigence thereof; and upon the Appearance of such Defendant in and before the said Supreme Court of Judicature, We do hereby authorize and empower the said Supreme Court to commit him to Prison, to the Custody of the said Fiscal, unless, or until he shall give Security to the Satisfaction of the said Supreme Court, to perform the Sentence thereof, and pay all such Sum or Sums as shall be decreed thereby; which Security We hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail; and if the said Fiscal shall return to either the said Citation of Intimation; or the said Mandate, that the said Defendant (in case the Domicile or Place of Abode of such Defendant was within the Town, Fort, or District of Colombo aforesaid, within One Month then last past), is not to be found within the said Town, Fort, or District, or in case the Domicile or Place of Abode of such Defendant was not so within the Town, Fort, or District of Colombo aforesaid, but within any other the said Settlements or Territories with their Dependencies, the said Fiscal shall return, that the Defendant is not to be found within the Jurisdiction of the said Supreme Court of Judicature, in the Island of Ceylon, and the Plaintiff shall by Affidavit, or being a Quaker, by Affirmation, in Writing or otherwise, to the Satisfaction of the said Supreme Court of Judicature, make Proof, verifying his Demand; We do hereby grant, ordain, and appoint, that the said Supreme Court of Judicature shall and may decree and issue a Mandate of Sequestration, to be prepared in Manner above mentioned, and directed to the said Fiscal, commanding him to seize and sequester the Houses, Lands, Goods, Effects, and Debts of such Defendant, to such Value as the said Supreme Court of Judicature shall think reasonable and adequate to the said Cause of Action so verified as aforesaid, and the same to detain, till such Defendant shall appear and abide such Order of the said Supreme Court of Judicature, as if he had appeared on the former Process; and the said Supreme Court of Judicature shall, and is hereby authorized and empowered, according to their Discretion, either to cause the said Goods to be detained in Specie, or to be sold, and to give Four several Days to such Defendant by Proclamation in open Court from Time to Time, not exceeding One Year in the Whole; and if such Defendant shall make Four several Defaults, and shall not appear on the last Day, which the said Court in their Discretion shall think proper to give, it shall be lawful, and the said Supreme Court of Judicature in the Island of Ceylon, is hereby authorized and empowered to proceed *ex parte* in Pain of the Contumacy of such Defendant, to hear, examine, and determine; the said Cause summarily, and give such Sentence therein, and decree such Costs as aforesaid; and if Sentence shall in such Case pass for the Plaintiff, the said Supreme Court of Judicature is hereby authorized and empowered to decree and issue a Mandate of Execution to the said Fiscal, to be prepared in Manner above-mentioned, commanding him to sell the said Houses, Lands, Goods, Effects, and Debts so seized and sequestered, and to make Satisfaction out of the Produce thereof to the Plaintiff, for the Sum or Thing so recovered, and his Costs, and to return the Overplus, if any there be, after satisfying such Sentence and Costs, and the Expences of such Sequestration, to such Person, in whose Possession the said Effects were seized, or otherwise to reserve them for the said Defendants as Occasion shall require; and if such Effects shall not be sufficient to produce the Sum or Value so recovered, and the said Costs, the said Supreme Court of Judicature is further empowered to decree and issue such farther Process of Execution for the Deficiency, as is heretofore provided for levying Money recovered by Sentence; and the Costs; and if Sentence shall in such last-mentioned Case pass for the Defendant, the said Supreme Court of Judicature, in the Island of Ceylon, is authorized and empowered to award and order the Costs of the said Suit, and the Expence of the said Sequestration, and all the Damages occasioned thereby, to be paid by the said Plaintiff to the said Defendant or his Proctor; or to the Person in whose Possession the said Effects were sequestered, and the same shall be raised by such Process as is herein provided for levying Costs; and the said Debts, from the

Time of their being so sequestered and returned into Court, shall be payable in such Manner as the said Supreme Court of Judicature shall direct, and no other.

CHARTER 18TH APRIL 1801.

XXXIX. And is it Our further Will and Pleasure, and We do hereby, for Us, Our Heirs and Successors, grant, ordain, and establish, that the said Supreme Court of Judicature in the Island of *Ceylon* shall also be a Court of Equity, and shall and may have full Power and Authority, to Administer Justice in a summary Manner, according to the Law now established in the said Settlements in the Island of *Ceylon*, and in Point of Form, as nearly as may be, according to the Rules and Proceedings of our High Court of Chancery in *Great Britain*; and upon a Bill filed, to issue Subpœnas, and other Process under the Seal of the said Supreme Court of Judicature, to compel the Appearance, and Answer upon Oath, of the Parties therein complained against and Obedience to the Decrees and Orders of the said Court of Equity, in such Manner and Form, and to such Effect, as Our High Chancellor of Our United Kingdom of *Great Britain* and *Ireland*, doth or lawfully may, under Our Great Seal of Our United Kingdom of *Great Britain* and *Ireland*.

An Equitable Jurisdiction is given to the Court, similar to that of the Court of Chancery.

XL. Provided always, and We do hereby ordain, appoint, and declare, That the equitable Jurisdiction hereby given to the said Court, shall extend and be construed to extend over such Limit, District, and Persons only, as is and are herein-before declared and directed, to be subject to the said Supreme Court, in the Exercise of its ordinary Civil Jurisdiction.

Proviso as to the Extent of this Jurisdiction.

XLI. And We do hereby (subject to the Provision and Restriction last mentioned), authorize the said Supreme Court of Judicature in the Island of *Ceylon*, to appoint Guardians and Keepers for Infants and their Estates, according to the Order and Course observed in that Part of our United Kingdom called *England*; and also Guardians and Keepers of the Persons and Estates of natural Fools, and of such as are or shall be deprived of their understanding or Reason by the Act of God, so as to be unable to govern themselves and their Estates, which We hereby authorize and empower the Supreme Court of Judicature in the Island of *Ceylon*, to enquire, hear, and determine by Inspection of the Person, or other Ways and Means, by which the Truth may be best discovered and known

Authority over the Persons of Infants and Lunatics.

XLII. And it is Our farther Will and Pleasure, and We do hereby for us, Our Heirs and Successors, grant, ordain, and establish, that the said Supreme Court of Judicature in the Island of *Ceylon*, shall also be a Court of competent Jurisdiction in causes relative to our Revenue, arising within or from the said Settlements and Territories in the Island of *Ceylon*, with their Dependencies; and the said Court shall and may, in all Cases wherein any Debt or Duty shall have accrued to Us, Our Heirs or Successors, or wherein any Right, Interest, Claim, or Demand of Us Our Heirs and Successors, shall or may have accrued, or be concerned, within the said Settlements and Territories, with their Dependencies, have full Power and Authority to administer Justice, as nearly as may be, according to the Rules and Orders of Our Court of Exchequer in *Great Britain*, and upon an Information filed by Our Advocate Fiscal to be appointed by Us, or in his Absence by the Person acting as such, to be appointed by Our said Governor for the Time being, to issue Subpœnas and other Process, as well in *personam* as in *rem*, under the Seal of the said Supreme Court of Judicature in the Island of *Ceylon*, and to proceed therein to enquire hear, determine, and give Sentence according to Justice and Right.

A Fiscal Jurisdiction is given to the Supreme Court.

XLIII. Provided always, That no such Information shall be filed by Our said Advocate Fiscal, or the Person acting as such, without the Warrant of Our said Governor for the Time being, directing him to prosecute such Suit on Our Behalf, nor shall the said Supreme Court of Judicature in the Island of *Ceylon* take Cognizance of any such Information, unless such Warrant be filed therewith.

Proviso.

XLIV. And it is Our farther Will and Pleasure, and We do hereby grant, direct, ordain, and appoint, That the said Supreme Court of Judicature in the Island of *Ceylon*, shall administer Criminal Justice, and shall enquire, take Cognizance of, and try, hear, and determine, and promulge Sentence, and order Execution, (save and except in such Cases as are herein-after specially excepted), upon and against all Treasons, Murders, culpable Homicides, Rapes, Thefts, Robberies, Forgeries, Perjuries, Concussions, Trespasses, and other Crimes, Offences, Misdemeanors, and Oppressions, done or committed, or which shall be done or committed, by any Person or Persons whomsoever, within any of the Settlements and Territories in the Island of *Ceylon*, with their Dependencies now in Our Possession, or which, or shall or may hereafter be in our Possession; and that the said Criminal Jurisdiction shall be exercised in and during such Places, Times, and Circuits, within any of the said Settlements and Territories with their Dependencies, as to the said Supreme Court of Judicature, with the Concurrence of Our Governor, or in his Absence of Our Lieutenant Governor of the said Settlements in Manner herein-after provided, shall seem expedient for the Purposes of Justice and the speedy and due Administration thereof, throughout the Whole of our Territorial Jurisdiction in the said Island of *Ceylon*; and for that Purpose the said Court shall and may issue their Mandate under their Seal, and directed to all or any of the Fiscals or other Keepers of Prison within the Jurisdiction aforesaid, to certify to the said Court the several Persons then in their or any of their Custody, committed for any of the said Crimes, Offences, or Charges; and the said Fiscals or other Keepers of Prison, shall and are hereby required to make, certify, and transmit due Returns to such Mandate, by specifying in a Calendar or List to be annexed to such Mandate respectively, the Time and Times when all and every of the said Persons so in their Custody was or were committed, and by whose Authority particularly, and on what Charge or Charges, Crime or Crimes respectively; annexing also to such Mandate, such Information or Informations upon Oath, as may have been taken against them, or any of them, and then remaining in the Hands of the said Fiscals, or true Copies thereof attested by the said Fiscals or Keepers of Prison respectively; or if need be, according to the Tenor and Exigence of such Mandate, to bring the said Persons so in their Custody or any of them, before the said Supreme Court, whosoever the said Court shall then be held, within the Limits and Jurisdiction aforesaid, together with such Witness or Witnesses whose Name or Names shall appear to be written or indorsed on the respective Commitments, by virtue of which such Prisoners or Prisoner were or was delivered into their Custody respectively, in order that such Prisoners or Prisoner may be dealt with according to Law.

Jurisdiction of the Court in Criminal Cases.

Mandate to the Fiscal to certify a Calendar of Prisoners.

XLV. Provided always, That, wherever any Party or Parties shall, after the making out of any such Calendar or List, and while such Supreme Court shall be remaining in the Town or Place, wherein such Calendar or List was delivered, be apprehended or committed on any Criminal Charge, it shall be lawful for the Registrar of the said Court, or Person acting as such to insert the Name or Names of such Person or Persons in such Calendar or List.

Proviso.

## CHARTER 18TH APRIL 1801.

Form of proceeding in Criminal Prosecutions.

## Libel of Accusation:

**XLVI.** And, to the End that Criminal Justice may be administered in and by the Supreme Court of Judicature in the Island of *Ceylon*, with all convenient Speed, known Form and certain Effect, We do hereby farther ordain and command, That the Trial of all and every such Prisoner and Prisoners shall be had and proceeded upon, conducted, and finally determined, in Manner and Form following; that is to say, On the Day to be appointed by the said Supreme Court of Judicature in the Island of *Ceylon*, for holding a Sessions for the Trial of Offenders, at any Town or Place within the said Settlements and Territories with their Dependencies, the said Court shall command that the said Prisoners be brought, and the said Prisoners shall accordingly be brought before the said Supreme Court, and thereupon the Registrar of the said Supreme Court in its Criminal Jurisdiction, or the Person acting as such for the Time being with the consent and Approbation of the Court, shall openly and distinctly read a Libel, which shall be styled the Libel of Accusation, against such Prisoner or Prisoners, upon which they or any of them is or are to be tried, and We will, ordain, and direct that such Libel or Accusation shall have been and be previously prepared, by such Registrar or Person acting as such, and allowed and signed by Our Advocate Fiscal, to be appointed by Us, or in his Absence by the Person acting as such to be appointed by Our Governor of the said Settlements for the Time being, and that the Particular Fact or Facts, Crime or Crimes, Offence or Offences, of which such Prisoner or Prisoners is or are respectively accused, with the Time and Place when and where the same is or are believed or charged to have been committed, shall be set forth in such Libel, and that the same shall conclude with a Demand in the Name of Us, Our Heirs and Successors, that the Matter therein contained be enquired of by the Court, and that Justice be duly administered between Us, Our Heirs and Successors, and the Party or Parties accused; and after such Libel shall have been so read as aforesaid, such Prisoner shall be asked by the Registrar of the said Supreme Court or the Person acting as such, whether he be guilty of the Offence or Crime whereof he is accused, or not guilty; whereupon every such Prisoner shall, if he shall require such Delay, be withdrawn from the said Supreme Court and, after the Space of One Day at the least, shall again be brought before the Court and may then propound to the Court any Exception in Law to the said Libel which he may be advised or think fit to propound, on which Exception the said Supreme Court of Judicature shall proceed to decide according to Law; and if such Libel be dismissed or quashed for any substantial Defect or Insufficiency in the Frame thereof, the said Supreme Court shall if they think fit remand the Prisoner or Prisoners, and direct the proper Officer to prepare another Libel of Accusation, so that the Prisoner or Prisoners may be effectually tried thereon; Nevertheless, it is Our Will and Pleasure, and We do hereby direct, ordain, and declare, that no Part of the said Libel save and except the Allegation of the Fact or Facts, Crime or Crimes, Offence or Offences, whereof such Party is accused, shall be deemed by the said Supreme Court, Matter of Substance nor shall any such Libel be dismissed by the said Court for any alleged Defect in the mere Form thereof; but in case such Prisoner do not require such Delay as aforesaid, nor propound any such Matter of Exception, or if the same be not allowed by the Court, such Prisoner shall immediately plead thereto, Guilty or Not Guilty.

## Exception thereto.

If no Exception, Prisoner to plead generally.

Proviso, in case of Refusal to plead.

**XLVII.** Provided always, That if any such Prisoner do contumaciously neglect or refuse to plead thereto, the said Court shall cause such Neglect or Refusal to be registered in the Acts of the Court, and shall proceed to the Examination of Witnesses, and to Sentence of Acquittal or condemnation, as the Case shall require, in like Manner as if such Prisoner had pleaded Not Guilty thereto.

On Pleading generally, the Libel to be read.

**XLVIII.** But in case any Prisoner shall plead Not Guilty, a reasonable Time shall be allowed him to obtain the Presence of the Witness or Witnesses whom he shall state to be necessary for his Defence, and compulsory Process, if necessary, shall be decreed against such Witnesses, to enforce their Attendance; and on the Day of Trial, the Libel against such Prisoner shall, if such Prisoner require the same, be again openly and distinctly read by the Registrar of the said Court, or the Person acting as such as aforesaid, and the Witnesses that shall appear to substantiate such Charge shall be duly sworn, in such Manner and Form as the said Court shall deem most binding on their Consciences, and shall be respectively examined, openly *vide voce* and in the Presence of the Prisoner; and after a Witness hath answered all the Questions proposed on the Part of the Prosecution, and given his Evidence, it shall and may be lawful for the Prisoner to have the Witness cross-examined by his Advocate or Proctor, or if he have no Advocate or Proctor, by first declaring to the said Supreme Court what Question he would have asked; and thereupon, the Court, if they shall deem such Question in point of Law fit to be put, shall interrogate the Witness accordingly, and the Prisoner shall then have Liberty to produce the Witnesses who shall appear in his Defence, who shall be sworn and examined upon Oath, in such Manner and Form as the said Supreme Court shall esteem most binding on their Consciences, and afterwards the Prisoner or his Advocate or Proctor shall be impartially and attentively heard in his Defence; Whereupon the said Supreme Court having considered of the Evidence which hath been given the circumstances of the Case, and the Law as applying thereto, shall thereafter, as soon as conveniently may be, publicly, and in the Presence of the Prisoner, pronounce and publish their Determination on the Validity of the Charge whereof such Prisoner hath been accused as aforesaid, in the words Guilty, or not Guilty, or specially as the Case may require; and which Determination shall be then duly entered as of Record by the said Registrar, or Person acting as such as aforesaid, by indorsing the same as the Act of the Court on the Back of the said Libel whereon such Prisoner or Prisoners was or were tried, and thereupon, or at any Time before the Departure of the said Court from the Town or Place where such Trial shall have been had, the Chief Justice or Puisse Justice of the said Supreme Court shall publicly and in the Presence of the Party convicted, pronounce and publish the Sentence of the Court on such Party convicted, which Sentence shall be duly entered of Record as the Act of the Court, by the said Registrar, or Person, acting as such, by indorsing the same on the Back of the said Libel; and the said Chief Justice or Puisse Justice shall sign the Calendar or List of the Prisoners' Names with the respective Sentence so pronounced and published on each of such Prisoners, written and inserted in the Margin of such Calendar, and opposite to every such Prisoner's Name; which Sentence shall specify the Punishment to be inflicted on each of the said Parties convicted, with the Day and Place when and where the said Sentence shall be carried into Execution; nor shall any further or other Matters or Forms be deemed material or necessary, to the Validity of any such Sentence or to be inserted therein; and Our said Chief Justice or Puisse Justice shall cause the said Registrar, or the Person acting as such, to re-deliver the said Calendar, or List so signed to the said Fiscal, or other Keeper of Prison, and the same shall be his sufficient Warrant to carry all and every such Sentences of the said Supreme Court of Judicature in the Island of *Ceylon*, into Execution accordingly; save and except that in every Case where any Person shall have been adjudged to die by such Sentence as aforesaid, the Execution of such Sentence shall be respited until the Case, of such Person shall have been reported by the Chief Justice or Puisse Justice, who shall have passed such Sentence, to the Governor, or in his Absence from the said Island, to the Lieutenant Governor of the said

and pronounce Sentence thereon. Sentences to be recorded;

and inserted in the Margin of the Calendar.

Form of a Sentence on Conviction.

Registrar to deliver the Calendar, signed to the Fiscal, to warrant the Execution of Sentence.

Proviso, that no Capital Conviction be carried into Execution without a Report to the Governor, and his Warrant for Execution.

Settlements and Territories for the Time being, which said Report shall be made as soon after the passing such Sentence as conveniently may be; and if such Governor or Lieutenant Governor shall think it proper that such Sentence should be executed, he shall thereupon sign or cause the Chief Secretary of Government to sign a Warrant for the Execution of such convicted Person; and shall cause the same to be delivered to the Fiscal or other Keeper of Prison where such Person shall be confined; and the same shall be his sufficient Warrant to carry all and every such Sentences of the said Supreme Court into Execution.

CHARTER 18TH APRIL 1801.

**XLIX.** Provided always nevertheless, That all inferior Offences, Breaches of the Peace, and Disorders against the Police, the Cognizance of which formerly belonged to the inferior Magistrates, shall be tried and punished by and before such Justices of the Peace, or Magistrates, as shall for that Purpose be appointed by Our Governor of Our said Settlements for the Time being, and according to such Regulations as shall in that Respect be established, published, and declared by Our said Governor.

Proviso relative to inferior Offences.

**L.** And it is Our further Will and Pleasure, and We do hereby ordain, direct, and declare, That from and after the Publication of this Our Charter, it shall and may be lawful and competent to Our said Supreme Court of Judicature in the Island of *Ceylon*, in all Cases, wherein, from the Nature and alleged Circumstances of the Accusation, One Witness only can reasonably be expected to give Evidence of any particular Fact, to receive and admit the Testimony of One credible Witness, in any criminal Prosecution or Proceeding, instituted, or to be instituted or proceeded in, by and before the said Court; and the Testimony of such credible Witness may, to all Intents, Purposes, and Effects of the Law whatsoever, be deemed sufficient and conclusive Evidence to the said Court of any Fact deposed by such Witness, as of his own Knowledge, any former Law, provincial or other Statute, Usage, or Custom, to the contrary notwithstanding.

The Evidence of One Witness, where competent.

**LL.** Provided nevertheless, That in all Cases of Perjury, the Testimony of Two Witnesses to the very Fact whereby the said Crime is charged to have been committed, shall be requisite to the Conviction of any Person tried for any such Crime.

Proviso.

**LII.** And it is Our further Will and Pleasure, and We do hereby grant, ordain, establish, and appoint, That the said Supreme Court of Judicature in the Island of *Ceylon*, shall be a Court of competent Jurisdiction in all Testamentary and Matrimonial Causes, Suits, and Business, over all and singular the Inhabitants of the said Town, Fort, and District of *Colombo*; and over all Persons, as well *British*, as all others, commonly known and distinguished in *India*, by the Appellation of *Europeans*, resident in any of the said Settlements and Territories, with their Dependencies; and over all Persons who shall have been registered in the Office of the Secretary of Government, as licenced to reside in the said Settlements, Territories, or Dependencies; and in all such Testamentary Causes, Suits, and Business, towards and upon the Goods, Chattels, Credits, and Effects of such Persons as were in their Lifetime, or at the Time of their Decease, so respectively subject to the said Jurisdiction; and towards and upon the Goods, Chattels, Credits, and Effects of all Persons who shall, at the Time of their Decease, have left Goods, Chattels, Credits and Effects within the said Town, Fort, and District of *Colombo*: And the said Supreme Court of Judicature shall have Power and Authority to take Cognizance of, and proceed in all such Testamentary and Matrimonial Causes and Suits, and Business, and the same, with their Incidents, Emergents, and Dependents, and whatsoever is thereto annexed and therewith connected, to hear, dispatch, discuss, and determine.

Supreme Court to exercise Jurisdiction in Testamentary and Matrimonial Causes.

**LIII.** Provided always, That in all such Causes, Suits, and Business, the said Supreme Court of Judicature do proceed and administer the Law, in substance, as follows, (that is to say), Towards and upon all the *Dutch* Inhabitants of the said Town, Fort, and District, according to the Laws and Usages in that Behalf in force at the Time the said Settlements, Territories, and Dependencies came into Our Possession; and towards and upon the said *British* and *Europeans*, and licenced Persons herein-before described, resident in any the said Settlements, Territories, and Dependencies, the Ecclesiastical Law, as the same is now used and exercised in the Diocese of *London*, in *Great Britain*.

Proviso as to the *Dutch* and *European* Inhabitants, or their respective Estates.

**LIV.** And provided also, That the Jurisdiction in Matrimonial Causes hereby committed to Our said Supreme Court, shall not extend or be construed to extend to or over the Natives of the said Island of *Ceylon*, or Persons usually known and distinguished in *India*, by the Appellation of *Natives*.

Proviso, excluding Jurisdiction in Matrimonial Causes between Natives.

**LV.** And We do hereby further grant, ordain, establish, and appoint, That the said Supreme Court of Judicature in the Island of *Ceylon*, shall grant Probates under the Seal of the said Court, of the Wills and Testaments of such Persons as are herein-before in that Behalf described, dying within the said Island of *Ceylon*, and commit Letters of Administration under the Seal of the said Supreme Court, of the Goods, Chattels, Credits, and other Effects whatsoever, of such Persons as herein-before in that Behalf described, who shall die intestate within the said Island of *Ceylon*; or who shall have left Goods, Chattels, Credits, and Effects within the said Town, Fort, or District of *Colombo*; or who shall not have named an Executor resident within the Jurisdiction of the said Supreme Court; or where the Executor, being duly cited according to the Form now used for that Purpose in the said Diocese of *London*, shall not appear, and sue forth such Probate; annexing the Will to the said Letters of Administration, where such Persons shall have left a Will without naming any Executor who shall then be alive and resident within the said Island of *Ceylon*, and who, being duly cited thereto, will appear and sue forth Probate thereof; and to sequester the Goods, Chattels, Credits, and other Effects whatsoever, of such Persons so dying, in cases allowed by Law, as the same is and may now be used in the said Diocese of *London*; and to demand, require, take, hear, examine, and allow, and if Occasion require, to disallow and reject the Account of them, in such Manner and Form as is now used in the said Diocese of *London*, and to do all other Things whatsoever needful and necessary in that Behalf.

Court to grant Probates of Wills and Letters of Administration.

**LVI.** Provided always, and We do hereby authorize and require the said Supreme Court of Judicature, in the Island of *Ceylon*, in such Cases, as aforesaid, where Letters of Administration shall be committed with the Will annexed, for Want of an Executor appearing in due Time to sue forth the Probate, to reserve in such Letters of Administration full Power and Authority to revoke the same, and to grant Probate of the said Will to such Executor whenever he shall duly appear and sue forth the same.

Proviso.

**LVII.** And We do hereby further authorize and require the said Supreme Court of Judicature in the Island of *Ceylon*, to grant and commit such Letters of Administration, accord-

## CHARTER 18TH APRIL 1801.

Letters of Administration to be granted to the next of Kin, or in default of Kin, to the Registrar applying *ex officio*.

Regulation of the Conduct of the Registrar so administering.

Realization of the Assets.

Account.

Allowance to the Registrar.

Administrators are to give Security by Bond for duly administering the Effects.

Form of the Bond.

The Mode of putting the said Bond in Suit.

Power of the Court to appoint Commissioners to take Affidavits, &c.

Proviso in Criminal Cases.

Money, Securities, or Effects of Suitors to be deposited with the Treasurer of Government.

ing to the Form now used, or which lawfully may be used, in the said Diocese of London, to the lawful next of Kin of such Persons so dying as aforesaid, being then residing within the Jurisdiction of the said Court, and of the full Age of Twenty-one Years: And in case no such Person then be residing within the Jurisdiction of Our said Supreme Court of Judicature in the Island of Ceylon, or being duly cited, shall not appear and pray the same and make out such their Claim to the Administration of the Effects of the Intestate deceased, to the Satisfaction of the said Court, it shall and may be lawful for the Registrar of the said Supreme Court of Judicature in the Jurisdiction aforesaid, and he is hereby required to apply for, and such Court is hereby required and directed to grant such Registrar, such Letters *ad Colligenda*, or of Administration, as to such Court shall seem meet; by virtue whereof such Registrar shall collect the Assets of the Deceased, and shall, under the Direction and subject to the Controul of the said Supreme Court, bring in such Assets, or where it shall be necessary, shall sell and convert the same into Money, and from Time to Time, as often as the same shall amount to the Sum of Five hundred Rix Dollars of Current Money of Ceylon, or Fifty Pounds of lawful Money of Great Britain, shall pay the same into our Treasury in the said Island, in which proper and distinct and separate Books and Accounts thereof shall be regularly kept, and such Registrar shall regularly account for such Assets, and the Disposal thereof to the said Supreme Court of Judicature, at such Periods, and in such Manner, as the said Court shall direct; and the said Supreme Court is hereby authorized and required to assign to the said Registrar, and the said Registrar shall be entitled to retain out of and from the Amount of such Assets, such Allowance or *per Centage*, as the said Court shall in their Discretion think reasonable for his Trouble, in the Collection and Administration of the Estates of such Persons dying Intestate as aforesaid: Provided always, That when any next of Kin, who, at the Time of the Return of the above mentioned Citation, shall have been absent in Europe or elsewhere, shall make and establish his or their Claim to the Administration of the Assets of such Intestate, the Letters *ad Colligenda* or of Administration, so granted by virtue hereof to the said Registrar shall be recalled, and Administration in due Form granted to such next of Kin respectively.

LVIII. And We do hereby further enjoin and require, That every Person to whom such Letters of Administration shall be committed, and that such Registrar also, in Cases where Letters *ad Colligenda* or of Administration have been officially granted to him as above by these Presents is ordained, (in Cases where the said Supreme Court shall deem an additional Security necessary to be given by such Registrar), shall, before the granting thereof, give sufficient Security by Bond to Us, Our Heirs and Successors, for the Payment of a competent Sum of Money, (and as to any Person other than and except such Registrar as aforesaid), with Two or more able Sureties, Respect being had in the Sum therein to be contained, and in the Ability of the Sureties, to the estimated Value of the Estate, Credits, and Effects of the Deceased, (such Value to be summarily ascertained by a Commission of Appraisement and Valuation, to be issued by the said Court, if they shall think it expedient), which Bond shall be deposited in the said Supreme Court among the Records thereof, and there safely kept, and a Copy thereof shall also be registered among the Proceedings of the said Supreme Court, and the Condition of the Bond shall be to the following Effect: "That if the above-bounden Administrator of the Goods, Chattels, and Effects of the Deceased, do make or cause to be made a true and perfect Inventory of all and singular the Goods, Credits, and Effects of the said Deceased, which have or shall come to the Hands, Possession, or Knowledge of him the said Administrator, or the Hands or Possession of any other Person or Persons for him, and the same so made, do exhibit or cause to be exhibited into the Supreme Court of Judicature in the Island of Ceylon at or before a Day therein to be specified, and the same Goods, Chattels, Credits, and Effects, and all other the Goods, Chattels, Credits, and Effects of the said Deceased at the Time of his Death, or which at any Time afterwards shall come to his Hands or Possession or to the Hands and Possession of any other Person or Persons for him, shall well and truly administer, according to Law, and further shall make or cause to be made a true and just Account of his said Administration, at or before a Time therein to be specified; and all the Rest and Residue of the said Goods, Chattels, Credits, and Effects, which shall be found remaining upon the said Administration Account, the same being first examined and allowed of by the said Supreme Court of Judicature in the Island of Ceylon, shall deliver and pay unto such Person or Persons respectively, as shall be lawfully entitled to such Residue; then this Obligation to be void and of none Effect, or else to remain in full force and virtue.

LIX. And in case it shall be necessary to put the said Bond in Suit, for the Sake of obtaining the Effect thereof for the Benefit of such Person or Persons, as shall appear to the said Supreme Court of Judicature to be principally interested therein, (such Person and Persons from Time to Time paying all such Costs as shall arise from the said Suit or any Part thereof) such Person or Persons shall, by Order of the said Supreme Court, be allowed to sue the same in the Name of Us, Our Heirs and Successors, and by Our Advocate Fiscal, for the Benefit of the Parties interested therein, and the said Bond shall not be sued in any other Manner.

LX. And We do hereby further will, ordain, and declare, That it shall and may be lawful to and for the said Supreme Court of Judicature in the Island of Ceylon, in any Part of its Jurisdictions, by Commission or Commissions under the Seal of the said Court, to authorize and appoint any fit or proper Person or Persons, either generally, or in any particular Case to receive the Acknowledgments and Stipulations of Bail, and to administer Oaths for the Justification of Bail, and for the taking of any Affidavit or Affirmation, or for receiving and taking the Answer, Plea, Demurrer, Exception, Disclaimer, or Examination of any Party or Parties to any Suit, or for the Examination of any Witness or Witnesses upon Interrogatories, either Provisional or in Chief, or on any other Occasion, and for the swearing Executors and Administrators in any Suit, Matter, or Proceeding, which may be pending, or about to be instituted in the said Court upon such Occasions as the said Court shall think fit to issue such Commission; and We direct and ordain that such Commission and Commissions so to be issued, shall respectively be executed, acted under and returned, if the same shall require any Return, by the Person or Persons to whom such Commission or Commissions shall have been directed respectively.

LXI. Provided always, That nothing herein contained shall extend to authorize or empower the issuing of any Commission or Commissions for the Examination of any Witness or Witnesses upon any Criminal Proceeding for any Offence whatsoever, to be tried and determined by and before the said Court.

LXII. And We do further will and ordain, that all the Monies, Securities, and Effects of the Suitors of the said Court, which shall be ordered into Court, or to be paid, delivered or deposited for safe Custody, shall be paid or delivered unto, or deposited with the Treasurer or Person acting as such of the Government of our said Settlements in the Island of Ceylon, to be by him kept and deposited in the Treasury of the said Government, subject to such Orders and Dispo-

ions, as the said Supreme Court of Judicature shall from Time to Time think fit to make concerning the same, for the Benefit of the Suitors.

CHARTER 18TH APRIL 1801.

LXIII. And We do for Us, Our Heirs and Successors, give and grant unto Our said Governor for the Time being, full Power and Authority, from Time to Time to order and direct that the Treasurer of Our said Government or the Person acting as such, shall also act as the Accountant General of the said Supreme Court of Judicature, and shall perform and do all Matters and Things relating to the Payment or Delivery of the Suitors' Money, Effects, and Securities into the said Treasury, and the taking the same out again, and keeping the Accounts thereof with the Registrar of the said Supreme Court of Judicature and all other Matters relating thereto, under such Rules, Methods, and Directions as shall from Time to Time be made and given by the said Supreme Court, which Rules, Methods, and Directions We will and direct, shall be according to such Rules, Methods, and Directions as are observed by the Accountant General of Our High Court of Chancery in *Great Britain*, or as near thereto as may be, and as the Situation and Circumstances of Affairs will permit.

The Treasurer to act as Accountant General.

LXIV. And We do hereby reserve to Ourselves, Our Heirs and Successors, all Amerciaments, Fines, and Forfeitures to be set and imposed by the said Supreme Court of Judicature in the Island of *Ceylon*, or otherwise incurred.

Reservation of Fines to the King.

LXV. Provided always, That it shall be lawful, and We do hereby authorize and empower the said Supreme Court of Judicature, to make such Satisfaction to Prosecutors as to the said Court shall seem reasonable and fit, out of any Fines to be by them set or imposed upon any Person or Persons who shall be convicted on such Prosecution.

Proviso, reserving Power to the Court to make Satisfaction to Prosecutors out of Fines.

LXVI. And it is Our further Will and Pleasure, and We do hereby direct, establish, and ordain, that if any Person or Persons shall find him, her, or themselves aggrieved by any interlocutory Sentence, or Determination having the Effect of a Definitive Sentence, or by any Definitive Sentence, of the said Supreme Court of Judicature in the Island of *Ceylon*, in any Civil Cause, Matter, or Thing whatsoever, it shall and may be lawful for him and them, by his or their humble Petition, to be preferred for that purpose to the said Supreme Court, to pray Leave to appeal to Us, Our Heirs and Successors, in Our or their Privy Council: Provided always, That no such Appeal shall be allowed by the said Supreme Court, unless the Value of the Matter in Dispute shall exceed the Sum of Five Hundred Pounds of lawful Money of *Great Britain* or Five thousand Six Dollars of the lawful Currency of *Ceylon*.

Appeal to the King in Council

Provisoes regulating the Conditions of Appeal.

LXVII. Provided, That in all Cases in which an Appeal shall have been admitted unto Us, Our Heirs and Successors, in Our or their Privy Council, Execution shall be suspended until the final Determination of such Appeals, unless good and sufficient Security be given by the Appellee, to make full Restitution of all that the Appellant shall have lost by means of such Decree or Judgment, in case upon the Determination of such Appeal, such Decree or Judgment should be reversed, and Restitution ordered to the Appellant.

LXVIII. And provided always, That in all Cases of Appeal whatsoever, such Appeal be interposed within Fourteen Days after the Day of pronouncing the Judgment, Sentence, Decree, or Order complained against, and that good Security be given by the Appellant, as well that he will effectually prosecute the same, and answer the Counterdemands, as also pay such Costs and Damages as shall be awarded by the Court of Appeal, in case the Sentence in the former Instance be affirmed.

Proviso.

LXIX. Provided always, That every Appellant do in his Petition of Appeal, shortly state the Cause or Causes of Appeal whereon such Appellant means to rely.

LXX. And it is Our further Will and Pleasure, and We do hereby direct and ordain, That in all Cases of Appeal to Us, Our Heirs and Successors, in Our or their Privy Council, from the said Supreme Court of Judicature in the Island of *Ceylon*, the said Court shall certify and transmit under the Seal of the said Court to Us, or Our Heirs and Successors, in Our or their Privy Council, a true and exact Copy of all the Evidence, Proceedings, and Sentences, interlocutory or definitive, as the Case may require, had or made in such Causes appealed.

Court on such Appeal to transmit a Copy of all Evidence and Proceedings.

LXXI. And it is Our further Will and Pleasure, That in all Cases of Criminal Suit and Prosecution whatsoever, the said Supreme Court of Judicature shall have full and absolute Power and Authority to deny, and they are hereby authorized and commanded to deny, the Appeal of any Party convicted and pretending to be aggrieved.

In Criminal Cases, Appeal to be denied.

LXXII. And we do hereby reserve to Ourselves, Our Heirs, and Successors, in Our or their Privy Council, full Power and Authority, upon the humble Petition of any Person or Persons aggrieved by any interlocutory Sentence, or Determination having the Effect of a definitive Sentence, or by any definitive Sentence, of the said Supreme Court of Judicature, to refuse or admit his, her, or their Appeal therefrom, upon such Terms, and under such Limitations, Restrictions, and Regulations as We or they shall think fit, and to reform, correct, or vary such Sentence or Determination as to Us or them shall seem meet; and We do further direct and ordain, that the said Supreme Court of Judicature shall in such Cases of Appeal, conform to or, execute, or cause to be executed, such Judgments and Orders as We shall think fit to make in the Premises.

Reservation of Power to the King, to refuse an Appeal.

Court to execute Judgments and Orders of His Majesty.

LXXIII. And it is Our further Will and Pleasure, and We do hereby limit and declare, That the Person or Persons of Our Governor, or in his Absence from the said Island, of Our Lieutenant Governor of the said Settlements in the Island of *Ceylon*, or of the Chief Justice, or Puisne Justice of the said Supreme Court of Judicature in the Island of *Ceylon*, and within Twelve Months after any such Governor, Lieutenant Governor, Chief Justice or Puisne Justice shall have resigned or vacated any such Office as aforesaid, shall not, nor shall any of them be liable to be arrested or imprisoned upon any Action, Suit, or judicial Proceeding whatsoever; nor shall the said Supreme Court of Judicature in the Island of *Ceylon*, be competent to hear, try, and determine any Criminal Prosecution against the said Governor, or the said Lieutenant Governor so acting for the Time being, or during such Period of Twelve Months as aforesaid, for any Offence which the said Governor or Lieutenant Governor shall or may be charged with, any Thing herein-before contained to the contrary notwithstanding; nor shall the said Court have or exercise any Jurisdiction in any Matter concerning the Revenue, under the Management of the said Governor, except in Manner and Form herein-before in that Behalf provided; nor concerning any Act done in the Collection of such Revenue, according to the Usage and Practice of the Country, or the Regulations of Our said Governor.

Limitation of Process in certain Cases.

Limitation of Jurisdiction, in Causes relative to Revenue.



CHARTER 12TH APRIL 1901.

And in Suits against Persons holding Judicial Stations in Provincial Courts for official Acts.

Judges to be sworn.

LXXIV. And We do farther limit and declare, That no Action for Wrong or Injury shall lie against any Person whatever exercising a Judicial Office in any Provincial Court, for any Order, Decree, or Sentence of such Court, or against any Person for any Act done by, or in virtue of any Order of any such Court.

LXXV. And it is Our further Will and Pleasure, and We do hereby direct, ordain, and appoint, That the said Chief Justice and Puisne Justice forthwith after the Arrival of this Our Charter at the said Island of *Ceylon*, if they shall then be there, shall proceed to a proper Court House, to be appointed by Our Governor, or in his Absence from the said Island, Our Lieutenant Governor of the said Settlements in the said Island for the Time being for that Purpose, in, at, or near the Town, and within the aforesaid District of *Colombo*, in the said Island; and the said Chief Justice, if present, shall then and there take an Oath in the most solemn Manner, that he will, to the best of his Knowledge, Skill, and Judgment, duly and justly execute the said Office of Chief Justice of the said Supreme Court of Judicature in the Island of *Ceylon*, and impartially administer Justice in every Cause, Matter, or Thing which shall come before him; and shall also take the Oath of Allegiance and Supremacy, and make and subscribe the Declaration against Transubstantiation, in such Manner and Form as the same are by Law appointed to be taken or made in *Great Britain*; of which Oaths a Record shall be forthwith made, and We do hereby authorize the said Puisne Justice, if present, to administer the said Oaths and Declarations, and make such Records thereof accordingly: And the said Puisne Justice, if present, shall take the like Oaths, and make and subscribe the like Declarations, only changing what ought to be changed for that Purpose before the said Chief Justice, if present; of which Oaths also a Record shall be forthwith made.

And We do hereby authorize the said Chief Justice to administer the said Oaths and Declarations, and record the same accordingly.

Proviso.

LXXVI. Provided always, That if the said Chief Justice alone, or the said Puisne Justice alone, and before the Arrival of the other of them, shall happen to arrive at the said Presidency of the said Island, or in the Event of the Death of either of them, the said Chief Justice and Puisne Justice, before the said Oaths and Declarations shall have been respectively taken and subscribed by both or either of them, such Chief Justice or Puisne Justice shall, as soon as conveniently may be, proceed to the Government House of the said Presidency, and take and subscribe the said Oaths and Declarations: And we do hereby authorize the Governor, or in his Absence from the said Island, the Lieutenant Governor of the said Settlements in the said Island, to administer the said Oaths and Declarations accordingly, of which Oaths and Declarations so administered, taken, and subscribed, a Suggestion shall be made on the Records of the said Supreme Court of Judicature.

LXXVII. And We do hereby further ordain and establish, That all and every succeeding Chief Justice and Puisne Justice shall, before he or they shall be capable of exercising the said Office or Offices respectively, take in Manner herein-before ordained, and according to the Circumstances of the Arrival of such Chief Justice or Puisne Justice, the like Oaths and subscribe the like Declarations, only changing what ought to be changed for that Purpose, whereof such Record, or such Suggestion on the Records of the Court, as herein-before respectively are directed, shall from Time to Time be made: And after the said Chief Justice or the said Puisne Justice, or whichever of them shall have arrived as aforesaid, shall, in Manner and Form herein-before respectively provided, have taken the said Oaths, and subscribed the like Declarations, the said Supreme Court of Judicature in the Island of *Ceylon* shall be proclaimed and published in due Manner, and proceed forthwith to the Execution of the several Powers and Authorities hereby vested in it.

After Publication of this Charter, certain other Courts to cease.

LXXVIII. And it is Our further Will and Pleasure, and We hereby grant and declare that from and immediately after the publishing and proclaiming of the said Supreme Court of Judicature in the Island of *Ceylon*, the Powers and Authorities granted to, or vested in, the Court styled *The Civil Court*, at the said Presidency, and the Powers and Authorities vested in the Court styled *The Supreme Court of Criminal Jurisdiction*, shall cease and determine, and be no longer exercised by the said Courts, but the same shall and may be exercised by the said Supreme Court of Judicature in the Island of *Ceylon* in Manner herein directed.

And Proceedings depending in such Courts, to be transferred to the Supreme Court.

LXXIX. Provided always, That no Sentence, Decree or Decretal Order, or other Order, Rule, or Act of the said Two several Courts, styled respectively *The Civil Court*, or the *Supreme Court of Criminal Jurisdiction*, legally pronounced, given, had, or done, before such Publication and Proclamation as aforesaid of the said Supreme Court of Judicature hereby established, shall be thereby avoided, but shall remain in as full force and virtue as if these presents had not been made; nor shall any Action, Suit, Cause, or Proceeding depending in the said Civil Court, or any Prosecution or Criminal Proceeding depending in the said Supreme Court of Criminal Jurisdiction, be abated, discontinued, or annulled, but the same shall be transferred in their present Condition respectively to, and subsist and depend in the said Supreme Court of Judicature in the Island of *Ceylon*, according to the several Jurisdictions hereby given to such Court, severally and respectively, to all Intents and Purposes, as if they had been respectively commenced, brought, presented, or recorded in the said Supreme Court of Judicature hereby established; and We do hereby authorize and empower the said Supreme Court of Judicature to proceed accordingly in all Actions, Suits, Causes, Prosecutions, and Proceedings Civil or Criminal, to Sentence and Execution, and to make such Rules and Orders respecting the same, and also respecting any Sum or Sums of Money belonging to the Suitors of the said Civil Court, or any Fine or Fines imposed by the said Supreme Court of Criminal Jurisdiction, as the said Civil Court, or the said Supreme Court of Criminal Jurisdiction, respectively might have made, or as the said Supreme Court of Judicature hereby established is hereby empowered to make in Civil Causes, Suits, or Proceedings, or in Criminal Prosecutions or Proceedings respectively commenced before the said Court hereby established; for which Purpose it is Our further Will and Pleasure, that all the Records, Muniments, and Proceedings whatever, of or belonging to the said Civil Court, or the said Supreme Court of Criminal Jurisdiction, or which ought to be deposited with either of the said Courts, shall be delivered and deposited and preserved amongst the Records of the said Supreme Court of Judicature in the Island of *Ceylon* hereby established.

LXXX. And We do hereby authorize and empower the said Supreme Court of Judicature, respect being had to the Seasons of the Year and the Convenience of the Suitors, to settle and appoint proper Terms and Sessions for the Exercise of the Civil Jurisdictions of the said Supreme Court, and respect also being had to the Seasons of the Year, and the Emergencies of the Occasion (and in this Behalf, by and with the Knowledge and Concurrence of Our



Governor, or in his Absence Our Lieutenant Governor of the said Settlements for the Time being) proper Periods of Circuit for the Exercise of the Criminal Jurisdiction of the said Supreme Court, and to change and vary such Appointments as Occasion shall require, and to them shall seem most expedient.

LXXXI. Provided nevertheless, That the said Supreme Court shall, and is hereby required in each Year to hold at the least Four Sessions in its Criminal Jurisdiction, within and for the Town, Fort, and District of *Colombo*, for the Trial of Offenders, the Delivery of the Gaol, and the Ends of Public Justice.

LXXXII. And We do hereby authorize and empower the said Supreme Court of Judicature in the Island of *Ceylon*, to exercise, in all Matters of Criminal Jurisdiction, a general Superintendance and Controul over all and every the Advocates, Fiscal, Justices of the Peace, Fiscals, and Peace Officers, appointed or to be appointed within the said Settlements in the Island of *Ceylon*, and the Territories and Dependencies thereof, and to preserve such Advocates Fiscal, Justices of the Peace, Fiscals, and Peace Officers in the Performance, and within the Limits, of their lawful Authority; and We do hereby direct, enjoin, and declare, that all such Advocates Fiscal, Justices of the Peace, Fiscals, and Peace Officers, shall, in the Exercise of their Functions respectively, be subject to the Order and Controul of the said Supreme Court of Judicature, in such sort, and as nearly as Circumstances will admit, in such Manner and Form as the Interior Magistrates of and in that Part of *Great Britain* called *England* are by Law subject to the Order and Controul of Our Court of King's Bench; to which End the said Supreme Court of Judicature in the Island of *Ceylon* is hereby empowered and authorized to decree and issue a Mandate or Mandates in the Nature of a Writ of *Mandamus*, *Certiorari*, *Procedendo*, or Error, to be prepared in Manner above mentioned, and directed to such Advocates Fiscal, Justices of the Peace, Fiscals, and Peace Officers, as the Case may require; and to correct and punish any Contempt thereof, or willful Disobedience thereunto by Fine and Imprisonment.

LXXXIII. And We do hereby further will, direct, and ordain, That the said Supreme Court of Judicature hereby established, shall frame such Process, and make such Rules and Orders for the Execution of the same, in all Suits Civil and Criminal, to be commenced, sued, or prosecuted within their Jurisdiction, as shall be necessary for the due Execution of all or any of the Powers hereby committed thereto, with an especial Attention to the Religion, Manners, and Usages of the native Inhabitants living within its Jurisdiction, and accommodating the same to their Religion, Manners, and Usages, and to the Circumstances of the Country, so far as the same can consist with the due Execution of the Law, and the Attainment of substantial Justice.

LXXXIV. Provided always, and We do hereby further ordain and direct, That all Forms of Process, and Rules and Orders for the Execution thereof, which shall be framed by the said Court, shall be transmitted from Time to Time, as soon as conveniently may be, to One of Our principal Secretaries of State for Foreign Affairs, to be laid before Us, Our Heirs and Successors, for Our or their Royal Approbation, Correction, or Refusal; and We ordain and direct that such Process shall be used, and such Rules shall be observed, until the same shall be repealed or varied, and in the last Case, with such Variation as shall be made therein.

LXXXV. And it is Our further Will and Pleasure, and We do hereby direct, ordain, and appoint, That if at any Time the Seat of Government of Our said Settlements and Territories in the said Island of *Ceylon*, shall have been, or shall be removed from the said Town and Fort of *Colombo*, to, and permanently fixed at, any other Town or Place within the said Island of *Ceylon*, then and in such Case (provided Our Governor, or in his Absence from the said Island, Our Lieutenant Governor of the said Settlements, shall deem such Removal expedient, and shall signify such his Judgment under his Hand and Seal, to Our Chief Justice of Our said Supreme Court), Our said Supreme Court of Judicature shall be, and is hereby directed to be transferred to such Town or Place; and all the Provisions in these Presents contained relating to the Establishment and Jurisdiction of the said Supreme Court, at and in the said Town, Fort, and District of *Colombo*, shall be deemed and taken to be applicable, and shall be applied to such Town and Place, and such District surrounding the same, as Our Governor, or in his Absence from the said Island, Our Lieutenant Governor of the said Settlements and Territories for the Time being, shall in that Behalf direct and appoint.

LXXXVI. And for the Purpose of preventing any eventual Failure of Justice throughout the said Settlements in the Island of *Ceylon*, it is Our further Will and Pleasure, and We do hereby grant, ordain, and appoint, That whenever the Office of the said Chief Justice shall become vacant, the Puisne Justice shall execute the same provisionally, until the Appointment by Us, Our Heirs and Successors, of some Person to the said Office shall take Effect; and the Governor of the said Settlements in the Island of *Ceylon*, shall, and he is hereby authorized and commanded by Commission under his Hand and Seal, to appoint some Person learned in the Laws, to hold and exercise the Office of Puisne Justice, provisionally, during such Vacancy of the Office of Chief Justice; and so in like Manner, if the Office of Puisne Justice shall become vacant, Our said Governor shall, and he is hereby authorized to appoint in like Manner, and under the same Limitations, some Person to execute provisionally the said Office of Puisne Justice, and the Person thus appointed, shall hold and exercise such Office of Puisne Justice of the said Supreme Court of Judicature in the Island of *Ceylon*, in like Manner, to all Intents and Purposes, as is herein-before provided.

LXXXVII. And whereas, in and by Our said First in Part recited Commission to Our said Governor of the said Settlements in the Island of *Ceylon*; and of the herein-before in Part recited Proclamation, published by Our said Governor, there were and are respectively established, Two several Courts of Appeal, styled respectively, *The greater Court of Appeal*, and *The lesser Court of Appeal*, and held before such Persons, and with such Jurisdictions, Powers, and Authorities as are in and by the said in Part recited Commission and Proclamation, respectively ordained.

And whereas, it appears to Us expedient, That the appellate Jurisdiction from the Provincial Courts, established within the said Settlements, should be exercised by and before One Tribunal only:

LXXXVIII. Now know ye, That We, upon full Consideration of the Premises, and of Our especial Grace, certain Knowledge, and mere Motion, have thought fit to grant, direct, ordain and appoint, and by these Presents We do accordingly for Us, Our Heirs and Successors, grant, direct ordain and appoint, that there shall be within the said Settlements of the Island of *Ceylon*, and the Territories and Dependencies thereof, during Our Pleasure, and until such Time as We shall think fit otherwise to provide for the Administration of Justice therein, a Court of Record, which shall be styled *The High Court of Appeal in the Island of Ceylon* and which shall be a Court of Civil Jurisdiction for the hearing, and determining Appeals from all or any the Courts of Justice established, or which may be established, within the said Settlements and Territories in the said Island of *Ceylon*, with their Dependencies, save and except Our said Supreme Court

CHARTER 18TH APRIL 1801.

A Sessions for Trial of Offenders, to be held at the Presidency Four Times a Year.

Court to exercise a general Superintendance over all Persons employed in the Preservation of the Peace, and in the Apprehension, Commitment, Custody, or Prosecution of Offenders.

Court to frame the necessary Rules of Practice, &c.

Provido, that such Rules be transmitted to One of the Secretaries of State, to be laid before His Majesty.

In case the Seat of Government should be removed from *Colombo*, the Functions of the Supreme Court to be exercised at such future Presidency.

On Vacancy of the Office of Chief Justice, the Puisne Justice to act as Chief Justice provisionally, the Governor to appoint a Puisne Justice provisionally.

Farther Recital of the Commission of 19th April 1798, and the Proclamation of 23d Sept. 1799.

Establishment of a Court of Record, to be styled *The High Court of Appeal in the Island of Ceylon*, and Jurisdiction thereof.

CHARTER 16TH APRIL 1801.  
The Judges.

of Judicature in the said Island, and shall consist of, and be holden by, and before Our Governor, or in his Absence, from the said Island, by and before Our Lieutenant Governor of Our said Settlements for the Time being, Our Chief Justice of Our said Supreme Court of Judicature for the Time being, Our Puisne Justice of Our said Supreme Court for the Time being, and the Secretary of Government for the Time being, or any Two of Them, of whom We will, that in all Appeals to the said High Court of Appeal in the Island of *Ceylon*, wherein the Sum or Value appealed for exceeds the Sum of Two hundred Pounds of lawful Money of *Great Britain*, or Two Thousand Six Dollars of lawful Money of the Currency of *Ceylon*, Our said Chief Justice shall be one, and that in all other Appeals Our said Puisne Justice shall be One.

Proviso.

LXXXIX. Provided always, That in the Event of the Death, Illness, or Absence from the said Island of *Ceylon*, of Our said Chief Justice, or of Our said Puisne Justice, the remaining Judge shall be present in all Cases of Appeal to the said Court: And provided also, That in the Event of the Death of both, our said Chief Justice, and Our said Puisne Justice, or the Absence of both of them from the said Island, Our said Governor, and the said Secretary of Government, shall suggest such Deaths or Absence as afore-said on the Acts of the said Court, and shall proceed to act as constituting the said Court of Appeal: And We do hereby further direct and ordain, That the said High Court of Appeal in the Island of *Ceylon*, shall sit, as Occasion shall require, in or near the said Town, and within the District of *Colombo*, or where-soever the Seat of Government of the said Island of *Ceylon* shall be permanently fixed, for the Purpose of hearing and determining such Appeals.

Proviso, fixing the Conditions of Appeals to such provincial Court of Appeal.

XC. Provided nevertheless, That in all such Appeals, the Sum or Value appealed for do exceed the Sum of Thirty Pounds of lawful Money of *Great Britain*, or Three Hundred Six Dollars of lawful Money of the Currency of *Ceylon*, and that Security be first duly given by the Appellant to answer such Charges as shall be awarded, in case the former Sentence be affirmed.

Seal of the Court of Appeal.

XCI. And We do farther grant, ordain, and appoint, that the said High Court of Appeal in the Island of *Ceylon*, shall have and use a Seal, bearing a Device or Impression of Our Royal Arms, with an Exergue or Label surrounding the same, with this Inscription, *The Seal of the Court of Appeal in Ceylon*; which Seal shall be delivered to, and kept in the Custody of, Our said Governor, or in his Absence from the said Island, of the Lieutenant Governor of Our said Settlements for the Time being.

Powers of the Court of Appeal, not only to confirm or reverse Sentence; but also to remit or retain the Suit.

XCII. And We do further direct, ordain, and appoint, that the said High Court of Appeal in the Island of *Ceylon*, shall have full Power and Authority, not only to confirm or reverse in Whole or in Part, all and every the Sentences and Decrees, in all or any the Cause or Causes that come before them on Appeal, but that if they think it expedient the said Court may remand any such Causes so brought before them by Appeal, to the Courts below respectively, where such Sentences or Decrees have or shall have been respectively passed, with such Direction or Directions as they may think proper to award for the further or fuller Investigation of the Merits of such Causes respectively, or of any particular Matter of Enquiry and Contest in such Cause, or that the said Court, if they shall deem it more conducive to justice, may retain the Suit before themselves, and order, direct, and receive such additional Proof therein as may enable them to decide the same according to Justice and Right.

Ultimate Appeal to the King in Council, subject to the same Conditions as Appeals from the Supreme Court.

XCIII. And it is Our further Will and Pleasure, and We do further direct, ordain, and appoint, That if any Person or Persons shall find him, her, or themselves aggrieved by any Interlocutory Order, Rule, Decree, or Sentence having the Effect of a Definitive Sentence, or any Definitive Sentence of the said Court, styled *The High Court of Appeal in the Island of Ceylon*, it shall be lawful for him, her, or them, to appeal to Us, Our Heirs and Successors, in Our or their Privy Council, in Causes of the like Amount in Value, and in such Manner, and under and subject to such Regulations, Orders, and Reservations, as have been herein-before directed in Cases of Appeal from Our said Supreme Court of Judicature.

Proceedings pending in certain Courts to be transferred to the Court of Appeal;

XCIV. And it is Our further Will and Pleasure, That no Proceeding whatsoever depending in the Court styled *The greater Court of Appeal*, or in the Court styled *The lesser Court of Appeal*, be abated or discontinued by these Presents, but every such Proceeding shall be transferred in its then present Condition respectively to, and subsist and depend in the said High Court of Appeal to all Intents and Purposes whatsoever; and We do hereby authorize and empower the said High Court of Appeal in the Island of *Ceylon*, to proceed accordingly therein, with, and to do Right and Justice therein; for which Purpose, it is Our further Will and Pleasure, That all the Acts, Muniments, and Proceedings whatsoever, of or belonging to the said Courts, severally styled *The greater Court of Appeal*, and *The lesser Court of Appeal*, shall be delivered over to, and deposited and preserved among the Acts and Records of, the said High Court of Appeal, in the same Manner, and to the same Intent, and with the same Effects as are herein-before directed with regard to the Acts, Muniments, and Proceedings of the Civil Court of *Colombo*, and of the Supreme Court of Criminal Jurisdiction, and the Delivery thereof to the Supreme Court of Judicature hereby established.

and Records to be delivered over.

All the King's Subjects to be aiding and assisting.

XCV. And We do hereby strictly charge and command all Our Governors, Lieutenant Governors, Magistrates, Officers and Ministers, Civil and Military, and all Our faithful and liege Subjects whatsoever, in and throughout the said Settlements in the said Island of *Ceylon*, with the Territories and Dependencies thereof, That in the Execution of the several Powers, Jurisdiction, and Authorities hereby created and made, or modified, revised and enforced, they be aiding and assisting, and obedient in all Things, as they will answer the contrary at their Peril.

Proviso.

XCVI. Provided always, That nothing in these Presents contained, or any Act which shall be done under the Authority thereof, shall extend or be deemed or construed to extend to prevent Us, Our Heirs and Successors, from making such farther or other Provision for the Administration of Justice throughout the said Settlements and Territories in the Island of *Ceylon*, with their Dependencies, at Our and their Will and Pleasure, and as Circumstances may require; We, meaning and intending fully and absolutely, and to all Intents and Purposes whatsoever, to reserve to Ourselves, Our Heirs and Successors, such and the same Rights and Powers in and over the said Settlements, Territories, and Dependencies, and every Part thereof, and especially touching the Administration of Justice therein, and all other Matters and Things in and by these Presents provided for, as if these Presents had not been made, any Thing in these Presents contained, or any Law, Custom, Usage, Matter, or Thing whatsoever to the contrary in any wise notwithstanding.

In Witness whereof We have caused these Our Letters to be made Patent: Witness Ourselt at *Westminster*, the Eighteenth Day of *April*, in the Fortyfirst Year of Our Reiga-

## PROCLAMATION.

*(Expired.)*

WHEREAS it has been represented to us that in various parts of the Dessavony of Colombo and in the Districts of Galle & Matura, the dreadful disorder lately prevalent among the Cattle, has again broken out, and that our solemn and public order concerning the conduct to be held on that occasion have been disobeyed and neglected to the great detriment of the Inhabitants of these Settlements, for whose benefit they were issued. We hereby make known and declare that till we issue further orders on being assured of the cessation of the present distemper, the owner of every Bull, Cow, Buffalo, Heifer or Calf which may be found at large and not tied up separately from all others, in the Districts between the River of Chilaw and that of Bentotte, after the 1st day of May next ensuing, between the River of Bentotte and that of Matura, on and after the fifth day of the said month of May, between the River of Matura and that of the Waluwe on and after the Tenth day of the said Month, and between the Rivers Waluwe and the North Easterly extremity of the Mahagampattoe on and after the Twentieth of the said Month, shall be fined in the sum of Ten Rix Dollars, on due conviction before any Dessave, Resident, Fiscal, Medical Superintendent or Assistant, Modeliar, or other European or Native Magistrate, the whole of the value of the said fine to go to the Informer.

PROCLAMATION 22<sup>TH</sup> APRIL 1801.

Excepting only such Cattle as may be under the charge of the worshipful the Dessaves or the Commissary of Grain and Provisions, and their respective Deputies.

Colombo 28th April 1801.

By order of the Governor.

WILLIAM BOYD  
*Act. Sec. to Govt.*

## PROCLAMATION.

*(Expired.)*

WHEREAS we have witnessed with great concern the little care which the Inhabitants of these Settlements in general have taken to preserve their Cattle from the deleterious effects of the dreadful malady which has so long raged among them, we think it our especial duty to exhort them most solemnly, for their own sakes, to assist as far as they can those endeavours which we have made and will not cease to make, to preserve them from those heavy losses which that contagious distemper must occasion, and to submit cheerfully to the temporary labour and inconvenience which their permanent interest require them, and which it is our earnest wish to alleviate inasmuch as their own safety will permit.

Proclamation 6th May 1801.

And whereas we have been assured that the aforesaid malady prevails in many of the frontier Provinces of the Kingdom of Candy, and that it is customary for the Inhabitants of the contiguous Districts under our Government to purchase at a low Price the cattle in those Provinces, and bring them into these Settlements to the great danger of communicating the distemper to their own and their neighbour's Cattle.

We do hereby positively forbid the introduction of any Cattle whatever from his Kingdom of Candy, excepting at such places as shall be pointed out for that purpose by the Magistrate of each District where they shall be kept each one separate from all others during the space of fifteen days, with such other Regulations as shall be ordered by the said Magistrate to prevent the possibility of infection.

And we do further order that the person introducing any Cattle from the Candian Territories otherwise than according to this Regulation, shall be condemned to pay a fine of Fifty Rix Dollars for each Beast so introduced on conviction before any Magistrate, Medical Superintendent, Assistant or Overseer; one half of the said fine to go to the informer, the other to the sub-committee of Superintendence of the District.

Given at Colombo the 6th day of May 1801.

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

## PROCLAMATION.

*(Expired.)*

WHEREAS we have reason to believe that the Domestic Slaves in many families within this City and its Neighbourhood have lately shewn a disposition to mutiny and disobedience of the just authority of their Masters and Mistresses, we hereby make known and declare, that all such Slaves as bring false and frivolous Complaint to us or to the Magistrates under us, will be summarily and severely punished and we at the same time enjoin all Masters and Mistresses to be particularly careful not, to detain Slaves for whom they have no sufficient title, and to restrain the correction of their Slaves within the limits of the Law and the bounds which are necessary for the preservation of good order in their families.

Proclamation 19th May 1801.

Colombo, 19th May 1801.

By Order of the Governor,

WILLIAM BOYD,  
*Act. Sec. to Govt.*

INSTRUCTIONS 5TH JUNE 1801. *INSTRUCTIONS to the Presidents and Acting Presidents of the Civil Courts and Land Raads holding Register of Lands under the Proclamation of the 1st March 1801.\**

Para. 1st. An Individual wishing to transfer, dispose of, convert or authenticate his Property, will appear for that purpose by himself or his Attorney before the President, or acting President of the Civil Court or Land Raad within the Jurisdiction of which his Property is situated, and produce his titles to the same.

2d. The Register will then for the purpose of ascertaining the value of the Lands and for acquiring a map as required by the Proclamation, transmit the title deeds to the Surveyor of the District, who will apply to the Revenue Agent for two Saffermadoe Appoohamies, or other proper Commissioners to accompany him, in order to ascertain the value of it

3rd. The Surveyor shall give notice to the Headmen of the District on his arrival there, of all the Properties he intends to survey in that District, which the Headmen shall cause to be made known to the Inhabitants by Tomtom, and by affixing a List of such Properties in the most public, place and in case the Proprietors or other persons whose attendance may be necessary in order to ascertain the limits of the ground in question, do not attend, the Surveyor after due notice given as above required, shall make his due complaint to the nearest Magistrate for the correction of the offender or offenders.

4th. The Report of the Saffermadoe Appoohamies or other Commissioners, shall be signed by the Proprietor or his Attorney in testimony of his assent and shall be sent to the Revenue Agent, who if satisfied with the valuation, shall sign it, and send it to the office of the Register, who will receive the map from the Surveyor General's Office, and thereupon make out the deeds.

5th. If the Proprietor does not agree to it, he shall sign a protest against it, and demand a new Commission from the Land Raad, whose valuation shall be final, and the Expences of the valuation shall be paid by the Person calling for it.

6th. The Proprietor shall be allowed to sue for the expences he has incurred in demanding the Commission, if he can prove that those expences were incurred on account of the gross neglect or corruption of the Appoohamies or other Commissioners.

7th. The valuation of the Commissioners shall afterwards be sent to the Revenue Agent, in order to be sent to the Register as before.

8th. The Revenue Agent shall be obliged within a week after receiving the report of the Appoohamies to send it to the Register, or to protest against it and demand a Commission of the Land Raad in the same manner as the Proprietor.

9th. Each Saffermadoe Appoohamie or other Commissioner shall in any case receive one Rix Dollar, and if the value of the Property exceeds 100 Rix Dollars and is not above Two Hundred, one Rix Dollar and a half, and so on progressively at half Rix Dollar per cent.

10th. The Stamp on which the deed will be written, shall when the property does not exceed 100 Rix Dollars be one Rix Dollar from 100 to 200, two Rix Dollars, and so progressively at one per cent increasing.

11th. All other fees of any sort, received by Government, by any Courts of Justice, Magistrates, Headmen, Corporate bodies, or any other persons, on deeds or transfers of Properties are from hence forth abolished.

12th. A quantity of Printed forms of deeds, namely, free gifts, common sale, acquisition under a decree of a Court, sale in Execution, Mortgage bonds, and assignments of the same, duly stamped, will be issued by Government to the Register General, which he will furnish to the different Registers on their indents, specifying the different description of deeds they may require, and the stamps thereof, for which they will account regularly in manner following; at the end of every month the Register will deliver the amount produced by the Stamps within that month (deducting his own allowances as after mentioned) to the Revenue Agent of the District, taking a receipt in duplicate for the sum paid in, and he will transmit one copy of such receipt to the Register General, accompanied by an abstract of the Stamps so sold.

13th. The Register is to be allowed to deduct from such amount, the Sum of one rix dollar for every deed recorded by him where the Property shall not exceed 500 rix dollars, and for deeds where the Property exceeds 500 rix dollars he will receive two rix dollars.

\*NOTE.—The office for the regulation of which these Instructions were designed is not now in existence.

14th. The printed forms are to be filled up, signed, completed, and numbered in duplicate, and one copy delivered to the person applying for the deed, the other to be sewed up in a Book to be kept by the Registrar.

15th. It is to be understood that the stamp, on which mortgage bonds are to be written, is to be proportioned to the sum for which the security is given, and in the case of mortgages, no new survey need take place, provided the property has been once enregistered and surveyed under the Proclamation of the 1st March 1801, and has not subsequently changed its limits, and at all events no valuation will be necessary, and it is also to be understood, that no valuation will be requisite in sales by execution or by authorized Auctioneers.

16th. That where the property in question shall not exceed 25 rix dollars no valuation by Commissioners shall be necessary, and the deed shall be printed on a Prodeo Stamp to be furnished by the Registrar General on indent in the same way as the other stamps, and to ascertain such value the proprietor shall make oath or bring other proof before the Revenue Agent that his Property does not exceed 25 rix dollars (a Certificate of which proceeding shall be transmitted to the Registrar according to a form to be furnished for that purpose, and the Registrar shall at the end of the month transmit such Certificate to the Registrar General to account for issuing such Prodeo Stamp) if the Revenue Agent is not satisfied with the representation made to him he may order a valuation to take place on account of Government if the Property is proved not to exceed 25 Rix Dollars but if it does, at the expence of the party, who may also be prosecuted for perjury or subornation of perjury, as the case may be, before the Fiscal's Court.

*Colombo the Fifth day of June One Thousand Eight Hundred and One.*

By Order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

As collateral Security is some times required from Mortgagers, the Registrar will in such cases add at the bottom of the mortgage bonds, an obligation according to the form accompanying these instructions, and have the same signed by the two securities offered by the Mortgager in presence of witnesses.

"We the undersigned do hereby undertake jointly and severally that in case the property within mortgaged shall prove insufficient for the discharge of the within mentioned debt with interest and all lawful charges, we, or one of us, on Month notice of the same, will discharge the sum which may be deficient."  
*the day of*

By order of the Governor,

WILLIAM BOYD,  
*Actg. Sec. to Govt.*

### PROCLAMATION.

*(Annulled by Charter of 1833.)*

WHEREAS by our Proclamation of the 1st day of March 1801 we did authorize the Presidents and Acting Presidents of the several Civil Courts and Land Raads throughout these Settlements to hold register of Lands within their respective Districts, and to draw up make out and enroll the several Title Deeds required by the Proclamation of the 3d day of May 1800, and also to draw up make out and enroll all manner of Transfers, Mortgages, Mortgage Bonds, and assignments thereof, and all other Deeds affecting landed or immoveable property, of what nature or description soever lying within their Jurisdiction, and whereas at the station of Colombo, the Civil Court and the Land Raad of the said station, have in respect of pleas concurrent Jurisdiction without the Fort and Pettah of Colombo aforesaid, and within the four Gravets thereof, and the Civil Court and Land Raad of Point de Galle have like concurrent jurisdiction without the Fort and within the four Gravets of the said last mentioned station, and the Civil Court and Land Raad of Jaffnapatnam have like concurrent jurisdiction without the Fort and Pettah and within the limits called or known by the description of the three Churches, and whereas inconveniences might arise if a concurrent power of Registry of the Lands, lying within the limits of the said Jurisdictions, respectively, were had by the Presidents of the two several tribunals, having such concurrent jurisdiction as aforesaid within the same, for prevention thereof, we have thought fit to establish and do hereby accordingly establish and appoint that there shall be one Registry and no more of the Land lying within the limits of each of the said concurrent jurisdictions respectively, and that such sole Registry shall be had, and held by the President or acting President of the Civil Court at each of the said three Stations respectively, who alone shall be authorized and we do hereby accordingly authorize, and appoint the President or Acting President for the time being of the said three Courts respectively, to draw up make out and enroll the several Title deeds required by the said Proclamation of the 3d May 1800 and also to draw up, made out, and enroll, all manner of Transfers, Mortgages, Mortgage bonds and assignments thereof and all other deeds affecting landed or immoveable property of what nature or description soever situated within the limits of the said concurrent jurisdiction-

*Proclamation 16th June 1801.*

PROCLAMATION 16TH JUNE 1801.

tions respectively any thing in our said Proclamation of the 1st day of March 1801 contained to the contrary notwithstanding.

Given at Colombo the Sixteenth day of June 1800.

By Order of the Governor,

WILLIAM BOYD,  
*Actg Sec. to Govt.*

## PROCLAMATION.

(*Repealed in part by Proclamation of 13th February 1802 and by Charter of 1833.*)

Proclamation 30th July 1801.

**W**HEREAS heretofore the Collectors or Dessaves of the several Districts of these Settlements were vested with the Powers of Magistracy in such their Districts, and exercised the Functions of Sitting Magistrates wheresoever they happened to be within the same, and whereas by certain recent Arrangements in the Department of Revenue, Collectorships or Dissavonies have been done away, and the Authorities so as aforesaid vested in and exercised by the Collectors or Dessaves for the Keeping of the Peace, the Apprehending of Offenders, and the Trying and Punishing of smaller Offences, have ceased. And whereas the Power of Magistracy, and the Functions of Sitting Magistrates, in the said several Districts did, during the absence of the Collector or Dessave, vest in the President, or acting President of the Landraad of the District, and the same are now for the most part held and exercised by such Presidents accordingly. And whereas it is necessary to provide for the Administration of Police in Districts where the said Authorities did not so vest as aforesaid, wherefore, and for the better preserving and more easily restoring the said Authorities, in case of any Change or Arrangement which may hereafter affect the same, in any or all of the said Districts, we do hereby declare and publish that we will, from Time to Time, and as often and wheresoever Expediency may require, nominate and appoint proper Persons to have and exercise the Powers of Magistracy and the Functions of Sitting Magistrates; and also, if we shall see fit, the Powers and Functions of Fiscals and Keepers of Prison in and for the said several Districts of these Settlements all or any of them, by Warrant under our Hand and Seal for that purpose, in such manner as the Fiscals of Stations have been heretofore and now are accustomed to be appointed.

2. And whereas we have thought it fit and necessary, for the better Preservation of Peace and Good Order within these Settlements, to appoint and assign the Persons holding or who may hereafter hold certain Offices, Appointments, and Commands under, this our Government, to be, by virtue of such their situations, Magistrates, Justices, and Conservators of the Peace throughout these Settlements, or in certain Districts thereof, as herein after is particularly specified; and also that certain Boards, herein after mentioned, should be vested with the Powers of Magistracy in their collective Capacity. We do hereby appoint and assign,

The Commander in Chief of the Forces for the time being,

The Secretary to Government for the time being,

The several Members of the Supreme Court of Criminal Jurisdiction, the original Members of which were constituted Justices and Conservators of the Peace throughout these Settlements by our Proclamation of the 14th day of October, 1799,

The Military Board, and the President and Vice-President of the same for the time being,

The Board of Revenue and Commerce, and the President, Vice-President and Senior Member of the same for the time being,

The Committee of Superintendence, and the President and Vice-President of the same for the time being,

The Law Committee,

The Registrar General for the time being,

And the Medical Superintendent for the time being, to be Justices and Conservators of the Peace throughout these Settlements.

And all Commandants of Garrisons in and throughout the Districts of which such Garrisons form the principal Stations.

All Commissioners and Agents of Commerce and Revenue, and their Assistants, in their respective Districts.

All Medical Superintendents and Overseers within their respective Districts.

The Superintendent of the Cinnamon Gardens in all the said Gardens, and his Deputies each in his Garden respectively.

All Fort Majors and Adjutants within the Forts to which they respectively belong.

All Master Attendants at the Ports and Harbours in their charge,—and

All Members of the Courts of Fiscal, within the Jurisdiction of such Courts respectively, to be in like manner Magistrates, Justices, and Conservators of Peace, and we do hereby authorize and command the several Officers and Boards aforesaid, according to the extent of Jurisdiction herein before assigned to them, to keep the Peace, and to cause to be kept all Laws now in force, or hereafter to be established, within these Settlements; and to apprehend, or otherwise cause to come before them, all Breakers and Violators of the said Laws, and to take their Examinations and the Informations of all who can give Evidence of the offences with which they stand charged.—And the Person so charged before them to commit to Prison, or enlarge on Bail, or wholly discharge, as the Case may happen to be and the Law direct; and in case the Person so charged shall be committed or bound over to take his Trial, to bind over all Prosecutors, and such others as may be able to give Evidence of the Offence, to appear before such Court or Magistrate as may be competent for the Trial of the same; and all other things which may be lawful to Magistrates, Justices and Conservators of the Peace, the said several Officers and Boards, according to their respective Jurisdictions aforesaid, are hereby authorized, empowered, and commanded to do.

3. And whereas, from the infrequency of the Sitings of the Fiscals' Courts, the advantages of those Tribunals have not been extended through these settlements so generally as we wished when we established them.

4. Every Fiscal, whether of a Station or District, shall by general Notice assemble the Members of his Court on the first Monday of every Month, and proceed to the Trial of all Persons and Offenders falling under the said Jurisdiction of the said Courts respectively, unless it shall

PROCLAMATION 30TH JULY  
1801.

at any time so happen in any of the said Jurisdictions that the number of the Members present belonging to the same, including the Fiscal or President, shall not amount to three, in all which Cases the several Persons for trial before the said Court shall be sent, with Copies of their Commitments and the Informations against them, to the Fiscal of the nearest Station or District where there may happen to be three Magistrates assembled; there to stand their trials, and the Fiscal so transferring his Prisoners shall give all practicable aid to the Process and other Requisitions of such neighbouring Court for procuring the Attendance of Witnesses, and in all other things which may be necessary for the Judgment of the Case.

5. When the number of Members of the said Courts respectively, including the Fiscal or President, shall amount to three, they shall form a competent Court and shall proceed to the Trial of all Prisoners so charged before them as aforesaid, without any adjournment of more than eight and forty hours at a time, until all the Cases ready for examination shall have been dispatched; and the said several Courts respectively shall, in the said Trials, use and observe the mode of proceeding laid down in the Proclamation of the 3d day of September 1799, and a Minute Report of the several Cases tried before the said several Courts respectively in each Month or Session as aforesaid shall, as soon as may be after the Conclusion of such Session, be transmitted to Government.

6. And whereas by our Proclamation of the 21st day of June 1800, the said Courts of Fiscal were authorized to hear, examine, try, determine, and pass Sentence on all common Assaults and Trespasses, whether against Individuals or Police and Thefts not exceeding the limits of Petty Larceny, and by our said Proclamation of the 20th February 1801, the said Courts were further authorized to hear, examine, try, determine and pass Sentence in and upon all Cases of Theft and Larceny, simple or mixed, and of any amount whatever.

7. We do by these Presents grant, direct and appoint, that the said Courts respectively shall have Power and Jurisdiction, and they are hereby respectively authorized to hear, examine, try, and determine, and to pass Sentence in and upon all Offences whatsoever against the Laws now in force, or which may hereafter be in force in these Settlements, except only Treason, Petit Treason, Murder, the Crime against Nature, Rape, Incest, Plagiarism or Enslaving free Persons, Burglary, or Robbery on the King's Highway when aggravated by Circumstances of Cruelty, Corruption in a Magistrate, Forgery of Oats or other Documents relative to Slaves, or of any Oat, Paper, or Document where the object of the Forgery shall amount to the value of Two Hundred Rix Dollars, Coining, Perjury in Criminal Cases not triable by the Courts of Fiscal, and Lacerating or other Maiming.

8. Should any Cases entertained at first by the Court under any other name, prove in the course of Trial to fall under any of the Exceptions herein before enumerated, the Party or Parties shall, by the said Courts of Fiscal respectively, be recommitted to stand their Trials before the Supreme Court of Criminal Jurisdiction.

9. The Minutes of Proceeding in the said several Courts of Fiscal respectively shall be taken in the English Tongue, by a Clerk or Registrar to be kept by each Fiscal for that Purpose, and duly sworn to the faithful Discharge of such his Office.

10. And whereas by our said several Proclamations respecting Fiscals' Courts, the Powers of Punishment of the said Courts have been diversely assigned, limited, and modified, our will and pleasure is, and we do hereby grant, direct, and appoint, that the said Courts respectively shall have full Power and authority (which the said Courts are hereby authorized to exercise) to adjudge and sentence against the Offenders who shall be convicted before the said Courts respectively, according to Law and the Circumstances of the Case, Fines to any amount whatever short of the entire forfeiture of Property, Imprisonment of any term short of the term of natural Life, and Corporal Punishment to any degree whatever short of the loss of Life or Member.—Provided always that wherever any Sentence of any of the said Courts shall award Corporal Punishment exceeding 100 Lashes, or Imprisonment beyond the term of two Months, or the Payment of a Fine exceeding 100 Rix Dollars, no such Sentence shall be carried into execution until the same shall have been approved of by the Governor or Lieutenant Governor for the time being, to whom a full Report of every such Case and the Sentence had therein, shall forthwith after the passing of such Sentence be transmitted for that Purpose, any thing in our said several Proclamations of the 21st of June and 2d of July 1800, and the 20th February 1801, or any or either of them contained to the contrary notwithstanding.

11. And whereas, for the Direction and Guidance of the Magistrates of these Settlements, we did heretofore issue, under the Hand of the Secretary to Government, certain Instructions of the tenor following to wit:

§ 1st. That no person whatever be committed for any Criminal Offence unless Information of one or more Persons upon Oath be first made before the Magistrate who commits, containing some Fact or Facts which induce a well grounded Suspicion of the Guilt of the Person committed, except in Cases where the Fact shall have happened within the View of the Magistrate committing.

§ 2ndly. That in every Committal the Magistrate shall express the Cause or Causes of his Commitment, or in other words the Crime or Crimes alleged against the Party committed, and shall also indorse on the Back of his Committal the Name or Names of the Person or Persons on whose Information such Commitment is grounded, with their proper Additions and the Place of Abode of such Witness respectively.

§ 3rdly. That in all the lesser Offences (that is, in all such as in their Punishment do not amount to the loss of Life, Perpetual Confinement, Banishment, or a total Forfeiture of Property) if the Party offers to the Magistrate about to commit him good and sufficient Bail for his appearance, the Magistrate shall accept such Bail in a penal Sum in proportion to the Nature of the Offence, such Bail to be taken by English Bond, in which Bond the Principal Party shall become bound in a specific penal Sum, and the Person or Persons, offered as Bail, in half that Sum each, if more than one conditioned for the appearance of the Principal Party so as to be amenable to Justice at such Time and Times, Place or Places, as by any Notice or Notices to be served on the said Principal Party, or his Bail, by such Magistrate, or by any Fiscal or Fiscals throughout any of the British Settlements on the Island of Ceylon shall be signified and required.

§ 4thly. That every Magistrate shall, as soon as may be, transmit to His Excellency the Governor, in his Supreme Court of Criminal Jurisdiction, or to the Fiscal within his District, all and every such Information or Informations by virtue of which he has committed to Prison any Per-

PROCLAMATION 30TH JULY  
1801.

non or Persons for Crimes or Offences within the Limits of his Jurisdiction, and that he shall enter in a Book, to be kept for that Purpose, true Copies of such Information or Informations respectively, and also Copies of the several Commitments made by him in consequence thereof.

§ 5thly. That every Magistrate, within the limits of his Jurisdiction; shall have Authority to hear and determine all Inferior or Petty Offences, and to punish the same by Fine or Whipping to the amount respectively of twenty-five strokes of the Chambouk or Rattan, to be inflicted on the Buttock, or Ten Rix Dollars and not beyond it, and that a Diary shall be kept by every such Magistrate of all Complaints for such Offences, and of all Fines imposed and Punishment inflicted in consequence thereof, and a true Copy of such Diary, attested by such Magistrate, shall be transmitted Monthly to His Excellency the Governor in his Supreme Court.

§ 6thly. That every Magistrate in all things to be done by him as such, do confine himself strictly within the Limits of his District.

§ 7thly. That every Magistrate shall within eight and Forty Hours after any Person shall be brought before him, and charged by Information upon Oath with any Crime or Offence, either commit the Party to Prison, or discharge or enlarge him upon Bail as beforementioned.

§ 8thly. That all Fiscals, within the Limits of their Jurisdiction respectively, shall exercise the like Power as Magistrates to hear and determine all inferior or petty Offences against the Police, and to punish the same by Fine or Whipping in like manner and to the like amount, and that a Diary be kept by each Fiscal of all Complaints for such Offences, and of all Fines, imposed and Punishments inflicted in consequence thereof.

§ 9thly. That every Fiscal shall receive into his Custody, and confine within his Prison, all and every such Person or Persons as are duly committed, in form aforesaid, by any Magistrate upon any criminal Charge, and that he shall from time to time enter in a Book, to be kept for that Purpose, true Copies of all Commitments, and Endorsements thereon respectively, and shall also make Entries of the Times when such Persons were by him respectively received into his Custody.

§ 10thly. That all Prisoners shall be kept, as much as may be, separate and apart from each other, and when Committed for capital Offences bolted with Irons, and that the Prison where they are kept be well secured; but that in all other respects they be treated with humanity.

§ 11thly. That in all Cases where any Person or Persons has or have been committed for any bailable Offence, owing to their Incapacity to procure sufficient Bail at the Time of their Commitment; such Person or Persons shall, after they have been delivered into Custody of the Fiscal, be entitled to be enlarged upon giving such Bail to the Fiscal, as herein before the Magistrates respectively are authorized and required to take, when offered to them before Commitment.

§ 12thly. That all Fiscals shall make a due Return Monthly (or oftener if need be) to His Excellency the Governor, in his Criminal Court, of all Prisoners then in their Custody, with Copies of the respective Commitments by virtue of which such Prisoners were committed; and also a list of the Witnesses whose names appear endorsed on such Commitments respectively, together with the proper Additions and respective Places of Abode of such Witnesses.

§ 13thly. That every Fiscal shall, when required, transmit the several Prisoners then in his Custody to such Place or Places as may be appointed from Time to Time by His Excellency the Governor for the Trial of Crimes and Offences before the Supreme Court of Criminal Jurisdiction wherever the same shall be held; and that he shall also summons or serve a Notice in the Nature of Summons upon the several Witnesses on whose Informations the said Prisoners were respectively committed to his Custody, so as to procure their Attendance at the Trial of such Prisoners respectively, as in and by our Proclamation lately issued is in that behalf already prescribed and declared.

§ 14thly. No Fiscal shall have Power to decide in any Case of Property, real, personal or mixed; nor shall he, in any case, whatever exceed the Limit or Local Extent of his own proper Jurisdiction.

§ 15thly. That the Dessave do act as Magistrate in the District where he resides, except in the Towns of Colombo, Jaffnapatam, and Galle, in the Town and District of Trincomalie, and in all Forts and Garrisons.

§ 16thly. That in all Districts, where the Dessave may not be residing, the Powers of Magistracy shall be exercised by the President or acting President of the Landraad, who will transmit to the Dessave a Copy of his Diary, as also one to the Governor in his Criminal Court.

§ 17thly. That to such Dessave or in his absence to such President or acting President of the Landraad, all Native Chiefs and Moodeliars are to make their Report, and they are to obey the Orders of such Dessave, President, and acting President as they shall answer the Contrary at their Peril.

§ 18thly. That any Person authorized by the Dessave to act in his Department during his absence, will have the like Power of arresting any Person whatever, but must by such commitment as beforementioned deliver him over as aforesaid within forty eight Hours to the Fiscal or to the President of the Landraad acting as Fiscal, together with the Crime for which he is arrested.

§ 19thly. That in assessing Bail all Magistrates do, with the utmost Circumspection, proportion that amount of the Bail required to the Nature of the Offence charged, and above all things that no Magistrate shall require excessive Bail.

§ 20thly. And all Officers Civil and Military are enjoined to give such assistance as may be required for the Purpose aforesaid.

12. And whereas, by reason of Arrangements herein first abovementioned, some Parts of the said Instructions have ceased of their Application in toto, and it hath become expedient that other Parts of the same should be in some degree varied.

13. We do hereby abolish and annul the 15th, 16th, 17th, and 18th Sections of the said Instructions, and every thing therein contained.



14. And whereas, by the 5th Section of the said Instructions, it is appointed that every Magistrate, within the Limits of his Jurisdiction, shall have Power and Authority to hear and determine all inferior and petty Offences, and punish the same by Fine or Whipping to the amount respectively of twenty-five strokes of the Rattan or Chambouk and Ten Rix Dollars, we do hereby extend the Power of Magistrates, in the said Cases, to the infliction of fifty strokes of the Cat of Nine Tails in the manner in and by the said 5th Section mentioned.

PROCLAMATION 30TH JULY  
1801.

15. And whereas, by the 7th Section of the said Instruction, it was ordered that Persons brought and charged with Offences before the Magistrate should be committed, discharged, or enlarged on Bail within the space of forty-eight hours after they should be brought before him, which for divers reasons may in many cases not be practicable, we do therefore hereby direct and enjoin all and every the Magistrates of these Settlements, that all Persons so brought before them, as aforesaid, be committed, discharged, or enlarged on Bail, as directed by the said 7th Section as soon as may be and without any undue Delay.

16. And whereas, by the 15th Section of the said Instructions, it is ordered that all Prisoners shall be sent for trial before the Supreme Court of Criminal Jurisdiction, we do hereby except such Cases, to the trial whereof the Courts of Fiscal may, by these Presents or any Regulation now in force or hereafter to be made, be competent; which Cases are to be proceeded in as provided by the 4th and 5th Articles of these Presents.

17. And whereas, by the 14th Section of the said Instructions it is ordered that no Fiscal shall have Power to decide in any Case of Property, real, personal, or mixed, nor shall he in any Case exceed the Limits of his own proper Jurisdiction, we do hereby, in lieu and stead of the Provisions of the said 14th Section, direct, order, and ordain, that no Fiscal singly, or other sole Magistrate, shall have Power to decide in any Case of Property, real, personal, or mixed, nor shall any Magistrate of these Settlements exceed the Limits of his own proper Jurisdiction.

18. And all other the Clauses and Sections of the said Instructions not hereby annulled or varied, and also the Clauses or Sections varied by these Presents, in such manner and so far as the same are so varied, we do hereby ratify, confirm, and establish, and do direct, appoint, and ordain that all Magistrates throughout these Settlements do govern and conduct themselves thereby, in the several Cases, Matters, and Things to which the same respectively have relation.

*Given at Colombo this Thirtieth day of July 1801.*

By Order of the Governor,

WILLIAM BOYD,  
*Acty. Sec. to Govt.*

## PROCLAMATION.

*(Repealed by Ordinance No. 5 of 1835.)*

**W**HEREAS much Delay has been occasioned, and divers other great Inconveniences has been experienced in Appealable Causes, both by the Courts of Appeal and the Suitor before the same, from the Proceedings in the first instance being in the Dutch Language, and whereas the Presidents of our several Courts of Original Jurisdiction in Civil Cases throughout these Settlements are, for the most Part unacquainted with the said Language, we deem it greatly expedient, beneficial, and desirable, that not only in Appealable Cases, but in all Cases whatever, the Pleadings, Evidence, and other Proceedings, should be had and taken in the English Language, or forthwith, in the said Original Courts, be rendered into the same.

Proclamation 20th August 1801

2. We do to that end publish, ordain, and establish, that in all Courts of Original Jurisdiction in Civil Pleas throughout these Settlements, all Pleadings and other Papers whatsoever, presented, filed, or recorded, in any Case, whether by the Parties, the Officers of the Court, or others whomsoever, shall be presented, filed, and recorded in English except where it shall so happen that the President, or one or more Members, are not acquainted with that Language, in which Case such Pleadings and other Papers shall be both in English and Dutch.

3. Provided that if at any Station it be absolutely impracticable to have such Pleadings and other Papers written in or translated into English, the Court, in consideration thereof, may dispense with this Regulation until such Assistance can be obtained.

4. That all Orders and Minutes of Court, and other Entries whatsoever, (except the Minutes of viva voce Evidence) be taken down and entered in the English Language, if the Secretary be capable thereof, otherwise that the said Secretary do forthwith prepare, or cause to be prepared, an English Translation of the same for the use of the Court, unless it shall be impracticable to obtain such a Translation, and that the same be in manner aforesaid dispensed with.

5. And whereas by the Practice of the said Courts it is not necessary that the Examination of Witnesses should take place before a full Assembly of the Court, but only that the same should be in the Court Room, and with open Doors, and before one or more Members duly commissioned for that Purpose, such Examinations may be had in the Language or Languages most convenient to the Judge or Judges present at the taking thereof, provided that the same be taken through the Medium of sworn Interpreters, and of such Evidence, if the same shall not have been taken down in the English Language, the Secretary shall forthwith prepare, or cause to be prepared, a Translation in English for the use of the Court, unless the same shall by the Court be dispensed with in manner and for the reason herein before mentioned.

6. The Expence of the several Translations herein before required shall be exclusive of and over and above the charges of Fees allowed by the 34th Paragraph of our Proclamation of the 22d January last, and shall be borne in the first Instance by the Party by whom or in whose behalf or motion the Pleading or other Paper shall be preferred, or the order of Minute made, or the Evidence taken, but shall be taxed in Costs and follow the Decree in like manner as other Costs of Suit. And the same shall be charged and taxed at the Rates following, that is to say,

PROCLAMATION 30TH AUGUST  
1801.

7. For every English Translation of a Pleading or other Paper not hereby required to be prepared or caused to be prepared by the Secretary of the Court, six Fanams for every page of 120 words.

8. For all Translations herein before required to be prepared or caused to be prepared by the Secretary, three Fanams for every such page.

9. And whereas a great number of Cases are now depending before our Greater and Lesser Courts of Appeal, wherein the Proceedings, have been had in the Dutch Language, wherefore and to provide for the Translation of the Proceedings in the said Cases, and of those in other Appealable Cases which may have wholly or partially proceeded in the Dutch Language, before the present Regulations shall have taken effect, or by reason that it may not have been practicable to have the same taken in, or translated into English, at the Place or Station where they originated, we do hereby authorize and require the Greater and Lesser Courts of Appeal, in all Cases where the same shall be necessary, to order and direct the Courts of Original Jurisdiction to call on the Party Appellant, from Time to Time, for such Sums as may be sufficient to defray the Expence of translating such Proceedings as aforesaid. And in the event of the said Party failing to advance and furnish the Sums so demanded, to dismiss such Appeals unless, on reasonable and sufficient Cause shewn, the said Greater or Lesser Courts of Appeal shall think fit to make other Order.

10. And in consideration of the said additional Charges, we do hereby declare and publish that all Stamps heretofore or now required for the Pleadings, or other Proceedings whatsoever, in Civil Suits, before any of the Courts of Original Jurisdiction throughout these Settlements, or for the Copies of such Pleadings or other Proceedings, or for Acts, Extracts, or Copies of any kind made or granted in the course of any Civil Suit by the said Courts, or the Officers of the same, should for the present and until further order in this behalf be wholly remitted and excused.

11. And we do in like manner, for the present and until further order, in this behalf remit and excuse all Stamps which by any Regulation now or heretofore subsisting (although in consideration of the Inconveniences and Expences which Suitors have incurred by reason and consequence of the Cessation of the Courts, and from other unavoidable Causes, such Regulations or the Stamps thereby imposed or required have not been enforced) might be required in the Proceedings before the Greater or Lesser Courts of Appeal, or the Acts, Orders, Process, Extracts or Copies made, granted, or issued in the course of any Appellate Suit by the said Courts or the Officers thereof respectively.

12. Provided always that such Exemption shall not extend to the Court in ordinary, nor to any extra Judicial Petition or other Address to the Governor, or to any Tribunal, Magistrate, or Person in authority, touching any Civil Suit, either Original or in Appeal.

13. And whereas it hath been erroneously supposed, that the Rates of Fees, established by the 34th Paragraph of our said Proclamation of the 22d January last, were applicable to and chargeable in all Suits which had been once commenced, however the same should be terminated, or however few might be the Steps of Proceedings therein. And whereas we did in the 40th Paragraph of the said Proclamation intimate that the said Regulation respecting Costs was merely a General Principle, the Details and Particulars whereof depended on Arrangements not then fully completed. And we did exhort the Presidents and Members of our several Courts to adopt, in the mean time and until further order, therein such Measures as might best tend to effectuate our Intentions in that behalf. We do hereby declare, that the full per centage or rate of Fees or Charges granted by the said Regulation is applicable to such Suits only as shall have been fully and thoroughly proceeded in according to the Course laid down in our said Proclamation. And wherein there shall have been had a Petition, Answer and Replication, Evidence on both sides, a Hearing, a Judgment, and Execution, expected, but that all other Suits such as may be terminated by Confession, Compromise, or Default, or where there shall not be filed any of the said Ordinary Pleadings, or where Examination of Evidence on both or either Side, or hearing Judgment, or Execution, shall not be had, shall be considered as partial and imperfect Suits, and shall be charged only in such Proportion to the full rate of Fees as the Proceedings had shall bear to a full Suit, which proportion the respective Courts, by virtue of the Clause herein before recited, may and are hereby authorized and enjoined to Tax and Settle.

14. And whereas Doubts have arisen what Persons of and belonging to the Courts shall be entitled to share of the said per centage. And whereas the same was granted in lieu of all Fees which, by any Regulation or Usage heretofore in force, were or might have been claimed by the Secretary and other Officers of the Court respectively. We do hereby declare and publish, that the Secretary and his Assistant or Assistants, the Clerks, the Interpreters, and Bode, and no other shall be entitled to a share of the per centage so granted as aforesaid.

15. And we do further declare and publish, that the Members of the Court cannot (as has by some been erroneously supposed) be deemed Officers thereof, to the intent of benefiting by the said Fees, or to any other Intent or Purpose whatever.

16. And whereas, for the simplification of the Proceeding in Civil Cases, we did, by our Proclamation of the 22d day of January last, establish in all our said Courts of Original Jurisdiction, whether Civil Courts or Landraads, one uniform Course of Practice and the same rates of Fees. And whereas it would greatly promote the Introduction of the English Language in Civil Cases at the Stations of Jaffnapatnam and Galle, as well as tend further to simplify and facilitate the Proceeding in such Cases, both in first Instance and in Appeal, if all Causes arising at the said two Stations, or within the Districts thereof, were cognizable by one and the same Tribunal. We have therefore thought it expedient and beneficial that there should be, from and after the 1st Day of September next ensuing, at each of the said Stations one Court of Civil Pleas and no more. And we do accordingly ordain and publish that from and after the said 1st day of September the Functions of the Landraads or Country Courts of the said two Stations respectively, and all Jurisdiction whatsoever of the said Landraads or Country Courts in the said respective Districts, shall determine and cease. And that all Jurisdiction of the said two Courts of Landraad respectively, and all singular the Powers, Authorities, and Functions thereof, shall from thenceforth be transferred and devolve to, and the same, are by these Presents transferred to and vested in the Civil Courts of the said two Stations respectively, with full Power and License from and after the said 1st day of September to exercise the same.

PROCLAMATION 20TH AUGUST  
1801.

17. And we do appoint the Presidents of the said two Landraads of Jaffnapatnam and Galle to be Vice Presidents of the Civil Courts at the said Stations respectively, with the same Salary as they now respectively enjoy as Presidents of the said Landraads and also to be Registrars of Lands for the whole Districts of the said respective Stations. Provided always in respect of the said Registry that the Presidents of the said Civil Courts respectively do in lieu of the Registry heretofore vested in them, the said Presidents, and hereby transferred to the said Vice Presidents, receive on every Title or other Deed, on account of the Register, one third part of the Fees, which according to the existing Regulations in that behalf should be payable to the Registrar on account thereof.

18. And we do hereby appoint the several actual Members of the said two Landraads of Jaffnapatnam and Galle respectively to be Junior Members of the said Civil Courts with the same Salaries as they now respectively enjoy.

19. And whereas by our Proclamation of the 23d day of September 1799, Appeals are allowed in Civil Causes, when the Sum or Value appealed for exceeds, in any Civil Court, the Sum of 500 Rix Dollars, in any Landraad or Country Court. And whereas it is not expedient that the Remedy and Benefit of Appeal, so as aforesaid granted by our said last mentioned Proclamation, should be in any degree defeated, diminished, or narrowed in its Extent, but rather that the same should be extended and enlarged. Therefore and in order that Parties now and heretofore being under the Jurisdiction of either of the said Landraads of Jaffnapatnam or Galle, and who would thereby have been entitled to Appeal may not be barred thereof by the transferring of such Jurisdiction to the Civil Courts of the said Stations, and also for the consistency and simplicity of the Practice of the said Civil Courts, and for enlarging and extending the Remedy and Benefit of the aforesaid Provision of our said Proclamation of the 23d day of September 1799, we do ordain and publish that from and after the 1st day of September next. Appeals to the Lesser Court of Appeal in Civil Causes shall lie and be allowed from the said two several Civil Courts of Jaffnapatnam and Galle in like manner, and for the like amount as the same lie and are allowed from the Landraads or Country Courts of these Settlements, that is to say, where the Sum or Value appealed for exceeds the Sum of 300 Rix Dollars current Money of Ceylon, any thing in our said Proclamation of the 23d day of September 1799 contained to the contrary notwithstanding, but subject always to the other Provisions contained in the said last mentioned Proclamation respecting Appeals under the value of 2000 Rix Dollars, and to all other Provisions, Rules, and Regulations subsequently made and established, or now existing and in force in that behalf.

20. And whereas heretofore the several Collectors, throughout these our Settlements, had the Power of permitting or restraining Execution on the Decrees of the Landraads or Country Courts within their Collectorships. And whereas by recent Arrangements in the Revenue Line, Collectorships have been done away, and other Authorities established in lieu thereof (to wit) Revenue Agencies, and in certain Districts Residencies, and in and for one District (the District of Jaffnapatnam) a Commission Extraordinary. And whereas because it was not competent to the Collector to be present at the Proceeding, or to vote in the Decisions of the Landraads of his District, the salutary Power so as aforesaid vested in him had not the full effect intended thereby. We being desirous to restore and preserve the said Power in a more effectual manner, do hereby ordain and establish that in all Landraads throughout these Settlements, and in the Civil Courts of Jaffnapatnam and Galle, as the same are by these Presents newly constituted, the Agents, Commissioners, Residents, or other Principal Officers of Revenue within the Jurisdiction of such Courts respectively, and in Case of the Absence of such principal Officers then their respective Assistants, shall have and enjoy a Seat, and shall also have a Vote in the Decision of the same, except such Cases wherein the Rights of Government are concerned, in which Cases such Officers or other Assistants are merely to be present as the Agents of Government, and with Power to lodge an Appeal where the same shall be advisable and competent.

21. Provided always that nothing in the Preceding Clause be understood to render the Presence, Vote, or Voice of the Agent, or other Officer of Revenue, necessary to the validity of any Decree.

22. And whereas there is reason to believe, that notwithstanding our Proclamation of the 20th Day of August 1800, Persons having occasion to present Petitions, or other Papers, to the Governor, Magistrates, or others in Authority, are subject to great and unreasonable exactions for drawing up the same, we have thought fit to establish, and do hereby accordingly establish, ordain, and appoint, that from and after the publication hereof, every such Petition or other Paper prepared as aforesaid (not being provided for by the said 24th Paragraph of our said Proclamation of the 22d Day of January last, now by the 7th and 8th Paragraphs of these Presents) shall be charged at the following Rates and no more, that is to say:

23. If such Petition or other Paper shall be in the Dutch Language, Three Fanams for every page of 120 words.

24. If the same shall be in Dutch, and accompanied by an English Translation, Three Fanams for every such page aforesaid of the Original, and the like for every page of the Translation.

25. If the same shall be in English (provided no Original in Dutch or any other Language shall have been charged for) Six Fanams for every such page aforesaid.

26. And our will and intention is, that the said Rates shall extend to and be observed at all Stations and Places whatsoever throughout these Settlements; and all Tribunals, Magistrates, and others in Authority, are hereby enjoined to take especial Care that this Regulation, and the Provisions hereinafter established for carrying the same into Effect, be strictly observed and enforced.

27. And we do hereby require that all Persons drawing as well the Petitions and other Papers herein last abovementioned, as those mentioned and particularized in the 7th and 8th Paragraphs of this Proclamation, do continue to subscribe as required by our said Proclamation of the 20th day of August 1800, their Names under the same, and further do certify the Number of Words, or of Pages of 120 Words each, which the Petition or other Paper had been so paid or agreed for, as an Original or as a Translation.

28. And all Persons who shall certify that there has been received or agreed on for pre-

PROCLAMATION 20TH AUGUST 1801.

paring such Petitions or other Papers as aforesaid a Sum less than has actually been received or agreed for, or that the Petition, or other Paper was so paid or agreed for as a Translation, or who shall exact, receive, or agree, for a higher Rate or greater Sum than is hereby allowed and established, shall be subject to the Penalty mentioned in our said Proclamation of the 20th day of August 1800.

29. And for the facility and convenience of taxing such Petitions and other Papers as aforesaid, we do hereby require that all Petitions and Papers whatever presented to us, or to any Tribunal Magistrate, or Person in Authority, of 120 words neither more nor less, on pain that the Fee chargeable for any Page shall be forfeited where the Page shall be found to contain less than the regulated Number of Words, and that only the established Charge shall be paid for a Page containing more.

30. And we do lastly establish and prescribe in this behalf, that in computing, charging, and taxing, the Rates of such Petitions or other Paper as aforesaid, when Figures shall make a Part thereof, every two Figures be reckoned for one Word, and not otherwise, any thing herein before contained, or any Usage, Custom, or Rules to the contrary notwithstanding.

31. And we do further publish, ordain and require, that all Petitions and Addresses preferred to the Governor, whatever be the Nature or Subject thereof, provided the same be not any Part of the regular and ordinary Proceedings in any Suit before either of the Courts of Appeal, shall if the same be in English, and do not exceed two Pages of the Contents herein abovementioned or 240 Words, bear a Stamp of 12 Stivers, and exceeding two such Pages as aforesaid a Stamp of 24 Stivers, and if such Petitions be in the Dutch Language they shall bear a Stamp of one Rixdollar when the same exceeds two Pages.

32. All Petitions and Addresses, not being Part of the regular and ordinary Proceedings in any Civil Suit, to any Board or Committee (the Committee of Superintendence and its several Sub-Committees only excepted) to any Commandant, to any Agent, Commissioner, or other Officer of Revenue, to any Magistrate, or other Person whomsoever in Authority, Civil or Military, throughout these Settlements, shall bear a Stamp of one half the Amount to which the same, if addressed to the Governor, would be subject by the preceding Regulation, provided however that if the Party preferring any such Petition or Address be, from Poverty, unable to afford the Stamp required, the same be dispensed with on the Certificate of the Committee or Sub-Committee of Superintendence of the Place, or the President, or Acting President of the Sub Committee, which Certificate will be granted to proper Objects on application.

33. And whereas the Regulations heretofore and still in Force in these Settlements, respecting Stamped Paper, have not been duly observed, we do hereby enjoin and require, that all such Regulations as aforesaid, not being hereby or by any Act or Ordinance of competent Authority antecedent to these Presents, or by any Change in the Objects or Departments to which particular Stamps may have been applicable, repealed, defeated, or done away, be from henceforth strictly observed and conformed to, under the several Penalties attached to the Breach and Contravention of the same.

34. And whereas it hath been customary for Persons in Authority at Country Stations, especially the Commandants of such Stations, to make, sign, and issue Stamped Paper, or Papers marked as and for to serve in lieu of Stamped Paper, for the several purposes for which Stamps are required, we do hereby strictly prohibit all Commandants, and all Persons whomsoever, from and after Notice of these Presents, from making, signing, or issuing, any such Stamped Paper or Papers, marked in lieu of and to serve as Stamps, and do abolish and strictly prohibit the use thereof.

35. Provided always that nothing herein contained do tend to impeach the validity of any such Stamp bona fide used heretofore, or before notice of these Presents, which Stamps shall and are hereby permitted to have their full Effect, according to the Amount and Value thereof

36. And provided also that nothing herein do tend to prohibit or invalidate any Papers marked or signed for Charity, which Papers the Committee or Sub-Committees of Superintendence, and the President or Acting Presidents thereof respectively, are hereby authorized to make and issue according to Directions which they will receive for that Purpose.

37. And we strictly enjoin, require, and command, all Tribunals, Magistrates, Boards, and Persons in Authority, as well as others, to whom any Acts, Instruments, or Writings, whatever for which Stamps are required may be presented, or who may have, in any Public Capacity, Cognizance, Communication or Knowledge of such Acts, Instruments, or Writings, to observe and take care that the same be duly stamped according to the Regulations existing in that behalf, and that no Neglect, Contravention, Evasion, or Elusion of the said Regulations, do take place or be permitted within the Cognizance or Knowledge of such Tribunals, Magistrates, Boards or Persons respectively, as they shall answer the contrary at their Peril.

38. Provided always, that nothing herein before contained be taken or understood to affect the Registry lately established of Landed Property, and for certain Acts relating thereto, or the Stamps required for, or in, or about such Registry.

39. And whereas, by the Regulations heretofore existing in respect of Stamped Paper, the same have been heretofore, and now are, vended and sold at the following Rates, over and above the value and account of the Stamp itself, viz.

Stamps of 6 and 12 Stivers, at an extra Rate of .....	1½ Stivers
Those of 24 Stivers and 36 Stivers, at an extra Rate of .....	3
Those of 1, 2, 3, and 4 Rixdollars, at an extra Rate of .....	6
Those of 5, 6, and 8 Rixdollars, at an extra Rate of .....	12
Those of 10, 12, 15, and 20 Rixdollars, at an extra Rate of .....	24
Those of 25 Rixdollars and above, at an extra Rate of .....	1 Rdr.

which extra Rates were applied to defray the Charges of Paper, and of distributing and vending the said Stamps, we do, for the like Purpose, permit and direct that all Stamps whatever, except only the Stamps required for, or in, or about the Registry of Lands herein before mentioned, do continue to be vended and sold at and for the same extra or surplus Rates herein above mentioned.

40: And whereas, for the Ease and Relief of the Poor, Inhabitants of these Settlements, and in consideration of the Delays and Expences to which Suitors have been subjected by the Cessation of the former Courts of Justice, and from other causes since the Accession of the present Government, we have hitherto remitted, excused, and forborn to levy, all manner of Fees in the Supreme Court of Criminal Jurisdiction, the Greater or Lesser Courts of Appeal, and Court of Ordinary, we do hereby publish and declare, that for the several Reasons and Causes aforesaid, and in further Consideration of the Expences which Suitors and Parties will incur by the Regulations before and otherwise made and to be made for introducing English Papers, we shall continue to remit, excuse, and forbear to levy, all such Fees as aforesaid until further order in this behalf.

PROCLAMATION 26TH AUGUST  
1801.

Given at Colombo this Twentieth Day of August 1801.

By Order of the Governor,  
WILLIAM BOYD,  
*Actg. Sec. to Govt.*

### PROCLAMATION.

**W**HEREAS by two Paragraphs in our Proclamation of the Third Day of May, in the Year of our Lord One Thousand Eight Hundred, we did ordain and declare as follows:

Proclamation 2d September  
1801.

"We do further ordain and declare, that all Persons holding Land by Tenure of Service, whatever be their Cast or Denomination, have Permission to appropriate to themselves those Lands, on the Payment of a Tenth of the Produce of the High Lands, and a Fourth of the Produce of the Low Lands, annually to Government; the same being duly proved before the Landraad, and enregistered in the Register of the District; except that, if the Tenure of such Service or Accommodate Land were formerly Mallapalla, Nellapalla, Ratninda or Ande, it may be appropriated in Manner as aforesaid, retaining one-fourth of the whole Produce to Government.

"And we further declare by these Presents, that all Lascoryns, or Families of Lascoryns, having Accommodesans from Government, and being obliged to serve on account of such Accommodesans, are at liberty, from the Date hereof, to give up the Accommodesans, having the said Renunciation registered by the Registrar of the District, and that in consequence of such Renunciation they shall continue subject to serve only on the especial Command of ourself and our successors, Governors, of Ceylon, and shall receive adequate Pay for their Service, and that the same Rule shall hold good in respect to those Lascoryns who prove that they receive from Governors neither Lands nor Accommodesans."

2. And whereas we have seen, by Experience, the absolute necessity of abolishing Tenure by Service, and substituting a less oppressive and irregular Mode of Contribution.

3. We annul and repeal the two above recited Paragraphs, instead whereof we hereby make known and declare, that on and after the First Day of May, in the Year of our Lord One Thousand Eight Hundred and Two next ensuing, all obligation to Service on Tenure of Lands throughout these Settlements, shall cease, and lands held Duty free at this present time, on account of such Service, shall on, and after the said Day, pay to Government one-tenth of their Produce if High Lands, and one-fifth Part of their Produce if Low Lands, excepting only such Lands as were formerly Mallapalla, Nellapalla, Ratninda or Ande, which will continue, from the said First Day of May, One Thousand Eight Hundred and Two, to pay one-fourth of their Produce to Government.

4. And Persons, of whatever Cast and Condition, shall from that Day continue subject to serve only on the especial Order of ourself and our successors, Governors or Lieutenant Governors of Ceylon only, and that on the receipt of adequate Pay for such Service.

5. And as at the same Period we shall resume all Accommodesans at present enjoyed by Native Head Men, and all others of what description soever, we shall take Measures for the adequate Remuneration of such as will be continued in Office, and for the fair Indemnification of those who will then have Permission to retire from Service, with the Rank and Honours at that time enjoyed by them.

6. And whereas the term fixed by our said Proclamation of the 3d Day of May, 1800, for the same to take effect, was by our Proclamation of the 1st day of October of the said year 1800 extended from the 1st day of November, in the same year, to the 1st day of May now last past; we do hereby further extend the said term until the said 1st day of May 1802, excusing and remitting in the mean time all Penalties prescribed by the said Proclamation of the 3d day of May, 1800, in that behalf.

Given at Colombo, the Third Day of September. 1801.

By Order of the Governor,  
WILLIAM BOYD,  
*Actg. Sec. to Govt.*

### PROCLAMATION.

(*Repealed by Ordinance No. 5 of 1833.*)

**W**HEREAS great inconvenience has arisen from the total Prohibition of the Sale of Cinnamon within these Settlements, we have resolved to authorise the Sale therein of certain small Quantities, on the Terms hereafter mentioned:

Proclamation 1st December  
1801.

PROCLAMATION 1st DECEMBER  
1801.

We do therefore publish and declare, that from and after the Publication of these Presents we will cause to be issued from the Public Warehouse, to proper Persons at Colombo, Galle, Trincomalie, and Jaffnapatnam, such Quantities of Cinnamon as we may judge necessary, at the Rate of Two Rix Dollars per Pound weight, with License to such Persons to retail the same, in Quantities not exceeding one Pound weight to any Individual Person, at one Time, or within one Month after such Person may have purchased any former Quantity. The Retail Price of Cinnamon not to exceed Three Rixdollars per Pound weight.

The Licensed Venders of Cinnamon will be subject to such further Provisions for regulating the Sale of the same as shall be specified in the Licenses to be granted to them.

And if any Person, not being duly licensed by us, shall be found dealing in Cinnamon, or having any quantity thereof in his or her Possession, every such Person shall on conviction thereof, besides the Confiscation of the Cinnamon, be fined in the Sum of Ten Rixdollars for every one Pound weight of Cinnamon, either sold by such Person not having a License, or found in his or her Possession, one half to go to the Informer and the other half to be at the disposal of Government; and, in failure of Payment of the same, such Person shall be imprisoned, or suffer such Corporal Punishment as the Court may direct.

And whereas Commanders of Ships and Vessels leaving these Settlements may be desirous of purchasing Cinnamon in small Quantities for their own Private Use while at Sea, we do hereby further publish and declare, that such Persons may be supplied by the Government Warehouse Keeper at Colombo and Galle, and by the Licensed Venders at Trincomalie and Jaffnapatnam, with any Quantity not exceeding Ten Pounds at the Rate of Three Rixdollars per Pound, and they will further be provided with Permits, to enable them to carry such Cinnamon from these Settlements, which Permits shall be issued by the Principal Warehouse Keeper at Colombo and Galle, and by the Agents of Revenue and Commerce at Trincomalie and Jaffnapatnam, such Permits to be paid for (in addition to the Price of the Cinnamon) at the Rate of Two Rixdollars per Pound Weight of Cinnamon therein permitted.

Any Person taking a greater Quantity of Cinnamon on board Ship than Ten Pounds weight, or taking any Quantity whatever without a Permit, shall be subject to the Penalties on the Exportation of Cinnamon directed and promulgated by our Proclamation bearing date the 19th November, 1798.

Given at Colombo, the First Day of December, 1801.

By Order of the Governor,

ROBERT ARBUTHNOT,

Chief Sec. to Govt.

## PROCLAMATION.

(*Obsolete.*)

Proclamation 31st February  
1802.

WHEREAS considerable Inconvenience is frequently felt by Persons in Travelling from one part of the British Settlements on Ceylon to another, from the Difficulties they experience in procuring Provisions and other Accommodations, and it appearing unto us that the most easy and efficacious mode to remedy this Evil would be the Establishment of certain Regulations in the Post Office Department, by which a constant Supply of necessary Articles might be provided by the Postholders, at certain Stations, for the Accommodation of Travellers.

It is therefore hereby directed, that the following Regulations shall take effect, and be in force, from and after the 3rd Day of March next ensuing

1. All Persons travelling on the Road from Maravelly to Jaffnapatnam and Trincomalie, may be supplied with necessary Articles of Provisions, such as Rice, Poultry, &c. by the Postholders at the Stations undermentioned, viz.

Maravelly, Chilaw, Andipane, Pootlum, Karadivo, Marchecatty, Arippe, Bangaffé, Mantotte, Werteltivo, Elpokarve, Polveriamcatta, Pouncreen, Panangamme, Moodevankollum, Coklay, Cou-shavelly.

2. The Postholders at these Stations are hereby directed to supply Travellers with Provisions, Cooking Utensils, Firewood, Lamp Oil, and Candles or other Lights to travel with, for which, they are authorized to charge at the following Rate, viz.

On all Articles of Consumption the Current Price at the nearest Town or Village, with an advance of Fifty per cent upon the same, as their Profit and Compensation.

For the use of every Chatty, or Cooking Utensil, one Stiver.

Non-Commissioned Officers, and Private Soldiers, are to be charged on Articles of Consumption, the Current Price of the nearest Town or Village with an advance of only Twenty-five per cent as the profit of the Postholder, and one half Stiver, for the Use of each Cooking Utensil.

3. No Provisions are to be required by Travellers at any Tappal Station, not included in the above List, which has been so arranged as to enable Travellers to obtain a Supply at Places, whose Distance from each other in no Case exceeds one Day's Journey.

4. Travellers are on no account to require any of the Servants at the Tappal Stations to accompany them as Guides, either by Day or Night and any Traveller requiring or compelling a Tappal Servant to leave his Station for the purpose of serving as a Guide, shall be subject to such Animadversion as the Law directs. All Postholders are enjoined to assist Travellers in procuring Guides from the neighbouring Villages, but they are strictly prohibited from sending any of the Lascareens, or other Servants under them, on that Service, as they must on no Account, either voluntarily or otherwise be absent from their Station, except when carrying the Public Packets.

5. The Headmen of all Cores and villages are hereby enjoined to give Assistance to the Postholders, in their Neighbourhood, who may apply to them for the Purchase of the Necessary Articles usually required by Travellers, or for Guides; and in Case of any well founded Complaint of such Assistance being wilfully refused, the Post Master General is hereby authorized and directed to enquire into the Complaint, to cite and examine the Parties, and to make a Report of the Case to Government, in order that the Party offending may be punished.

6. Travellers are strictly prohibited from using any Violence towards the Postholders, or any Person under them, but in Case of any Neglect or refusal to perform the Duties hereby imposed upon them, or insolence in executing them on the part of the Postholders or the Persons under them, such Misconduct shall be deemed a Disorder against the Police, and on Complaint thereof to the nearest Justice of the Peace, Magistrate, or in their absence, to the Peace Officer on the spot, enquiry shall be made, and such immediate Redress obtained as the Nature of the Case may require; and the Case is likewise to be reported to the Post Master General, who is hereby directed to report upon the same to Government.

7. And any Postholder, or any Person employed in the Tappal Service, having suffered Violence, or other ill Usage, from any Traveller, he is directed to apply to the nearest Magistrate for Redress, and is also to give Information of the same to the Post Master General, who is directed to examine into the Case, and to report upon the same, as in the Cases above specified.

8. The Country between Maravelly and Colombo, and thence to Galle, and Matura, being

more populous, Provisions being easily procurable in the different Towns and Villages, the Postholders on those Roads are at Liberty to sell Provisions to Travellers on the same terms as in other places, if Travellers chuse to apply for them. And all Travellers, and Postholders, are strictly enjoined to behave towards each other according to the Spirit of these Regulations, and to abstain from all Acts of Incivility and Insolence, which lead to Breaches of the Peace and to consequent Punishment.

9. It having appeared to us expedient, for the better conducting of the Tappal Service on the Roads from Chilaw to Manar, Jaffnapatnam, and Trincomalie, to enroll a Body of Aratchies, Canganies, and Lascoreens, under the Direction of a Modeliar, one half of which Canganies and Lascoreens shall serve at a time, and shall be relieved by the other half at the end of three Months; the said Canganies and Lascoreens shall be free from all Obligation to serve as Coolies, Palanquin Bearers, or other Labourers, not connected with the Business of the Post, except in Case of Requisition from us, or our Successors, Governors or Lieutenant Governors of Ceylon it being our Intention that such Canganies and Lascoreens of the Post shall, during the three Months of their Freedom from the Service thereof, have the Liberty of attending constantly to the Cultivation of their Ground, or to such other Concerns as they may be engaged in.

10. And it is directed that this Proclamation be printed in the English, Dutch, Singhalese and Malabar Languages, and that a Copy thereof in each be kept at every Post Station in the British Territories in Ceylon, and that any Traveller requiring to peruse the same may be immediately furnished with it, in such Language as he shall desire.

*Given at Colombo, the Twenty-first Day of February, in the Forty-second Year of His Majesty's Reign, and of our Lord 1802.*

By Order of the Governor,

ROBERT ARBUTHNOT,

*Chief Sec. to Govt.*

### PROCLAMATION.

*(Repealed by Ordinance No. 5 of 1835.)*

**W**HEREAS His Majesty by His Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, to us directed, bearing Date the Eighteenth Day of April, in the Forty-first Year of His Majesty's Reign and in the Year of our Lord 1801, hath constituted and appointed us to be Governor and Commander in Chief, in and over His Majesty's Settlements in the Island of Ceylon, in the Indian Seas, with the Territories and Dependencies thereof, and all Forts and Garrisons within the same, during His Majesty's Pleasure; and whereas His Majesty, by his Instructions to us also directed, together with the said Commission for the temporary Government of the said Settlements, Territories and Dependencies, and Administration of Justice therein, hath declared His Royal Will and Pleasure to be, that for the Present, and until His Pleasure therein should be further signified, the temporary Administration of Justice and Police in the said Settlements, and in the Dependencies thereof, should, as nearly as Circumstances will permit, be exercised in conformity to the Laws and Institutions that subsisted under the Ancient Government of the United Provinces, subject to such Deviations in consequence of sudden and unforeseen Emergencies, and to such Expedients and useful Alterations, as may render a Departure therefrom either absolutely necessary and unavoidable, or evidently beneficial and desirable; and subject also to the Directions and Provisions contained in a certain Charter or Letters Patent, under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date at Westminster, the 11th Day of April, 1801, in the Forty-first Year of His Majesty's Reign.

*Proclamation 13th February 1802.*

And whereas His Majesty, by His Royal Charter or Letters Patent, bearing Date the said Eighteenth Day of April, and reciting the said Commission and Instructions, hath been graciously pleased further to provide for the due Administration of Justice within and throughout His said Settlements, Territories and Dependencies, in the said Island of Ceylon, during His Royal Pleasure, and subject to such Alterations as His Majesty hereafter may think fit to make, and for that purpose to establish therein two several Courts, called respectively the Supreme Court of Judicature in the Island of Ceylon, and the High Court of Appeal in the said Island, with such Jurisdiction, Powers and Authorities, as in and by the said Charter or Letters Patent are prescribed.

And whereas, by the Arrival of His Majesty's said Charter or Letters Patent, and by the Establishment of the said Supreme Court of Judicature, certain Regulations by us heretofore established and proclaimed, touching the Administration of Justice in matters of Criminal Jurisdiction have ceased to be necessary, we do therefore hereby declare that our Proclamation bearing date the 30th Day of January, in the Year 1800, is and stands repealed accordingly.

And whereas, by our Proclamation bearing Date the Twenty-first Day of June, 1800, we did create and constitute certain Courts called Fiscals' Courts for such Purposes, and with such Jurisdiction in Matters, as well Civil as Criminal, as in the said Proclamation is mentioned; and, by a subsequent Proclamation, bearing Date the Second Day of July, in the said Year did enlarge the Powers of Punishment heretofore vested in the said Courts in Criminal Cases, and by two other subsequent Proclamations, bearing Date respectively the Twentieth Day of February, 1801, and the Thirtieth Day of July in the same Year, we did further enlarge as well the said Powers of Punishments as the Jurisdiction of the said Courts in matters of Criminal cognizance;

And whereas, in and by the said Charter or Letters Patent, it is provided that all inferior Offences, Breaches of the Peace, and Disorders against the Police, shall be tried and punished by and before such Justices of the Peace, or Magistrates, as may be appointed by us for that purpose, and according to such Regulations as shall in that respect, be by us established, published, and declared.

We do hereby establish, publish and declare, that all such Offences as are last abovementioned shall be tried and punished by and before the said Fiscal's Courts, as constituted by our said Proclamation of the Twenty-first Day of June, 1800, with Powers of inflicting Punishment by Fine not exceeding Seventy-five Rixdollars lawful Money of Ceylon; by Imprisonment not exceeding the period of Two Months; and by Whipping not exceeding One Hundred Strokes of a Rattan, all or either of them.

And we hereby declare that our said two several Proclamations, bearing Date respectively the Second Day of July, 1800, and the Twentieth Day of February, 1801, are and shall be deemed to be from henceforth repealed, and that our said Proclamation of the Thirtieth Day of July, in the said Year 1801, be and be deemed to be repealed in so far as the same extends the Powers of Punishment of the said Fiscal's Courts, or the Jurisdiction of the same beyond the Limits herein prescribed.

And whereas the Civil Jurisdiction now vested in the said several Fiscals' Courts is limited to Cases where the Sum or Matters in dispute does not exceed Twenty-five Rixdollars, which

PROCLAMATION 12TH FEBRUARY 1802.

Sum may, as it appears to us from the State of Civil Intercourse in these Settlements be beneficially extended, we direct and ordain, that as well the Fiscals' Court of the Town, Fort and District of Colombo as all other Fiscals' Courts established or to be established throughout these Settlements and Territories, shall and they are hereby respectively authorized to hear, examine, try, and determine in a Summary Manner, all Claims and Demands arising upon any Dealing or Contract (Pleas of Land excepted) where the sum or Matter in dispute shall not exceed the amount of One Hundred Rixdollars and by all lawful Ways and Means to cause their Sentences to be carried into Execution.

And whereas, by the said Charter or Letters Patent, and for the Purpose therein mentioned, we are directed to declare what District surrounding the Town and Fort of Colombo shall be, and be deemed to be, the District of the said Town and Fort, we do therefore hereby declare, that the Space now included within the Limits commonly called and known by the Denomination of the Four Gravets, together with such Part of the Cinnamon Garden, called the Marandahn, as is not already included or deemed to be included within the said Limits called the Four Gravets, shall be, and be deemed to be, the District of the said Town and Fort of Colombo, for the Intent and Purpose in the said Charter set forth.

And whereas, in and by the said Charter or Letters Patent it is provided, that the Jurisdiction of the said Supreme Court of Judicature shall not extend to any Cause, Suits, Actions, Matters and Things between Natives of the said Island of Ceylon, or of India, or wherein there shall be a Native Defendant, which then were competent to be tried and determined in the Provincial Court, commonly called the Landraad of Colombo, if after the Appointment of the said Supreme Court it should appear to us expedient and beneficial to the Native Inhabitants that such Jurisdiction of the said Landraad of Colombo should continue to be exercised, we hereby declare that deeming such Jurisdiction to be expedient and beneficial, the same shall continue to be exercised accordingly, under the Style and Denomination of the Provincial Court of Colombo; and by such Judges as we shall for that purpose appoint during pleasure.

*Given at Colombo, the Thirteenth Day of February, in the Forty-second Year of His Majesty's Reign, and of our Lord 1802.*

By Order of the Governor,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

### PROCLAMATION.

*(Repealed by Proclamation of 30th December 1802.)*

Proclamation 19th June 1802.

WHEREAS great Inconvenience has arisen from the Inequality of the Existing Duties on the Exportation of Tobacco from this Island, We do hereby order and direct, that from and after the First Day of August in this present Year, one fourth Part of all Tobacco, exported from any Port of this Island, shall be reserved and taken in Kind for the Use and to the Benefit of Government; and that all other Duties and Customs whatsoever on the Export of that Article shall be and remain abolished, excepting only the small Duty called Meclary, amounting to Ten Fanams Ceylon Currency, per Candy of Five-hundred Pounds weight, which is hereby extended to all Tobacco, from whatsoever Port of this Island it may be shipped, and for whatever Market it may be destined.

*Given at Colombo, the Twelfth Day of June, in the Forty-second year of His Majesty's Reign and of our Lord 1802.*

By Order of the Governor,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

### PROCLAMATION.

*(Expired.)*

Proclamation 23d June 1802.

WHEREAS we have received Authentic Information that the Plague has broke out in different Parts of Egypt, and whereas there is Reason to expect that some Part of the Army of India, returning from that Country, may touch at this Island, we, taking into our most Serious Consideration the Fatal Consequences that might ensue from that Disease being introduced into these Settlements, have resolved to guard against that Danger by every Means in our Power.

And we do therefore, ordain, direct and command, that from and after the Date hereof, all and every Ship or Vessel of whatever description, which shall arrive in any of the Ports of this Island, or on the Coasts thereof, shall be subject to the following Regulations and Restrictions.

First, when it shall be known that any Ship, Doney or other Vessel has arrived in any Port of these Settlements, or on the Coasts thereof, no Boat shall on any account put off from the Shore to such Ship or Vessel, excepting the Boat of the Master Attendant (if there be one at the Place) or a Boat sent by the Commandant, or other Chief Magistrate of the Place, whom we will cause to be furnished with Special Instructions for his or their guidance.

Secondly, no Boat shall be permitted to come on Shore from any Ship, Doney, or other Vessel, arriving at any Port of this Island, or on the Coasts thereof; nor any Person whatever from on Board any such Ship, Doney, or other Vessel, shall land under any Pretence whatsoever, until they shall have obtained Permission to that effect from the Master Attendant (if there be one at the Place) or from the Commandant, or other Principal Magistrate.

Thirdly, any Person offending against these Regulations, and going alongside or on board of any Ship, Doney, or other Vessel, arriving at any Port in this Island, or on the Coast thereof, shall incur the Penalty, of Forfeiture of the Boat in which such Person may approach and go alongside of any such Ship, Doney, or other Vessel, besides such farther Penalty, Fine, Imprisonment, or Corporal Punishment, as the Nature and Circumstances of the Case may require.

And whereas we have deemed it expedient to establish temporary Lazerettos at Colombo, Trincomalie, and Galle, for the reception of Persons who may arrive from any Port in the Red Sea, or Coast of Arabia, and for the reception of any Goods, Wares, or Merchandise brought by any Ship, Doney, or other Vessel, from any Port or Ports as aforesaid, there to remain during the Performance of their Quarantine, we do strictly forbid and prohibit all Persons whatsoever from entering these Lazerettos, except by permission of the Medical Superintendents; under whom we have placed the Care of the above said Lazerettos; and to whom we have given



such Instructions in that behalf, as we have judged most likely to prevent all Danger to the Inhabitants of this Island.

And as it has pleased Divine Providence hitherto to preserve this Country, and all India from so dreadful a Calamity; we hope and trust that the same Mercy will still protect us, but that no Human Means may be neglected for the Prevention of the Contagion, we have published this our Proclamation, and we are sure that a due sense of Personal Safety, as well as of Duty, will induce all who live under our Government to observe, and cause to be observed to the utmost of their Ability, such Regulations as we have promulgated and may see Occasion to promulge on a Subject so Important to their own Well-being, we having resolved to enforce them with Rigour, and to cause all Contravention to them to be punished with the Promptitude and Severity which the Public Security requires.

*Given at Colombo the 23d day of June 1802.*

By His Excellency's Command,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council.  
GEORGE ARBUTHNOT,  
*Sec. to the Council.*

## PROCLAMATION.

*(Annulled by Charter of 18th February 1833.)*

**WHEREAS** it is expedient that the several Tribunals, throughout the British Settlements and Territories on this Island should be as few in Number, as may be consistent with the due and convenient Administration of Justice, to the Inhabitants of the several Stations and Districts respectively.

And whereas it appears to us, that all Civil Jurisdiction, now competent to the Landraads of Negombo, and Caltura respectively, may be more conveniently exercised by the Provincial Court of Colombo, We do therefore direct, ordain, and appoint, that from and after the First day of July next, the Powers, Authorities and Jurisdictions, vested in the said Courts, the Landraads of Negombo, and Caltura respectively, shall cease, determine, and be no longer exercised, by the said Courts; but the same shall, and may be exercised, and are hereby accordingly granted, and transferred to, and vested in the said Provincial Court of Colombo in like manner, to all Intents and Purposes whatever, as the Functions of the late Civil Court of Colombo were and are, by virtue of the 78th and 79th Sections of His Majesty's Royal Charter or Letters Patent, establishing the Supreme Court of Judicature in the Island of Ceylon, transferred to, and vested in the said Supreme Court.

And whereas it farther appears to us, that all Civil Jurisdiction, now competent to the Civil Court of Point de Galle, and to the Landraad of Matura respectively, may be conveniently, exercised by one Tribunal only; And that all Civil Jurisdiction, now competent to the Landraad of Chilaw and the Landraad of Calpentyn and Putlam respectively, may in like manner be exercised by one Tribunal only, we do hereby direct, ordain and appoint, that from and after the said First day of July next, there shall be at Matura aforesaid a Court of Civil Jurisdiction, which shall be styled the Provincial Court of Matura, and shall consist of, and be held by any before such Judge or Judges, as we and our Successors, Governors, or Lieutenant Governors for His Majesty's said Settlements and Territories, shall for that purpose, from Time to Time, appoint during Pleasure, which Court shall and may, and the same is hereby empowered and authorized, to take cognizance of, hear, try, and determine all Causes, Actions, Suits, and Matters whatsoever, which are now competent to the said Civil Court of Point de Galle, and to the said Landraad of Matura, respectively.

And we do hereby further direct, ordain, and appoint, that from and after the said First day of July, there shall be at Putlam aforesaid a Court of Civil Jurisdiction, which shall be styled the Provincial Court of Putlam, and shall consist of and be held by and before such Judges, as we and our Successors, Governors or Lieutenant Governors aforesaid, shall for that Purpose, from Time to Time, appoint during Pleasure; and which Court shall and may, and the same is hereby empowered and authorized to take cognizance of, hear, try, and determine, all Actions, Suits, and Matters whatsoever, which are now competent to the said Landraad of Chilaw, and the said Landraad of Calpentyn and Putlam, respectively.

And we do ordain, direct, and appoint, that from and after the said First day of July next, the Powers, Authorities, and Jurisdiction vested in the said Court, the Civil Court of Point de Galle and the Landraad of Matura respectively, and in the said Courts of the Landraad of Chilaw and the Landraad of Calpentyn and Putlam respectively, shall cease, determine, and be no longer exercised by the said Courts, but the same shall and may be exercised by, and are hereby accordingly granted, and transferred to, and vested in the said Provincial Court of Matura and Putlam respectively, in like manner to all Intents and Purposes whatever, as the Functions of the late Civil Court of Colombo were and are, by virtue of the 78th and 79th Sections of His Majesty's said Charter, transferred to, and vested in the said Supreme Court of Judicature.

And whereas we have heretofore, from Time to Time, appointed divers Magistrates throughout these Settlements, by the Denomination of Fiscals, with such Functions of Magistracy in their respective Local Jurisdictions as are usually exercised by His Majesty's Justices of Peace, and with such Powers and Authorities, as in and by divers Proclamations, Instructions and other Regulations, by us, from Time to Time issued and promulgated in that behalf, are mentioned and contained, and whereas His Majesty, by His said Royal Charter, hath directed, that we shall nominate and appoint certain Persons, to serve the Office of Fiscal throughout the several Districts or Provinces of these Settlements, for the Purpose of executing the Process of the Supreme Court of Judicature in the Island of Ceylon, and for other Purposes, ministerial to the said Supreme Court, in and by the said Charter, particularly mentioned:

And whereas it is expedient, that the Denomination of Fiscal should be confined and exclusively appropriated to the Persons, who shall, from Time to Time, be appointed as aforesaid to the said Office of Fiscal pursuant to His Majesty's said Charter, we do therefore hereby direct and appoint, that from and after the Publication of these Presents, all Persons heretofore

PROCLAMATION 23d JUNE  
1802.

Proclamation 25th June 1802

PROCLAMATION 25th JUNE  
1802.

by us appointed to be Magistrates with the denomination of Fiscal as aforesaid, shall from thenceforward be called and styled Justices of the Peace.

And whereas, by our Proclamation, bearing date the 21st day of June 1800, we did create and constitute Courts called Fiscal's Courts (whereof the Fiscal for the Time being was President) for such Purpose and with such Powers, Authorities, and Jurisdictions, as well Civil as Criminal, as in the said Proclamation are mentioned, which Powers, Authorities, and Jurisdictions we did afterwards, by sundry subsequent Proclamations, alter and extend; and whereas, for the Reasons herein before mentioned, it is Expedient that the said Courts should no longer bear the Style or Appellation of Fiscal's Courts, we do therefore hereby direct, and appoint, that the several Courts now called Fiscal's Courts, shall from and after the Publication hereof, be called, "The Courts of the Justices of the Peace" and shall be held by and before such Persons, as now are or hereafter, from Time to Time, may be, by us or our Successors, appointed during Pleasure, to constitute the Same.

And we do hereby grant, direct, and appoint, that the said Courts to be called Courts of the Justices of the Peace, shall continue to have and exercise, within their respective Local Jurisdictions, all and every the Powers, Authorities, and Functions, as well Civil as Criminal now, vested in and lawfully exercised by the said Fiscal's Courts, as the same are peculiarly set forth and specified in our Proclamation of the 13th day of February last, and shall assemble, meet, and sit, in such Manner and at and for such Times and Periods, as the said Fiscal's Courts, by the Regulations now in force respecting the same, do assemble, meet, and sit.

And whereas, although it be the duty of all Justices of the Peace and Magistrates whatsoever of these Settlements, to maintain Peace and Good Order within the Same, and to administer the Law so far as to such their Office and to their respective Jurisdiction may appertain, it is nevertheless expedient, that in Towns, Stations and Populous Places, there should be some one Magistrate or Justice of the Peace, whose more Peculiar Charge and Duty it should be to watch over the Police, to give daily attendance and sit at all Convenient Hours in some certain Public Place, or Office, for the Examination and Commitment of Offenders, the hearing, trying, and punishing of Smaller Offences, and in general for the more ready exercise of all the Functions of Magistracy:

And whereas, by virtue of their said Office, the Fiscals by us heretofore appointed as aforesaid, have hitherto discharged the said Functions and duties:

And whereas, by the herein before mentioned Limitation of the said Office of Fiscal to the purposes of His Majesty's said Charter, it hath become necessary to make other Provisions for executing and discharging the said several Matters, we do therefore hereby establish and declare, that all such Towns, Stations, and Places, as we think fit, there shall be a Person, being a Justice of the Peace, to be appointed by us, and who shall be called the Sitting Magistrate, at and for such Towns, Stations, and Places respectively, and the Environs and Dependencies thereof, and who, by virtue of his Office shall give such Daily Attendance, and exercise, and perform such Duties and Functions as are herein above mentioned, and as have hitherto belonged and been competent to, and incumbent upon, and have been exercised and performed by the said Fiscals, by virtue of their Office as aforesaid; and such persons to be appointed, shall, in the absence of the President for the time being of the said Courts of the Justices of the Peace, act as President thereof, and summon the Members of the said Courts to assemble and sit for business, in like manner as hath been hitherto done by the said Fiscals.

Given at Colombo, the 25th day of June 1802.

By His Excellency's Command,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By order of the Council,  
GEORGE ARBUTHNOT,  
*Sec. to the Council.*

### PROCLAMATION.

Proclamation 14th July 1802

**W**HEREAS by our Proclamation, bearing date the 1st day of March 1802,\* it is amongst other things directed, that "no Deed of Property shall be valid, unless it be authenticated by a Figure or Map issued from the Office of the Surveyor General," and farther that "Whenever a new Title Deed becomes necessary, in Consequence of any Sale, Transfer, Donation, Devise or Inheritance, a new Survey, according to the then late established Form, must be applied for by the Person so entitled, and such application entered in the Journal of the Surveyor of the District:

"And whereas, from the small number of Surveyors at present in these Settlements, the aforesaid Regulations have been found not only inconvenient, but in many cases impracticable, We do therefore hereby repeal the above cited Clauses of our said Proclamation of the first day of March, 1802, and every thing therein contained.

Given at Colombo the Fourteenth day of July in the Forty-second Year of His Majesty's Reign, and of our Lord 1802.

By His Excellency's Command,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,  
GEORGE ARBUTHNOT,  
*Sec. to the Council.*

\*None.—This Proclamation is not forthcoming.

## PROCLAMATION.

*(Annulled by Charter of 18th February 1833.)*

WHEREAS for the reasons and purposes set forth and declared in the Preamble of our Proclamation, bearing date the Twenty Fifth day of June last, it appears to us, that all Civil Jurisdiction, now competent to the Civil Court of Jaffnapatnam, and the Landraads of Manaar and Molletivoë respectively, may be more conveniently exercised by one Tribunal only, We do therefore direct, ordain, and appoint, that from and after the First Day of September, next ensuing, there shall be at Jaffnapatnam aforesaid, a Court of Civil Jurisdiction, which shall be styled the Provincial Court of Jaffnapatnam, and shall consist of, and be held by and before such Judge or Judges, as we or our Successors, Governors or Lieutenant Governors of the said Settlements and Territories, shall for that Purpose, from Time to Time, appoint during pleasure; which Court shall and may, and the same is hereby empowered and authorized, to take Cognizance of, hear, try, and determine, all Causes, Actions, Suits, and matters whatever, which now are competent to the said Civil Court of Jaffnapatnam, the said Landraads of Manaar and Molletivoë respectively.

PROCLAMATION 13th June 1802.

And we ordain, direct, and appoint, that from and after the said First Day of September, the Powers, Authorities and Jurisdictions vested in the said Civil Court of Jaffnapatnam and the Landraads of Manaar and Molletivoë respectively, shall cease, determine, and be no longer exercised by the said Courts; but the same shall, and may be exercised by, and are hereby accordingly granted and transferred to, and vested in the said Provincial Court of Jaffnapatnam in like manner, to all Intents and Purposes whatever, as the Functions of the late Civil Court of Colombo were and are, by virtue of the 78th and 79th Sections of His Majesty's Royal Charter or Letters Patent, establishing the Supreme Court of Judicature on the Island of Ceylon, transferred to, and vested in the said Supreme Court.

Given at Point de Galle, the Twelfth day of July, in the Forty-second Year of His Majesty's Reign, and of our Lord 1802.

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

GEORGE ARBUTHNOT,  
*Sec. to the Council,*

## PROCLAMATION.

*(Annulled by Regulation No. 5 of 1830.)*

WHEREAS by a Proclamation dated the Third day of May 1800, by which we abolished Tenure by service, we reserved to ourselves and our Successors, Governors or Lieutenant Governors of Ceylon, the right of employing the Inhabitants of these Settlements in such public Services as are analogous to their Customs and Habits of life, they being duly paid for the same.

Proclamation 2d October 1802

And whereas the Moormen and Chitties, settled within these Territories, have in former Times for the most Part been used to work as Coolies and Labourers in the public Service, and to pay the duty of Ouliam to Government.

And whereas they have lately by their laudable Industry, acquired considerable riches, and many of them are desirous of being relieved from the obligation of Public Service, we do hereby make known and declare.

That any Moorman or Chittie above Fifteen and under Sixty Years of age, not having borne the Commission of Officer in the Service of this Government or the late Dutch East India Company or not being actually employed in the Civil or Military Service of this Government, who shall wish to be exempted from any call for Personal Labour on the Public Works, shall receive from the Office of the several Agents of Revenue and Commerce throughout these Settlements, a License under the Hand of the Agent of Revenue and Commerce of the District, or his Assistants, exempting the said Persons therefrom, for the space of Six Calendar Months from the Date of the said License on Payment of Four Rixdollars at the Office from which he shall receive it.

Provided always that nothing herein contained shall be construed to extend to such cases of Public Danger and Emergency as will make it the Interest as well as the Duty of every Individual to exert himself personally for the Public safety.

And we enjoin all Officers, Civil and Military, all Native Headmen, and others whom it may concern, to pay due Attention to the Directions contained in this our Proclamation, and the Privileges intended thereby to be conferred, as they will answer the Contrary at their Peril.

Given at Colombo, the 2d Day of October, 1802.

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

GEORGE ARBUTHNOT,  
*Sec to the Council.*

## P R O C L A M A T I O N .

*(Annulled by Charter of 18th February 1833.)*

P R O C L A M A T I O N 10TH NOVEMBER 1802.

WHEREAS, for the Reasons and Purposes set forth and declared in the preamble of our Proclamation, bearing Date the Twenty Fifth Day of June last, it appears to us that all Civil Jurisdiction now competent to the Landraads of Trincomalie and Batticaloa respectively, may be more conveniently exercised by one Tribunal only, we do therefore direct, ordain, and appoint that from and after the First Day of January next, 1803, there shall be at Trincomalie aforesaid a Court of Civil Jurisdiction which shall be styled the Provincial Court of Trincomalie, and shall consist of and be held by and before such Judge or Judges as we, or our Successors, Governors, or Lieutenant Governors of the said Settlements and Territories, shall for that purpose, from Time to Time, appoint during pleasure, which Court shall and may, and the same is hereby impowered and authorised to take Cognizance of, hear, try, and determine all Causes, Actions, Suits, and Matters whatsoever, which now are competent to the said Landraads of Trincomalie and Batticaloa respectively, and we do further direct and ordain that the said Provincial Court of Trincomalie hereby established, shall, in each Year, hold two Sessions at Batticaloa aforesaid.

And we do further ordain, direct and appoint, that from and after the said First Day of January, the Powers, Authorities and Jurisdiction vested in the said Landraads of Trincomalie and Batticaloa respectively, shall cease, determine, and be no longer exercised by the said Courts, but the same shall and may be exercised by, and are hereby accordingly granted and transferred to and vested in the said Provincial Court of Trincomalie, in like Manner to all Intents and Purposes whatever as the Functions of the late Civil Court of Colombo were and are, by Virtue of the 78th and 79th Sections of His Majesty's Royal Charter, or Letters Patent, establishing the Supreme Court of Judicature in the Island of Ceylon transferred to and vested in the Supreme Court.

*Given at Colombo, the 10th Day of November, 1802.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Acting Sec. to the Council.*

## P R O C L A M A T I O N .

*(Annulled by Charter of 18th February 1833.)*

P r o c l a m a t i o n 10th November 1802.

WHEREAS by the eleventh Paragraph of our Proclamation of the Fifth Day of June last, we did establish and declare, that at all such Towns, Stations, and Places as we should think fit, there should be a Person, being a Justice of the Peace, to be appointed by us, and who should be called the Sitting Magistrate at and for such Towns, Stations, and Places respectively, and the Environs and Dependencies thereof, and who, by virtue of his Office, should give such daily Attendance, and exercise and perform such Duties and Functions as are therein mentioned; and as by the said Proclamation more fully appears: And whereas such Sitting Magistrates have been appointed, and are now acting at the several Towns, Stations, and Places, and whereas it appears to us that the said Office of Sitting Magistrate may be rendered more beneficial to the Public, by vesting in it a Power to try and determine Civil causes to a certain Amount, we do therefore hereby, in pursuance of the Powers vested in us by His Majesty, empower and authorize the said Sitting Magistrates respectively, within their several Jurisdictions, to hear, examine try and determine, in a summary manner, all claims and Demands arising upon any Dealings and Contracts (Pleas of Land excepted) in which the Sum or Matter in dispute shall not exceed Fifty Rix-Dollars.

*Given at Colombo, the Tenth Day of November 1802.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Acting Sec. to the Council.*

## P R O C L A M A T I O N .

*(Annulled by Charter of 18th February 1833.)*

P r o c l a m a t i o n 10th November 1802.

WHEREAS by the 54th Section of His Majesty's Royal Charter, or Letters Patent, bearing date at Westminster the 18th day of April 1801, in the 41st Year of His Majesty's Reign, it is provided that the Jurisdiction in Matrimonial causes, thereby committed to the Supreme Court of Judicature in the Island of Ceylon, shall not extend or be construed to extend to or over the Natives thereof, or Persons usually known and distinguished in India by the appellation of Natives: and whereas it is expedient, to prevent a failure of Justice, that Jurisdiction in Matrimonial causes, and in matters of cast, arising between Natives of the said Island, or Per-

sons, usually known and distinguished in India by the appellation of Natives, should be exercised by the several Provincial Courts now existing in the said Island; We do hereby direct and ordain, that from and after the First Day of January next ensuing, it shall be competent to the said Provincial Courts, within the Limits of their respective Jurisdictions, to take cognizance of, try, hear, and according to the Laws and Usages of the Nation, Sect. or Cast of the Parties respective litigant, to determine all Matrimonial causes, contests, suits, and business, and all matters or questions of cast arising between Natives of this Island or of India.

PROCLAMATION 10<sup>th</sup> NOVEMBER 1802.

Provided nevertheless, that in all such Matrimonial Contests as aforesaid, and in all such Matters or Questions of Cast aforesaid, wherein a Pecuniary Interest to the value of 300 Rixdollars is involved, an Appeal from the Determination of the said Provincial Courts shall lie to the High Court of Appeal in this Island, subject to such Limitations and Regulations for prosecuting the same as are directed to be observed in other Cases of Appeal.

And provided also, that where no Pecuniary Interest is involved, but the Matter in Contest, in such Suits as aforesaid, is merely a Question of Honour or Precedence, or of Religious Obligations, the Party against whom such Question shall have been decided, shall be at Liberty to apply to us by Petition for Redress, within Fourteen Days after such Decision shall have been made.

Provided always that nothing herein Contained shall be construed to affect the Powers and Authorities vested by His Majesty's said Charter in the said Supreme Court of Judicature, as to Matters of Cast and Inheritance.

*Given at Colombo, the 10th Day of November, 1802.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

#### PROCLAMATION.

**W**HEREAS by the 10th Section of our Proclamation, bearing Date 13th of August 1802,\* We did declare and publish that all Stamps required for the Pleadings, or other Proceedings whatsoever, in Civil Suits before any of the Courts of Original Jurisdiction throughout these Settlements, or for the Copies of such Pleadings or other Proceedings, or for Acts, Extracts or Copies of any kind, made or granted in the Course of any Civil Suit by the said Courts, or the Officers of the same, should for the present and until further Order in this behalf, be wholly remitted and excused.

Proclamation 13th November 1802.

And whereas the Reasons for such remission have now ceased, we do hereby repeal and annul the said 10th Clause or Section herein above recited, and every Matter and Thing therein contained.

*Given at Colombo the 13th Day of November, 1802.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

#### PROCLAMATION.

*(Annulled by Charter of 18th February 1833.)*

**W**HEREAS by our Proclamation given at Colombo, the 22d Day January 1801, we did establish and ascertain the Fees and Costs to be taken and levied in the several Courts of Landraad in this Island, and did apportion the said Fees among the Secretary and Officers of the said Courts, And whereas it is expedient that the said rates of Fees and Costs should be altered, and a new Table of Fees and Costs framed for the several Provincial Courts now established in this Island, and that such Fees, except in certain Cases for executing Process, should be paid into our Treasury for the Use of Government, we do hereby publish and ordain, that from and after the First Day of January next, all and singular the Fees and Costs now demanded and paid in the said Provincial Courts shall cease and be abolished. And that the Fees and Costs henceforth to be allowed and taken for all and singular the Process and Business of the said Courts, to and by the Secretaries, Officers and Clerks belonging thereto, and the Proctors employed therein, shall be regulated by, and pursuant to such Table of Fees and Costs as shall be framed and promulgated by us, and transmitted by our Authority to the said Provincial Courts subject to any variation which we from Time to Time may deem it proper to make therein, which Table

Proclamation 13th December 1802

PROCLAMATION 18TH DECEMBER 1802.

of Fees and Costs, together with the necessary Translations thereof, shall be hung up in a conspicuous part of the Court-room and Office of the said Provincial Courts respectively, and we do farther direct and ordain that the several Secretaries, Officers, and Clerks, by whom such Fees shall be received, shall make regular entries of the same, and at the end of every Month deliver in an Account thereof upon Oath to the said Provincial Courts, and duly Account for the same, and for the Fines and other Monies which shall come into their hands as Secretaries, Officers, and Clerks of the said Courts, and we do hereby further direct and ordain, that all such Fines and Fees, except the Fees for executing Process, which shall in the said Table be excepted, shall be transmitted and paid at the end of every Month to our Vice Treasurer for the Time being at Colombo, to be applied to the Use of Government, and we do hereby direct and ordain that any Secretary, or other Officer or Clerk of our said Courts, wilfully taking or claiming, on any Pretence or Expedient whatever, any higher or other Fees than shall be established by the said Table of Fees, or giving a false Account of the Fees and Monies actually received by him, or failing for three Months to render a correct Account, shall be dismissed from his Employment, and be incapable of serving this Government in any Capacity; and any Proctor employed in the said Provincial Courts, who shall exact or take higher, or other Costs, than the Costs to be in manner aforesaid established, shall forfeit his Licence to practice in such Courts.

And whereas it hath been represented to us that sundry Persons are in the habit of practising in the said Provincial Courts as Proctors, without any permission for that Purpose, We do hereby further enact and ordain, that from and after the 1st Day of January next, no Person shall be allowed to act professionally in the Capacity of a Proctor in any Provincial Courts, who shall not have been admitted and his name Registered in the said Courts, by a Licence to be granted by us for that Purpose, and that every such Proctor, before his admission, shall take an oath, that he will act truly and honestly in those Capacities, according to the best of his Skill and Knowledge, and conformably to the Rules and Orders of the said Courts.

Given at Co'ombo, the Thirteenth Day of December, in the Forty-second Year of His Majesty's Reign and of our Lord 1802.

By His Excellency's Command,

ROBERT ARBUTHNOT,  
Chief Sec. to Govt.

By Order of the Council,

R. PLASKET,  
Act. Sec. to the Council.

## PROCLAMATION.

(Repealed by Regulation No. 6 of 1820.)

Proclamation 30th December 1802.

**W**HEREAS the present mode of charging and computing the several Duties of Customs is defective, inadequate, and various at the different Ports of this Island:

We do therefore hereby direct and ordain, that from and after the 1st day of February, One Thousand Eight Hundred and Three, all and singular the Customs, or Impositions of this Government, by virtue of any Proclamation or Proclamations, Advertisement, or Advertisements, Law, Usage, or Custom now in force upon the Importation of any Goods, Wares, or Merchandize into this Island: or upon the exportation of any Goods, Wares, or Merchandize from this Island; or upon Goods, Wares, or Merchandize being brought or carried Coast-ways, or from Port to Port within this Island, and the Drawbacks allowed upon the Exportation of any Goods, Wares, or Merchandize from this Island, or on any other Account whatever respecting the Duties of Customs, shall cease and determine, save and except in all Cases relating to the recovering or allowing any arrears thereof respectively, which may, on the 1st day of February 1803, remain unpaid; or to any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures, relating thereto respectively, which shall have been incurred before the 1st February 1803.

And whereas it is necessary that other Duties of Customs should be imposed and levied by the Government, in lieu of the existing Duties, we do hereby further appoint and declare, that from and after the 1st day of February 1803, there shall be raised, levied, collected, and paid to Government (except as hereinafter is provided) upon the Importation of Goods, Wares, or Merchandize, into this Island from Parts beyond the Seas, or upon the Exportation of any Goods, Wares, or Merchandize from this Island, or upon any Goods, Wares, or Merchandize brought or carried Coast-ways, or from Port to Port within this Island, the several Duties of Customs, as the same are respectively inserted, described, and set forth in the Schedule hereunto annexed, marked A; and that there shall be paid and allowed the Drawback of the said Duties of Customs, as the same is also inserted, described, and set forth in the said Schedule.

Provided always that nothing hereinbefore contained, shall extend, or be construed to extend, to alter or any ways affect the Toll on Merchandize of 5 per cent ad valorem, now payable on passing the Port of Manar, or to subject to any Duty of Customs such Goods, Wares or Merchandize, imported into this Island, as shall have paid the said Toll.

Provided also, that nothing herein contained shall extend, or be construed to extend, to subject any Cattle, Sheep, Goats, Poultry, or Grain of any Description, imported into this Island, to the payment of any Duty, Charge or Imposition whatever.

And provided likewise, that the Duty specified and set forth in the said Schedule marked A. to be levied and paid upon the Exportation of Chank and Chaya-root from this Island, shall not affect or be levied upon any Chank or Chaya-root which shall be exported on or before the 1st May 1803.

And whereas the Duties of Customs on many Goods, Wares, and Merchandise, in the said Schedule hereunto annexed, marked A. are appointed to be levied ad valorem, it is hereby di-

acted and ordained, that in such Case the Value and Price of such Goods, Wares, and Merchandize shall be ascertained by Oath before a Justice of the Peace, and the Duty of the Customs be paid thereon according to such Verifications.

PROCLAMATION 20TH DECEMBER 1802.

And the better to prevent Frauds upon the Revenue, it shall and may be lawful for the Custom Master, or other proper Officer of the Customs, to open, view, and examine such Goods, Wares and Merchandize, paying Duty ad valorem, and to compare the same with the Value and Price thereof sworn to: and if upon View and Examination it shall appear to him that such Goods, Wares, and Merchandize are not estimated by such Oath according to the true and just Price thereof, that then and in such Case the Person entering such Goods shall, on demand made in Writing by the Custom Master of the Port where such Goods, Wares and Merchandize are entered, deliver or cause to be delivered, all such Goods, Wares, and Merchandize into the Government Warehouse for the Use and Benefit of this Government, and upon such delivery the Custom Master of such Port shall pay to such Importer or Proprietor the amount of such Goods, Wares and Merchandize, according to the Valuation so sworn to as aforesaid, together with an addition of the Customs and other Duties paid for such Goods, and of 15 per cent over and above the Valuation, taking a Receipt for the same from such Person in full satisfaction for the said Goods, as if they had been regularly sold, and the respective Custom Masters shall cause the said Goods to be fairly and publicly sold, on account of Government, for the best advantage.

And we do hereby further direct and command, that any Quantity of Cinnamon, being the produce of Ceylon, exceeding Twenty Pounds in Weight, found on Board any Ship, Vessel, or Boat, which has not been shipped under the express Authority of Government, shall be confiscated, together with the Ship, Vessel, or Boat, and all her Cargo, for the Use of Government, and that for every Pound of Cinnamon, less than the quantity of Twenty Pounds, which may be found on Board any Ship, Vessel, or Boat, without proper authority for receiving the same a penalty of Fifty Star Pagodas shall be paid, for Payment of which such Ship, Vessel or Boat shall be liable.

Provided that nothing herein contained shall extend, or be construed to extend, to, or to affect any Ship or Vessel which may arrive at any Port of this Island, having on board a small Quantity of Cinnamon for Medical or other Uses of the Ship, the Master or Commander of which shall, within 24 Hours after the arrival of the said Ship or Vessel, notify the same in writing to the Custom Master at the Port of his Arrival, specifying the Quantity on board: nor to any Ship or Vessel having on board Cinnamon, being the produce of any Island or Place other than Ceylon, such Master or Commander duly proving, by sufficient Documents and Evidence, that such Cinnamon is the Produce of any such Island or Place, and of what in particular, provided also that no such Cinnamon shall be unladen or landed, under any Pretence whatever, without the Permission of Government first had and obtained.

And we do hereby prohibit and disallow the Importation of Salt, Saltpetre, Sulphur, Gunpowder, Lead, Ammunition and Arms, from any Place or Places beyond the Seas, into any part of this Island, without the express Permission of Government, under the Hand of the Chief Secretary of Government, for that Purpose first had and obtained.

Provided always that such Prohibition shall not extend, or be construed to extend, to Salt brought to any Port of this Island by Donies and such other small Vessels or Craft, from any part of the Coast of Coromandel, South of the River Coleroon, for the Purpose of Ballast.

And we do hereby direct and ordain, that such Foreign Salt, brought as Ballast, in the manner aforesaid, shall and may continue to be imported into any Part of this Island, after the same shall have been duly entered at the Custom House, on condition that the same shall immediately upon its being landed be delivered into the Custody of the Custom Master, or of such other Person as Government shall appoint to receive the same, for the Account and Use of Government, for which Salt so delivered the Owner shall be paid by Government at the rate of Ten Rix Dollars, Ceylon Currency, per Last.

And we do hereby further direct and ordain, that all Foreign Salt, Saltpetre, Sulphur, Gunpowder, Lead, Ammunition and Arms, which shall be imported into any Part of this Island, or unshipped with that Intent, without such express Permission previously obtained, or which shall not be entered and delivered for the Use of Government in manner aforesaid, shall be confiscated, and shall and may be seized by any Officer, Peon, or other Servant of the Customs; and all Persons who shall wilfully engage or contract for the Purchase of Foreign Salt landed in this Island, contrary to this Proclamation, or assist in the landing, or harbouring, or concealing the same when landed, shall forfeit treble the Value of the Salt to be landed or deposited, and shall also be adjudged to suffer One Month's Imprisonment.

And we do hereby ordain and establish, that it shall and may be lawful for any Officer of the Customs, producing his or their Warrant or Deputation, or Warrants or Deputations if required, to go on board and enter into any Merchant Ship or Vessel which shall be within the Limits of any of the Ports of this Island, and to search all parts of such Ships or Vessels for prohibited and uncustomed Goods; and such Officer and Officers is and are hereby authorized and empowered to stay and remain on board all such Ships and Vessels, during the whole time that the same shall continue within the Limits of any such Port as aforesaid, and if any Person or Persons shall obstruct, oppose, molest and hinder, any Officer or Officers of the Customs in going and remaining on Board any such Ship or Vessel, or in entering and searching any Part thereof, every such Person or Persons shall, on conviction before the Court of Justices of the Peace, or the Sitting Magistrate, be liable to be punished by Fine and Imprisonment according to the Nature of the Offence.

And we do hereby further direct and appoint, that all Goods, Wares, or Merchandize, for which the Duties of Customs are due and payable to this Government, shall be regularly entered at the Custom House of the Port where the same shall be imported or exported, and all and every such Goods, Wares, or Merchandize, which shall be landed or shipped, or be attempted to be landed or shipped, without having been regularly entered as aforesaid shall be confiscated.

And we do hereby further direct and ordain, that if any Goods, Wares, or Merchandize, for which the Duties of Customs are due and payable to this Government, shall be conveyed on board any Ship or Vessel, before the Customs thereof be paid, and shall escape discovery,

PROCLAMATION 30TH DECEMBER 1802.

in such Case, the Owners or Proprietors of such Goods, Wares, or Merchandize, or other Person or Persons who shall have so shipped or caused the same to be shipped and transported, shall forfeit double their Value.

And we do further direct and ordain, that if any Goods, Wares, or Merchandize, shall be shipped or put on board to be carried Coast ways to any other Place within this Island, without a Certificate or Warrant, specifying such Goods and their Packages, first had and obtained from the Person or Persons who is or shall be appointed for managing the Customs at the Port where the same was shipped, all such Goods, Wares, and Merchandize, uncertified, shall be confiscated.

And we do hereby further direct and ordain, that from and after the said First Day of February, 1803, all Boatmen, Peons, Cartmen, Coolies, and other Persons whatsoever concerned in conveying or carrying any Goods, Wares, or Merchandize prohibited or clandestinely imported, upon whom or in whose Custody the same shall be found or seized, knowing the same to be prohibited, or to have been clandestinely imported without Payment of the Duties of Customs, and who shall be thereof lawfully convicted before any Justice, or any Court of Justices, of the Peace of the District, Division, or Town, where such Offence shall be committed, or the Offender found, shall forfeit treble the Value of all such Goods so found and seized, to be levied upon the Offender's Goods or Effects, by Warrant under the Hand or Hands of such Justice, or Court of Justices, he or she whom such Offender shall be convicted as aforesaid, and for want of such Goods or Effects every such Offender shall, by such Justice or Court of Justices, be committed to Prison, to be kept to hard Labor any Time that such Justice, or Court of Justices, of the Peace shall, in his or their Discretion, Judge meet, not exceeding Three Months, and once during such Confinement to be publicly whipped.

And we do hereby further direct and ordain, that if any of the Officers or other Persons appointed or employed in or about the Customs of this Island shall, directly or indirectly, take or receive any Bribe, Recompence, or Reward whatsoever, or connive at any false Entry of any Goods, Wares, or Merchandize, whereby the Government of this Island shall be defrauded, or assist or connive at the Importation or Exportation of any Goods prohibited to be imported or exported into or out of the Island, the Person or Persons therein offending shall, in every such Case forfeit a Sum not exceeding 500 Rixdollars, and be for ever afterwards incapable of holding any Office or Employment under this Government. And Merchants, Mariners, or other Person or Persons who shall give or pay such Bribe, Recompence, or Reward as aforesaid, shall for every such Offence forfeit a Sum not exceeding 1000 Rix-dollars.

#### SCHEDULE A.

A Schedule of the Net Duties payable on the Importation into this Island of all Goods and Merchandizes, and of the Drawbacks to be allowed on the Exportation of Cloth from this Island.

Also the Net Duties payable on the Exportation of all Goods and Merchandizes from this Island. And likewise of the Net Duties payable on Goods and Merchandizes brought or carried Coast-ways, or from Port to Port within this Island.

#### INWARDS.

On all Cloths imported 20 per Cent to be deducted from the Market Price for the Profit; and 7½ per Cent to be charged on the Remainder.

Cloths having paid an Import Duty, and remaining unsold in the Hands of the Importer, to be allowed a Drawback of one half of the Duty on their being exported.

On all Goods imported from foreign Europe and from China, 60 per Cent to be added to the Invoice Price, and a Duty of 2½ per Cent to be levied upon the Aggregate.

On all Goods imported from the United Kingdom of Great Britain and Ireland on British Ships, and from America on American Ships, a duty of 2½ per Cent, to be levied on the Invoice Price without adding a per Centage.

On all other Merchandize imported, 10 per Cent to be added to the Invoice Price, and a Duty of 2½ per Cent to be levied upon the Aggregate.

#### OUTWARDS.

Areca Nuts, 10 Rixdollars per Ammonam of 24,000 Nuts.

Arrack, 8 Rixdollars per Leager of 150 Gallons.

Coffee, 5 per Cent ad Valorem.

Calamander Wood, 50 per Cent ad Valorem.

Cardemoms, 5 per Cent ad Valorem.

Cut Areca Nuts 5 per Cent ad Valorem.

Chanks, 5 per Cent ad Valorem.

Chaya Root, 5 per Cent ad Valorem.

Cocoa Nuts, Cocoa Nut Oil, Copperas, exported from Calpetyyn, and Putlam, 25 per Cent ad Valorem; from Jaffna, Manaar, Werteltivoo, and Mulletivoo, 15 per Cent ad Valorem; from Trincomalie, Colombo, Chitlaw, Galle and Matura, 5 per Cent ad Valorem.

Coir, 5 per Cent ad Valorem.

Ebony, 50 per Cent ad Valorem.

Fruits of Sorts, exported from Jaffna, Manaar, Werteltivoo and Mulletivoo, 15 per Cent ad Valorem, from all other Ports 5 per Cent ad Valorem.

Gingely Seed, 10 per Cent ad Valorem.

Gingely Oil, 10 per Cent ad Valorem.

Illipany Seed, and its Oil, 10 per Cent ad Valorem.

Jugery, at Jaffna, Manaar, Werteltivoo, Mulletivoo, Calpetyyn and Putlam, 16 per Cent ad Valorem, elsewhere 5 per Cent ad Valorem.

Margose Seed, 10 per Cent ad Valorem.

Margose Oil, 10 per Cent ad Valorem.

Palmyras, 25 per Cent ad Valorem.

Planks, 25 per Cent ad Valorem.

Pepper, 8 per Cent ad Valorem.

Reepers, 25 per Cent ad Valorem.

Ream Wood, 50 per Cent ad Valorem.

Salt, one Pice per Farrah.



Salt Fish exported from Calpety and Putlam. Manaar, Werteltivoo and Mulletivoo, 15 per Cent ad Valorem, from the other Ports 5 per Cent ad Valorem.  
 Satin Wood, 50 per Cent ad Valorem.  
 Staves, 25 per Cent ad Valorem.  
 Timber, except Sorts enumerated, 25 per Cent ad Valorem.  
 Tobacco, one Bale in four.  
 On all other Goods and Merchandize whatever, not being particularly enumerated or described, or otherwise charged with duty, and the Exportation of which is not prohibited by Law, 5 per Cent ad Valorem.

PROCLAMATION 30TH DECEMBER 1802.

COAST-WAYS.

Goods, the Produce of the Island, exported Coast-ways, to pay the Export Duty, but no further Duty on being landed.

All Goods exported from one Port of the Island to another, having paid an Import Duty, to be subject to no other.

Given at Colombo, the Thirtieth Day of December, 1802.

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

PROCLAMATION.

**W**HEREAS it appears to us that the Funds now administered by the Several Deaconries may be more conveniently administered by the several Sub-Committees of Superintendence which have been from Time to Time established by us throughout the British Settlements and Territories on this Island. We do therefore direct and appoint that from and after the First day of February next, all such Funds appropriated for the Maintenance and Support of the Poor, as may now be under the Management and Controul of the said Deaconries, shall be transferred and made over by the said Deaconries to the said Sub-Committees of Superintendence with all convenient speed.

Proclamation 30th December 1802.

Given at Colombo, the Thirtieth Day of December, 1802.

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief. Sec. to Govt.*

By order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

PROCLAMATION.

(Annulled by Charter of 18th February 1833.)

**W**HEREAS Disputes and Litigations daily arise in these Settlements amongst the Families of deceased Natives concerning their Property, and whereas we have Reason to believe it would be in some Degree prevented by establishing, as to Cases not otherwise provided for by His Majesty's Charter, a general authentic Form whereby, on the Death of any Native Inhabitant, the Amount and Particulars of His or Her Estate, the Kindred entitled to the same, and the Shares of each duly ascertained, and that when such Estates exceed the Sum of 100 Rix-dollars, or are not subject to the Civil Jurisdiction of the Courts of the Justices of the Peace, the Possession thereof may be delivered according to Law, or if the Case so require, may be committed to temporary Management under proper Stipulations and sufficient Security.

Proclamation 30th December 1802.

1. We do hereby publish and declare, that we will forthwith and from Time to Time hereafter, as Occasion shall require, issue Commissions for the Purposes aforesaid, to such proper Persons, as well Europeans as Natives, at and for the several Stations and Districts of these Settlements (except as herein after excepted) which Persons so appointed shall be styled "The Board of Commissioners for Securing the Estates of Natives." And for carrying into effect the Purposes of this Proclamation, and for the due Execution of the Trusts thereby given and reposed in the said Board of Commissioners, we do hereby ordain and direct that the said Boards shall and may possess and exercise against Persons contumaciously neglecting or refusing to obey the Process and orders of that Board, such Powers of Fine and Imprisonment, and to such Extent as may be lawfully exercised by the Courts of the Justices of the Peace, in Cases competent to their Jurisdiction.

2. And we do hereby ordain, establish, and command, that on the Death of any of the Natives of these Settlements, or Persons commonly known and distinguished in India by the Appellation of Natives, the principal Person surviving and present, of the House or Family where such person shall have died, shall forthwith give Notice thereof to the Board of our Commissioners, if such Death shall happen at any principal Town or Station, where any Board of our Commissioners aforesaid shall be actually established, or in the Precincts or Vicinity thereof, otherwise shall give notice thereof to the Headman or Schoolmaster of the Village in which, or next to which, the same shall have happened, or to the Headman of the Cast or Class of the Person deceased.

Proclamation 30th Decem-  
ber 1802.

3. And that in the former case three of the Native Commissioners of such Board, to be taken in Rotation, and whereof the Headman of the cast or class of the Persons deceased to be always one, and in the latter case, the Headman and Schoolmaster of the Village, and the Headman of the cast or class of the deceased, shall immediately on receiving such Notice as aforesaid, proceed to the House where such Death shall have happened.

4. And the said Native Commissioners, or the said Native Headmen, as the cases may be (who shall respectively be called Visitors) shall then and there carefully inquire and ascertain, by Interrogatories, to be by them the said Visitors exhibited to such Persons by whom the truth may be best known the exact time of the Person's Death, the cause thereof, the Condition of the Party deceased, that is to say, whether of age or a minor, and whether married or otherwise, His or Her Estate and Effects, and Property moveable or immoveable, with the Amount, Value or Description thereof, and in whose Hands or Possession the same may be, and whether the Person died Intestate or made any Will, and what kindred the Deceased hath left, with their Names; and if it shall appear that the said Person died Intestate, then the shares to which, according to the Laws and Customs of the deceased's Cast or Class, such kindred are respectively entitled of the real and personal Estate, and whether such Persons are Minors or otherwise, and whether present, or at a distance, and where.

5. And the said Visitors shall seal or otherwise secure all moveable Property belonging to the Deceased, so that the same may not be stolen, embezzled, or lost.

6. And the several Facts and Particulars aforesaid being so enquired of and ascertained, and the moveable Property so secured as aforesaid, the said Visitors shall reduce to writing a Report thereof, which they, the said Visitors, shall sign and cause to be signed by the several Persons so examined as aforesaid, and witnessed by the Persons who shall be present at the said enquiry, and forthwith transmit such Report to the Sitting Magistrate, if it take place in a station where one be established, and if not to the Modliar or other Chief of the Corle or District, who shall forward it forthwith to the Board of Commissioners at or for the Station or District where such Death shall have happened.

7. And in case any or either of our said three Native Commissioners, or the Native Officers of the Village, as herein before mentioned, shall not be present at the said inquiry, the Report shall set forth the reason of their absence respectively. And if by such Report it shall appear that the Estate of the Deceased exceeds the sum of One Hundred Rixdollars, or by its Nature is not subject to the Civil Jurisdiction of the Court of Justices of the Peace, and that the Party deceased was domiciled at the station or within the District of the said Board of Commissioners, they the said Commissioners shall, as soon as may be, cite all Parties, kindred of the said Deceased, and shall cause Public Notice and Proclamation to be made to all others, in general, being or claiming to be interested in the said Estate, to appear at a certain Time and Place to be specified by such Citation and Public Notice, then and there to produce the last Will and Testament of the Deceased, if any there be, or otherwise to state their respective Claims to the Estate of the Deceased.

8. And if the Deceased shall not have been domiciled at the Station or within the District of the said Board of Commissioners, they shall transmit the said Report to the Commissioners at whose Station or within whose District the said Party deceased shall have been domiciled, which Board last mentioned shall cause a like Enquiry as before to be had at the domicile of the Party deceased, and a Report to be made thereof, and shall further proceed in such manner as is herein before provided.

9. And the several Parties so appearing before the proper board of Commissioners, the said Commissioners, in case the Party deceased shall have died Intestate, shall hear, receive, and reduce to Writing, the Claims of the Kindred respectively to the said Estate.

10. And where any of the said Claimants shall be of Minor age the said Commissioners shall appoint and authorize the next of kin or those who by the Laws and usages of the Cast or Class of the Deceased would be the Guardians of such Minors, to act for them in this behalf.

11. And in Case of Dispute as to the Guardianship of such Minors, the same shall be granted by the said Commissioners, subject to the Decision of the Provincial Courts as to such Appointment.

12. And if the said Parties, or who being duly warned as aforesaid shall appear, together with the Minors so represented as aforesaid, shall agree concerning their respective Rights, Claims and Shares in the Estate, such their Agreement shall be reduced to Writing, and subscribed by the Parties so agreeing.

13. And if the said Parties shall not agree concerning the whole of the said Estate, but touching some particular Part or Parts thereof, such their Agreement shall be taken, reduced to Writing and subscribed in like manner.

14. And thereupon the Board of Commissioners shall order the Shares of Minors, and Parties not present, to be deposited or committed, under security, to the Management of proper Persons, in which last mentioned Case it shall be provided that the Persons entrusted with the Management of such Shares shall render an account of such their Management not less than twice in the Year, and shall finally account for and deliver up the same when thereunto required by Order of the Competent Court.

15. And in Case the Parties interested shall wholly disagree respecting the said Estate, or respecting any particular Part or Parts thereof, the Parties and Property so in-difference shall await the Decision of the Competent Court.

16. And if the Person so dying shall have left a Will, the said Commissioners shall cause the same to be produced and delivered to them, they giving the Party from whom they receive it an authentic Certificate thereof in Writing, under their Hands, and shall transmit the same to the Provincial Court of the District, which Court shall proceed to cite the Executors in the said Will named, to make Proof thereof, and all others concerned to hear such Proof made, and shall pronounce for or against the Validity of such Will, and the same being proved shall grant Probate thereof to the Person or Persons who by such Will shall be charged with the Execution of the same, unless such Person or Persons shall be incompetent to the said Trust by reason of insufficient Age or otherwise, or shall renounce the Execution of the said Will, or shall be

deceased or removed from within the District of the said Court, in all which Cases it shall be lawful to the said Court to commit to proper Persons, and under sufficient Security, Administration of the Estate with a Copy of the said Will annexed.

PROCLAMATION 30th Decem-  
ber 1802.

17. Provided that such Proceeding shall be subject to appeal as to the Admission or Rejection of such Will, where the amount of the Estate shall be competent for that Purpose.

18. And our said Commissioners, upon such general or partial Agreement as aforesaid, of Parties interested, or on production of the Decree of some Competent Court, or of Probate, or Letters of Administration granted by the same, shall grant an Instrument which shall be called Letters of Possession of the Estate, Effects, and Property of the Deceased, to the Person or Persons entitled thereto, pursuant to such Agreement, Decree, Probate or Letters of Administration respectively.

19. And by such Letters of Possession it shall be provided, that the same shall not take Effect as to any Lands or Tenements mentioned therein, until such Lands or Tenements shall have been duly registered in the Registry of the District, paying the usual Duty to Government, and that the Person or Persons obtaining such Letters of Possession shall, within one Year from the Date thereof, deliver into the said Registry an authentic Survey or Plan of the said Lands and Tenements and every of them, together with the Estimate of the Value thereof.

20. And it shall be further provided by such Letters of Possession, that the Shares of Minors or Persons not present, in as far as the same shall consist of Lands or Immoveable Property, shall not be alienated or in any wise incumbered, unless by Sanction of the Competent Court.

21. Provided always that nothing in these Presents contained shall apply to the Estate of any Persons resident in the Town and Fort of Colombo, or the District of the said Town and Fort, or to any Estate which shall in any other manner be subject to the exclusive Jurisdiction of the Supreme Court of Judicature in the Island of Ceylon.

22. And we do hereby peremptorily direct, that the principal Person surviving and present in any Native House or Family where such death shall have happened as aforesaid, shall forthwith give such Notice as is hereby required.

23. We hereby ordain that the wilful concealment of such decease, or the neglect of giving due Notice thereof as aforesaid, shall be deemed a Contempt of the Law, and subject to such Punishment by Fine or Imprisonment as the Circumstances thereof shall require, and the said Board of Commissioners shall decree.

24. And all Persons having or assuming to have any Title, Interest or Claim in or to the Estate or Property, moveable or immoveable, of any such deceased Person as aforesaid, or in or to any Property whereof the said deceased shall have died possessed, excepting such as at the time of his decease shall be in the actual tenure or occupation of any House, or Lands, or resident in or upon the same, or in the actual Possession of any Moveable Property, are hereby strictly enjoined and commanded that they do not presume to enter upon, take, seize or possess themselves of any such Property as aforesaid, contrary to the true intent and Meaning of this our Proclamation, on pain of being deemed Trespassers, and punishable as provided by Law in that behalf.

25. And we do hereby ordain, publish, and declare, that there shall be taken by our said Commissioners and the several other Officers herein before mentioned, for and in Consideration of the Matters aforesaid the following fees and no other, to wit:

For every Inquisition or Enquiry at the Habitation or Domicile (to be equally divided amongst the Visitors employed therein.)	Rds. 1	6
For every Commission for the further Security of the Property (to be divided in like Manner.)	1	
For Citing the Kindred.	1	
For taking the Claims in Cases of Intestacy, for each Claimant being of full Age and present.	1	
For the same as to each Minor and absent.	2	
For taking the Agreement of every Party in Person or by Representation.	1	
For Letters of Possession of Moveables only.	1	
Of Moveables and Immoveables.	2	

Together with one half per Cent on the amount of the Property, both Moveable and Immoveable, contained in such Letters, and over above all other Fees and Duties.

26. The said Fees, in so far as the same are chargeable on particular Parties to be paid by such Parties respectively forthwith, otherwise by the Person or Persons in whose favor Letters of Possession shall be granted, on delivery of such Letters, and the said Fees, except where the same are hereby directed to be divided, shall be collected by the Commissioners for the account of Government.

27. And we do further ordain and direct, that in the testamentary Cases which shall be instituted by authority of the Provision contained in this Proclamation, there shall be paid to the Court before which the same shall be proceeded in, such Fees as by the Practice of the same Court shall become due for Acts or Proceedings of the like kind, and the same shall be proportioned and assessed by the Court accordingly, and shall be applicable as the other Fees of the said Court.

28. Provided always, that in Cases of great Poverty of the Parties it shall be competent to our said Boards of Commissioners, or the said Courts respectively, (on proof thereof) to diminish or wholly to remit the Fees hereby established, any thing herein contained to the Contrary notwithstanding. And provided also that where the Deceased shall appear not to have died possessed of Property to the amount of Fifty Rixdollars no Fee whatever shall be demanded or taken, either by the said Visitors or by the said Board of Commissioners, for the Performance of the Duties hereby imposed on any of them.

29. And we do hereby direct, that from the Publication hereof the Powers and Functions heretofore vested in the several Native Boedel Kumers throughout these Settlements shall cease and determine.

PROCLAMATION 30TH DECEMBER 1802.

30. And the said several Boedel Kamers shall account with the Boards of Commissioners of the respective Stations or Districts where such Boedel Kamers respectively are established for all Funds and Property remaining under the Administration of the said Boedel Kamers for which Funds and Property we do authorise the said Boards of Commissioners to take charge of and to dispose thereof according to the Provisions herein before contained.

*Given at Colombo, the 30th day of December, 1802.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Actg. Sec. to the Council.*

### PROCLAMATION.

*Proclamation 22d April 1803.*

**W**HEREAS it is highly expedient to ascertain the exact Amount of the Share of Produce which every Proprietor of Land is obliged, by the Tenure of his Property, to pay to Government, in such a Manner as may secure him from all Uncertainty and Vexation, and at the same time may preserve the Public Revenue from Fraud and Injury.

We do hereby ordain, that from and after the Publication of these Presents, on the Transfer, Alienation, or any change of Possession, by Contract, Death, Execution for Debt, or otherwise, a new Valuation shall be made within one Year after change of such Possession shall have taken place, of the Property so transferred, together with a Survey and Figure by a sworn Surveyor.

And for the better execution of the Provisions of this our Proclamation, a sufficient number of experienced Surveyors will be placed under the Orders of the Agents of Revenue in these Settlements respectively, who shall be bound to make the Circuit of the District assigned to them once in each Year, and shall for that Purpose be furnished with a Copy of the Registry of the District from the Time of the last preceeding Survey.

And we have moreover directed the several Agents of Revenue to nominate and appoint a sufficient Number of Sworn Appraisers in the Districts under them, whose Business it will be to value and appraise the Property of Individuals, together with the Government Share thereof, according to the Regulations herein after laid down.

And the Surveyors having received the Copy of the Register of their respective Districts shall proceed on their Circuits, and on their arrival in any Division where there are Appraisers appointed by the Agent of Revenue, shall assemble them and immediately begin the Survey and Appraisalment of all the Lands specified in the Registry in such Division, and the Surveyor shall make the Figure of the said Lands, which shall be valued by him and the other Appraisers, together with the Government Share of the Produce thereof, which Valuation shall be expressed under the Figure, and signed by them, if they do not object to the Correctness of the said Valuation, and by the Proprietor, if consenting thereto, but in case of Discont on the Part of the said Proprietor, or of the Surveyor himself, the Surveyor shall forthwith call on the Headmen of the Division where the Case occurs, to name Eight Men of good Repute, not related to the Proprietor or in known Enmity with him, which Names he shall forthwith transmit to the Agent of Revenue, and the Agent having struck off Three of the said Names, shall send back the List to the Surveyor, who shall then allow the Proprietor to strike off Three, and the remaining Two, being sworn, together with the Surveyor, shall make the Valuation which shall be conclusive, and the Proprietor and Surveyor obliged to sign it.

And when the Figure shall have been made, and the Valuation of the Produce, as well as of the Government Share, agreed upon and subscribed by the Surveyor, the Appraisers, and the Proprietors, it shall be sent to the Office of the Surveyor General, where two Copies shall be made of it, which shall be sent to the Agent of Revenue of the District where the Ground lies, one to be delivered to the Proprietor, and the other to be entered in the Registry of the District.

And the Government Share of the Produce of the Ground so valued shall remain fixed according to the said Valuation, either in kind or in money at a rate of commutation to be settled between the Agent of Revenue and the Proprietor, during the whole Term of the Occupancy of the Proprietor at that time being, but on any transfer by Decease or Alienation, shall be subject to a new Settlement in the Mode herein before set forth.

And in all Cases where no Share of the Produce of the Land transferred shall have been reserved to Government by any specific Grant or Title, or by any general Legisla-

five Provision, the Share to be reserved for Government is hereby fixed at one fifth part of the Produce of all Low Grounds in the Districts of Chilaw, Colombo, Galle, Matura, and the Mahagampattoo, and at one tenth part of the produce of all other Lands throughout these Settlements, excepting such Gardens as do not contain the number of ten fruit bearing trees which shall remain free of all direct Contribution to Government.

PROCLAMATION 22D APRIL  
1803.

And the following Fees shall become due and payable on the performance of the duties herein before stated, and shall be allowed and taken, but no other Charge or Fee shall be imposed on any pretence whatsoever.

TO THE SURVEYOR.	Fns.
For every House .....	24
For every Piece of Ground, less than 4 Acres, per Acre.....	24
More than 4, and less than 10 .....	16
More than 10, and less than 20 .....	12
More than 20, and less than 40 .....	3
More than 40, and less than 80 .....	6

To the Sworn Appraisers for the first Appraisalment one half per Centum, on the Value of the Land or House appraised, to be divided among them, To the Referees, on a Second Appraisalment, one per Centum of the Value of the Land or House appraised, to each of the Referees.

*At Colombo, on Friday the 22d day of April 1803.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Actg. Sec. to the Council.*

#### PROCLAMATION.

**W**HEREAS since our Proclamation of the First Day of March One Thousand Eight Hundred and One, whereby, amongst other things, it was established that Presidents and Acting Presidents of the Civil Courts and Landraads, should hold Registers of Lands, within their respective Districts, several material Changes affecting the said Registry have taken place in Judicial and other Departments, Especially by our Proclamation of the Thirteenth Day of December last, for the better securing the Estates of Deceased Natives, we deem it more expedient that the said Registry should be held, except in certain special Cases herein after excepted, by the Presidents of the several Boards of Commissioners Constituted by our said last mentioned Proclamation.

*Proclamation 9th May 1803.*

We do therefore publish and declare that we will from Time to Time, by our Warrants for that Purpose, appoint and authorize the said Board of Commissioners to hold the said Registry accordingly, and to exercise all and singular Functions belonging thereto.

Provided always, that in case of the non appointment of such Commissioners for any particular District or Place, or any other Special Reason whereby it shall become necessary to appoint another Registrar or Registrars than as aforesaid it shall be lawful for us, by the like Warrant, so to do.

And we do ordain and direct, that all Notices and Citations whatsoever required by Law, Regulation, or Authorised Practice, to be made previous to the Execution or Enregistration of Titles to Lands, or Deeds affecting the same, especially the Notices commonly called Edictale Citations, shall in all Cases where the same are necessary or competent, be issued by or by the Authority of the said Boards, and we do ordain that such Notices and Citations so issued shall be as good, valid, and effectual as similar Notices and Citations, issuing from any Court of Justice as hath been practiced heretofore.

And whereas it is greatly to be desired that authentic Surveys should, in as far as may be practicable, be annexed to all Titles to Lands, and Deeds affecting the same registered in the said Registry.

We have directed that the Surveyors of Government shall, at stated Periods, not less than twice in every Year, visit all Parts of these Settlements in order, amongst other things, to Survey such Lands whereof Surveys may be required as aforesaid.

Wherefore and Notwithstanding our Proclamation of the Twenty-fourth of July, last, by which for Special Reasons such Surveys were dispensed with; we do hereby direct, that in all Cases wherein previous to our said last mentioned Proclamation, Surveys were

PROCLAMATION 9th MAY 1803.

required, the Registrar shall, on demand make for that purpose, furnish to the Surveyor to whom the same shall belong such extracts of Description and other Particulars of the several Enregistrations as may enable him to Survey the Lands to which respectively the same may relate.

Provided always that nothing in this Regulation shall extend to impede the passing of Titles to Lands, or Deeds relating thereto, or enregistration of the same, without Survey being previously made, but the same shall pass and be enregistered in like manner as has been practised since our said last Proclamation, and with such Description of the Premises and such estimate of the Extent thereof as the Parties or their Documents may be able to furnish.

And the Fees of Survey, according to the established Regulations, and calculated on the Extent of the Premises to be estimated as aforesaid, shall be deposited with the Registrars at the time of passing each act.

And the Figure, when completed, shall be annexed to such enregistration thereof without prejudice to the validity of such act by reason of any inaccuracy in the said Description or estimated Extent, or by reason of any Variation of the actual Survey from such Description and Estimate.

And it is further provided that this Regulation shall not extend to any Titles to Lands or Deeds respecting the same which shall have been enregistered before the Date of these Presents.

And whereas, by our said Proclamation of the 1st day of March, 1801, we did ordain, that an undisturbed Possession of Lands, Messuages, Tenements, and Hereditaments for 30 Years, should constitute a Prescriptive Right, we do hereby declare, that the like Possession for 10 Years shall henceforth constitute such Prescriptive Right as in the said Proclamation is mentioned.

Provided nevertheless that any Person or Persons who may have a Claim upon any such Lands, Messuages, Tenements, or Hereditaments, and who shall prosecute such a Claim within Six Months after the Date of this Proclamation, shall be at Liberty to enforce their Right, notwithstanding the Expiration of the said Ten Years.

And we do repeal that Clause of our said Proclamation whereby it is declared that on and after the 1st day of January, 1806, the Tomboos, and all Extracts therefrom, shall not be considered as having any Validity, and shall be rejected as Evidence in any Court of Justice within these Settlements.

*At Colombo on Monday the 9th day of May, 1803.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Actg. Sec. to the Council.*

## PROCLAMATION.

*(Annulled by Charter of 18th February 1833.)*

Proclamation 18th July 1803.

WHEREAS, by our Proclamation bearing Date the 12th Day of July 1802, all Jurisdiction then competent to the Landraad of Manaar was vested in the Provincial Court of Jaffnapatnam; and whereas it now appears that the said Jurisdiction may be more conveniently exercised by the Provincial Court of Putlam, we do hereby declare and ordain, that from and after the 1st day of August now next ensuing, the Powers and Authorities formerly vested in the said Landraad of Manaar shall no longer be exercised by the said Provincial Court of Jaffnapatnam, but the same shall and may be exercised by, and are hereby accordingly transferred to the said Provincial Court of Putlam, in the like Manner, to all Intents and Purposes whatever as the Functions of the late Civil Court of Colombo were and are, by Virtue of the 78th and 79th Sections of His Majesty's Royal Charter, or Letters Patent, establishing the Supreme Court of Judicature on the Island of Ceylon, transferred to and vested in the said Supreme Court.

*At Colombo, on Monday the 18th day of July, 1803.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Secy. to the Council.*

## P R O C L A M A T I O N .

*(Annulled by Charter of 18th February 1833.)*

**W**HEREAS by our Proclamation given at Colombo, the Thirteenth day of December One Thousand Eight Hundred and Two, we did establish and ascertain the Fees to be taken and levied by several Boards or Commissioners for securing the Estates of Natives in this Island, and whereas it is expedient that the said Rates of Fees should be altered, and a new Table of Fees framed for the said Boards, we do hereby publish and ordain, that from and after the First day of September next, all and singular the Fees now demanded and paid in the said Boards shall cease and be abolished, and that the Fees henceforth to be allowed and taken for all and singular the Process and Business of the said Boards, to and by the said Boards and the Officers belonging thereto, shall be regulated by and Pursuant to such Table of Fees as shall be framed and promulgated by us, and transmitted by our Authority to the said Boards, subject to any Variation which we from Time to Time may deem it proper to make therein.

PROCLAMATION 29th AUGUST  
1803.*Given at Colombo, on Monday the 29th day of August 1803.*

By His Excellency's Command.

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

## P R O C L A M A T I O N .

*(Expired.)*

**W**HEREAS it is expedient to establish a Court of Justices of the Peace at Aripoo, in the District of Manar, for the Preservation of the Peace and Good Order amongst all such Persons as may be assembled at Aripoo and within its neighbourhood during the continuance of the ensuing Pearl Fishery, We do hereby direct and appoint, that from and after the Tenth day of February, there shall be a Court of Justices of the Peace at Aripoo aforesaid, to be held by and before such Persons as we shall appoint, with such Powers and Authorities within and throughout the District of Manar, during the continuance of the said Fishery, as are vested in the several Courts of Justices of the Peace in this Island by the Proclamation of the 25th of June 1802. And for the more speedy Trial and determination of all Civil Suits and Contests arising at or during the said Pearl Fishery, We further direct and proclaim that from and after the Tenth day of this instant February, the Provincial Court of Putlam shall be holden at Aripoo aforesaid.

Proclamation 4th February  
1804.

And whereas we are desirous to facilitate the Attendance at the said Fishery of Natives from all Parts of India, and to prevent the Progress of the said Fishery from being interrupted by contest of any former Account or Dispute, we do hereby further publish and declare that all Natives of India who attend at the said Fishery shall not be liable to personal Citation or Arrest during such Attendance, except on any Criminal Charges or on Debts and Demands which shall have arrived at, or during the said Fishery, and from any Transaction or Account relative thereto, and excepting also all Cases wherein such Natives may be subject to the Jurisdiction of the Supreme Court of Judicature in the Island of Ceylon.

*Given at Colombo, the Fourth day of February, 1804.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By order of the Council,

R. PLASKET,  
*Act. Sec. to the Council.*

## P R O C L A M A T I O N .

**W**HEREAS certain Headmen and Inhabitants of Different Districts in this Island, (as described in the annexed List) have in a Traitorous and Hostile Manner adhered to His Majesty's Enemies, contrary to the Duty of their Allegiance, and are fled into the Kandian Country, to avoid their being apprehended and prosecuted according to the Law for their said Offence, we do hereby direct and declare, that if the said Headmen and Inhabitants shall not render themselves to one of His Majesty's Magistrates or Civil Officers within these Settlements, on or before the 1st of Day September next, and submit to Justice for the Offence aforesaid then any or every of them the said Headmen and Inhabitants not rendering themselves as aforesaid, and not submitting to Justice as aforesaid, shall from and after the first Day of September next, forfeit all his Property, both Moveable and Immoveable, within the British Territories in this Island, for the Use of the Crown, and the same shall from and after the said 1st Day of September next, be confiscated accordingly.

Proclamation 4th June 1804.

PROCLAMATION 4TH JUNE 1804.

## LIST.

## DISTRICT OF COLOMBO.

<i>Names.</i>	<i>Office.</i>	<i>Place of abode.</i>
Naindehamy .. .. .	Inhabitant .. .. .	Hina Corle
Kankanepatterige Appoo Rale ..	ditto .. .. .	ditto
Kankanepatterige Punche Rale ..	ditto .. .. .	ditto
Kalohamy of Bobagammy .. ..	ditto .. .. .	ditto
Naindehamy .. .. .	ditto .. .. .	ditto
Ranhamy .. .. .	ditto .. .. .	ditto
Nigekondege Bandolehamy .. ..	ditto .. .. .	ditto
Ganunegy Naindehamy .. .. .	ditto .. .. .	ditto
Wetanegy Menikrale .. .. .	ditto .. .. .	ditto
Singapoellege Nainde Appoo .. ..	ditto .. .. .	ditto
Boelatsingelege Punchi .. .. .	ditto .. .. .	ditto
Koda Ederriringe Oengerale .. ..	ditto .. .. .	ditto
Locoderiringe Babahamy .. .. .	ditto .. .. .	ditto
Wanneyage Jayatoena .. .. .	ditto .. .. .	ditto
Nekkettige Sodena .. .. .	ditto .. .. .	ditto
Koedage Senedohamy .. .. .	ditto .. .. .	ditto
Koedagey Medonehyhamy .. .. .	ditto .. .. .	ditto
Wallimone Appohamilage Baba Appohamy	ditto .. .. .	ditto
Hamy Appoo .. .. .	ditto .. .. .	ditto
Ganegode Appohamilage Lewis Ap- pohamy .. .. .	ditto .. .. .	ditto
Wallimone Appohamilage .. .. .	ditto .. .. .	ditto
Babonaatchege Appoo .. .. .	ditto .. .. .	ditto
Kastoriratne Tanekoon Appohamy ..	ditto .. .. .	ditto
Senbakoettige Arachi Appoo .. ..	ditto .. .. .	ditto
Kankan Arachige Sinjo Appohamy	ditto .. .. .	ditto
Mallewege Lowis Appo .. .. .	ditto .. .. .	Hewagan Corle
Welanage Sinjo Appo .. .. .	ditto .. .. .	ditto
Mathees Pully Chitty .. .. .	ditto .. .. .	ditto
Kahadiwe Longerippoo .. .. .	ditto .. .. .	Alootcoer Corle
Kahdiwege Nainda .. .. .	ditto .. .. .	ditto
Sanharippoo of Marapole .. .. .	ditto .. .. .	ditto
Opattala of do. .. .. .	ditto .. .. .	ditto
Walahage Nilhamy .. .. .	ditto .. .. .	ditto
Gangebodege Coera Naideo .. .. .	ditto .. .. .	ditto
Wedige Menicrale .. .. .	ditto .. .. .	ditto
Panuwettige Apporale .. .. .	ditto .. .. .	ditto
Akenaide Modelihamy Appohamy ..	ditto .. .. .	ditto
Salawege Apporale Appohamy .. ..	ditto .. .. .	ditto
Amertoenge Appoo .. .. .	ditto .. .. .	ditto
Kanora Appohamilage Modelihamy ..	ditto .. .. .	ditto
Moderaperome Arachige Jaimate } Appoo .. .. .	ditto .. .. .	ditto
Emeage Abramhamy .. .. .	ditto .. .. .	ditto
Koereroze Tikerale .. .. .	ditto .. .. .	ditto
Talatpedige Abena Doereya .. .. .	ditto .. .. .	ditto
Kervenapedige Hadeweruya .. .. .	ditto .. .. .	ditto

## POINT DE GALLE.

Daniel de Silve Amereseegere .. ..	Vidahn Arachy .. .. .	Keimbison
Pattinayke Arachige Lokoe Appoo ..	Commissioner .. .. .	Mobotoweme
Don Louis de Silva Wickreme } Arachy Appoo .. .. .	ditto .. .. .	Tattlematte
Balle Appoo .. .. .	ditto .. .. .	ditto
Weeregodege Kappooge Appoo .. ..	ditto .. .. .	ditto
Daniel Appoo .. .. .	ditto .. .. .	ditto
Madoma Appoo .. .. .	ditto .. .. .	ditto
Goddegammege Don Abraham de } Silva .. .. .	Canganny .. .. .	Mapelgam
Goddicandige Bale Appoo .. .. .	Commissioner .. .. .	ditto
Jagodege Maddomy Appo .. .. .	Lascorreen .. .. .	ditto
G'niangodege Don Juan .. .. .	ditto .. .. .	ditto
Goniangodege Wilygodde Lokoe } Appoo .. .. .	ditto .. .. .	Badigame
Dissanayke Don Juanies de Silva ..	Writer .. .. .	Codaggodde
Talpeyge Juanies Ferdinandus .. ..	Commissioner .. .. .	Cettelowe
Andries de Silva .. .. .	Pattengatyned .. .. .	Ahangame
Makamma Lokoe Rale .. .. .	Vidahn Arachy .. .. .	Magame
Oerola Lijenege Kiroelawe .. .. .	Writer .. .. .	Omatte
Hitty Arachige Don Bastian .. .. .	Commissioner .. .. .	Bentotte



MATURA.		
<i>Names.</i>	<i>Office.</i>	<i>Place of abode.</i>
Peddegoda Mahaatimoelle .. ..	Aratchy .. ..	Peddegodde
Baloekawille Dantodoewetpitte } Achyen .. ..	ditto .. ..	ditto
Don Alwis Wiresinhe Dassenaike } Appoehamy .. ..	.. ..	Kaddeweddoewe
Hakmene Appoo .. ..	.. ..	Kappoedoewe
Roesinha Mohandiran .. ..	Mohandiram .. ..	Parredoewe
Roesinha Arachy .. ..	Arachy .. ..	ditto
Wieregöneratne Sabandar .. ..	Late Sabandar .. ..	Hoedoegamme
Hewagey Naydappoo .. ..	.. ..	ditto
Amerewikreme Vidahn Arachy ..	Arachy .. ..	Kananke
Maaddoegodde Appoo .. ..	.. ..	Katdoewe
Weddikkare Cangan .. ..	Cangan .. ..	Warakapitye
Raahandoenege Babe .. ..	.. ..	ditto
Tottemoney Arachy .. ..	Arachy .. ..	Belligamme
Liene Watte Poenchy .. ..	.. ..	ditto
Hatiokoedoeg Sime .. ..	.. ..	Khonegamme
Liene Arache .. ..	Writer Arachy .. ..	Morrua Corle
Catoene Arachy .. ..	Arachy .. ..	Catoene
Don Simon Abewickreme Jasinhe..	Pattoe Arachy .. ..	Weheregampitte
Dahanaike Kodditoekke Arachy ..	Vidahn Arachy .. ..	Kandipettiorate
Gallegodde Bandaremahatmea ..	.. ..	Kakoevrewille
Abewickreme Goenesegere .. ..	Arachy .. ..	Aranwille
Wickremeratne Goenesegere Galle } Arachy .. ..	ditto .. ..	Pallattere
Abewickreme Dissanaike .. ..	ditto .. ..	Oedoegalmatte
Koddipela Vidahn Arachy .. ..	Vidahn Arachy .. ..	Tangalle
Don Abraham Dissanaike Wijesinhe..	Late Modeliar .. ..	Gabedaweidge
Waangregy Abere .. ..	Lascreeen .. ..	ditto
Waangregy Wattoewe .. ..	ditto .. ..	ditto

## MAHAGAMPATTOO.

Samurah Ratnachjegan Sekerach ..	Aratchy .. ..	Haguhamé
Rajah Poxah Ratnaike .. ..	Vidahn Arachy .. ..	Magam
Wannage Ratnah Manampere .. ..	ditto .. ..	ditto
Vidie Wardenah Levinah Atchillah ..	Commistier Appoo .. ..	..
Pahatigam Moonesinhege Appoo ..	Leyana Arachy .. ..	..
Gallenetty Cangany		

## BATTICALOA.

Monde Podie .. ..	Head of Carear .. ..	Saunge Marrido
Pandarie Wela Padie .. ..	2d do. of Erroor .. ..	Kirie Koeda
Caden Wela Padie .. ..	Headman of Errooil .. ..	Codoe Modoo
Palli Padie Wayen .. ..	{ Formerly acted as } Head of Manmore }	Carrivitty
Koenen Kannen .. ..	Adigary .. ..	Cattancoederippoe
Pattenien .. ..	ditto .. ..	ditto
Naganda Podie .. ..	Headman of Erroar .. ..	Erroar
Sill Pandara Welayden .. ..	Formerly Vidahn .. ..	Camore
Canda Podie .. ..	Headmen of Manmonie .. ..	Poedoe Coederippoe
Cunjie Canda Podie .. ..	2d do. of Poretivo .. ..	Kamara Poretivo
Widdiarese Candrama Podie .. ..	1st do. Ackarepatioe .. ..	Cale poere
Canda Remie Podie .. ..	1st do. Nadoecadoe .. ..	Pottane
Canda Podie .. ..	2d do. do. .. ..	Wiremone
Ambaya Pandara Welappen .. ..	Headman of Vidos .. ..	Nadene
Mylie Podie .. ..	{ Formerly Headman of } Samentore .. .. }	Caretivo
Cadramale Payagapen .. ..	{ Formerly Store Cone- } copy of Negapatam }	Roymone
Caderamen Velaatje .. ..	Respidoor .. ..	Cattoveslum
Miera Oessen Auwaker .. ..	Formerly Kariapa .. ..	Raymone
Oessen Lebe Oedoema Lebe .. ..	ditto .. ..	ditto
Kanne Kapowe .. ..	LandConicopy of Panea .. ..	Watlea Villie
Auwaker Isse .. ..	Mohandiram .. ..	Samantore
Widrarese Kanda Podie .. ..	{ 2d Headman of Ac- } karatöe .. .. }	Karoenkotetow
Maylen Omegen .. ..	Adigary .. ..	Amoerdegalle
Annis Lebbe .. ..	{ Formerly Malay Offi- } cer in Dutch Service }	Maroedemone

PROCLAMATION 4th June 1804.

## BATTICALOA.—(Continued)

<i>Names.</i>	<i>Office.</i>	<i>Place of abode.</i>
Oeleghe Podie .. .. .	Field Owner .. .. .	Pandariowellie
Sinne Poelle .. .. .	ditto .. .. .	Kattanthere
Tampoelle .. .. .	ditto .. .. .	ditto
Katterale .. .. .	{ Formerly 2d Vidahn of Panoa .. .. }	Dolle
Koenjilia Podie .. .. .	{ Formerly Headman of Ackerapattoe .. }	Caroenkotitione

## TRINCOMALIE.

Mapane Vannia .. .. .	Headman of Cotiar ..	
Sanimalle Moodiliar .. .. .	2d do. of do. ..	
Canda Odeaar .. .. .	{ An Inhabitant and Son in Law to Sumate Modeliar .. .. }	
Cadergama Odeaar .. .. .	.. .. .	Vannia
Mardie Adeppen .. .. .	Headman of Molletivoc.	Molletivoc
Maria Adeppen .. .. .	An Inhabitant of Cotiar.	Cotiar
Segoedie .. .. .	An do. of Topoor..	Topoor
Phere Maghamadoe .. .. .	The Moormans Padrie.	
Salampattee Odeaar .. .. .	2d Headman of Cutchevilly.	Cutchevilly

## WANNY.

Welappoo .. .. .	Late Modeliar .. ..	Meelpattoe North
Weelayden .. .. .	Late Odiam .. ..	Codaly Calloo
Cannegeretne .. .. .	Late Modiliar .. ..	Menhoda
Collarasegaria .. .. .	ditto .. ..	Sine Chitty Colom
Sandra Segere .. .. .	ditto .. ..	Cornawalpotoo
Weelayden .. .. .	Late Odiam .. ..	Poria Colom
Caderame .. .. .	ditto .. ..	Moliawally
Car Conen .. .. .	Brother of do. do..	
Caderen and Jawisile .. .. .	Pallas .. ..	Pandera Colom
Lourens Hendriks .. .. .	Late Post Holder..	Modewan Colom
Sewsangrenaden .. .. .	.. .. .	Calewittuadal

## CHILAW.

Talty .. .. .	Vidahn .. ..	Anuwoullendan
Tikesally .. .. .	Inhabitant .. ..	Serewally
Punchy Raly .. .. .	ditto .. ..	ditto
Tike Raly .. .. .	Vidahn .. ..	Myjary
Tic Veedan .. .. .	Inhabitant .. ..	Anewoullendan
Agen Pully Sitty Hamy .. .. .	Coral of .. ..	ditto
Andy .. .. .	Inhabitant .. ..	Madderanchely
Innaasy .. .. .	ditto .. ..	ditto
Vinasy .. .. .	ditto .. ..	Karandine
Bomby Vally .. .. .	Arratchy .. ..	Anewoullendan
Hady Rale .. .. .	Inhabitant .. ..	Pasapa Mooly
Augustinia .. .. .	ditto .. ..	Keeriangalle
Herat Senewyratne .. .. .	Modeliar .. ..	Madampe
Don Garats Senewyratne .. .. .	Mohandiram .. ..	ditto
Welen .. .. .	Addepenaar .. ..	Tiramely
Nawajratne Sirewere Hamy .. .. .	Inhabitant .. ..	Keehatawully
Kitty Hamy .. .. .	Inhabitant .. ..	ditto
Lapper Hamy .. .. .	ditto .. ..	ditto
Widdy Hamy .. .. .	Meaistry .. ..	Toolawully
Gaising Widderally .. .. .	Inhabitant .. ..	Monesorom
Appoo Nainda .. .. .	ditto .. ..	ditto
Surruwelly Rala .. .. .	ditto .. ..	ditto
Heelally Rale .. .. .	ditto .. ..	ditto
Medampe Rale .. .. .	ditto .. ..	ditto

At Colombo, on Monday the 4th Day of June 1804.

By His Excellency's Command,

ROBERT ARBUTHNOT.

Chief Sec. to Govt.

By Order of the Council,

R. PLASKET,

Sec. to the Council.

## P R O C L A M A T I O N .

*(Repealed by Regulation No. 3 of 1810.)*

**W**HEREAS by our Proclamation of the 30th of December 1802. we did direct that a Duty of Five per Cent ad Valorem, should be levied on all Articles of Export, not enumerated in the said Proclamation, and whereas it has been represented to us that the Collection of this Duty is attended with great Inconvenience and Difficulty, and that the Revenue arising therefrom is very inconsiderable, we do hereby order, that the said Duty of 5 per Cent ad Valorem, on all such non-enumerated Articles be henceforth discontinued, and we further direct that the Duty established by the above Proclamation on all such Articles of Import as were not enumerated therein of 2½ per Cent upon the Aggregate, after adding 10 per Cent to the Invoice price of them, be hereby abolished, and that a Duty of 13½ per Cent upon the Invoice price be henceforth charged and collected thereon.

PROCLAMATION 19TH JULY 1804.

*At St. Sebastians, on Thursday the 19th day of July 1804.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Sec. to the Council.*

## P R O C L A M A T I O N .

*(Repealed by Regulation No. 2 of 1806.)*

**W**HEREAS by our Proclamation of the 30th of December 1802. We directed that a Duty should be levied on all Tobacco, exported from the Ports of this Island of one Bale in four, And whereas it appears to us, that it would be more expedient to collect this Duty in Value, at the Market Price, than in Kind: we do hereby order and direct, that the said Duty on the Exportation of Tobacco of one Bale in four, as established by the above mentioned Proclamation of the 30th December 1802, be hereby abolished, and that in lieu thereof, a new Duty of Thirty per Cent ad Valorem on all Tobacco exported from this Island be henceforth paid and collected.

Proclamation 23d July 1804.

*At Colombo, on Monday the 23d day of July 1804.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Sec. to the Council.*

## P R O C L A M A T I O N .

**W**HEREAS Inconveniences may arise from the Execution of Corporal Punishment in Criminal Cases (other than for Military Offences) on the Piece of Ground surrounded by an Enclosure within the Town and Fort of Colombo, commonly called the Parade Ground.

Proclamation 19th Sept. 1804

We do hereby direct, that henceforth no such Corporal Punishment (other than as aforesaid) be ordered or allowed to be inflicted thereon, and farther, that no Person be permitted to enter therein without the Express Authority of the Commandant of the Garrison, Provided always, that (excepting with regard to the infliction of Corporal Punishment within the Parade Ground aforesaid) nothing herein contained, shall be construed to restrain or limit the Jurisdictions and Authorities vested by His Majesty in the Supreme Court of Judicature in this Island, over all Persons Civil and Military, within and throughout the British Settlements in the Island of Ceylon, and the Territories thereof.

*At Colombo, on Wednesday the 19th day of September, 1804.*

By His Excellency's Command,

ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

By Order of the Council,

R. PLASKET,  
*Sec. to the Council.*

## REGULATION

*(Revoked by Charter of 18th February 1833.)*

REGULATION No. 1 of 1805.

**A** Regulation for diminishing the expence of the present Judicial establishment and for facilitating the attainment of Justice to the Native Inhabitants of the British Settlements on the Island of Ceylon passed by the Governor in Council on the 19th of November 1805.

As the number of Civil Servants in His Majesty's Service is too small to admit of the Establishment of Courts of Justices of the Peace consisting of three Members at all the stations, where their Superintendence would be required, and as the convenience of the Native Inhabitants will be better provided for by vesting the Provincial Courts with a Criminal Jurisdiction by directing them to go circuits thro' their several Provinces and by appointing all the Agents of Revenue and Commerce and their Assistants Sitting Magistrates and further as a very Considerable expenditure may be saved to Government by making the Agents of Revenue and Commerce instead of the Provincial Judges Fiscals of their respective Provinces the Governor in Council has accordingly enacted as follows.

1st. All Courts of Justices of the Peace shall cease.

2nd. There shall be a Provincial Court composed of one Judge in each of the five Provinces vizt.

In the Province of Colombo.	
In the do. "	Putlam & Chilaw.
In the do. "	Jaffnapatnam.
In the do. "	Trincomalie & Batticaloa.
In the do. "	Galle & Matura.

3rd. First—Each Provincial Court shall exercise throughout its Province a Criminal and a Civil Jurisdiction.

Second—A Criminal Jurisdiction over all inferior offences breaches of the peace and disorders against the police with powers of inflicting punishments by fine not exceeding 100 Rds. by Imprisonment at Hard Labour not exceeding the period of Three Months and by whipping not exceeding 100 Lashes.

Third. A Civil Jurisdiction over all Cases not exceeding 100 Rixds. between Europeans or wherein there is an European defendant and over all cases of whatever Nature or amount between Natives or wherein there is a Native defendant.

4th. The Agent of Revenue and Commerce of each Province shall be Fiscal thereof.

5th. First the Judge of each Provincial Court shall be a Justice of the Peace for his Province.

Second. He shall proceed in a Circuit throughout his Province twice a year and shall during such circuit reside at such Stations within the Province as the Government shall from time to time direct.

6th. Every Agent of Revenue and Commerce and every Assistant shall be a Justice of the Peace for his Province, and during the absence of the Provincial Judge a Sitting Magistrate for the part of the Province in which he resides.

7th. First—Every Sitting Magistrate except the one at Colombo, shall exercise the following Criminal and Civil Jurisdiction.

Second—A Criminal Jurisdiction over all inferior offences, breaches of the Peace, and disorder, against the police with power of inflicting punishment by fine not exceeding 50 Rix Dollars by imprisonment at hard labour not exceeding two months and by whipping not exceeding 50 lashes.

Third—A Civil Jurisdiction over all cases of whatever nature (except suits relative to the Revenue) not exceeding 100 Rix Dollars.

8th. All Provincial Judges Sitting Magistrates and Justices of the Peace shall proceed according to such rules and levy fees according to such tables as shall from time to time be forwarded to them by the Governor.

9th. First—This Regulation shall take effect throughout all the British Settlements on the Island of Ceylon from the 1st. of December next.

Second—And every of any former Proclamation or order which contradicts it is hereby repealed.

Colomba 19th November 1805.

By Order of the Council,

R. PLASKET,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

*(Annulled by Charter of 18th February 1833.)*

REGULATION No. 2 of 1805.

**A** Regulation for increasing the Criminal and Civil Power of the Sitting Magistrate of Colombo.

As the Court of Justices of the Peace of Colombo has been abolished it becomes necessary, to increase the Jurisdiction of the Sitting Magistrate of that place; the Governor in Council has accordingly enacted as follows:

First—The Sitting Magistrate of Colombo shall exercise the following Criminal and Civil Jurisdiction.

Second—A Criminal Jurisdiction over all inferior offences, breaches of the peace and disorders against the Police with powers of inflicting punishments by fine not exceeding 100 Rds. by imprisonment at hard labour not exceeding the period of three Months, and by whipping not exceeding 100 lashes.

Third—A Civil Jurisdiction over all cases of whatever nature (except suits relative to the Revenue) not exceeding 100 Rds.

Colombo 3rd December 1805.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 2 of 1817.)

**A** Regulation for the prevention of Forgery and for the increase of the Revenue by renewing and extending the Tax formerly levied on Transfers of Property Moveable and Immoveable and for the more easy and simple registration of the same.

Regulation No. 1 of 1806.

Whereas great Complaints have been made to Government of the frequency of Forgeries by which the Security of Property is endangered, and much difficulty and doubt created in the deciding of legal Disputes concerning the same,—And Whereas the renewal of the Stamp Duties on the Transfer of Property according to the mode anciently established in this Island, would not only prevent the recurrence of such offences, but would while it gave additional Security and Protection to the Property of Individuals, tend considerably to increase the Public Revenue. His Excellency The Governor in Council directs and enacts, that the following Regulation for these Purposes be strictly and invariably adopted and enforced.

1st—All detached Stamps heretofore in use are hereby cancelled, and declared to be null and void.

2nd—In lieu of these detached Stamps, Stamped Olas, Paper and Parchment shall be issued and used;—whereupon the Deeds and Instruments requiring a Stamp shall be written.

3rd—All Transfers of Property whether moveable or immoveable of every species or Denomination shall from the Date hereof, be made in writing on Stamped Ols, Paper or Parchment, and every such Transfer not duly Stamped, shall be, and is hereby declared to be null and void— and no Transfer or alienation of Property not in writing, or not duly stamped shall be given in Evidence, or admitted as available in any Court of Justice, or before any Sitting Magistrate in this Island.

4th—All such Transfers, of moveable Property shall bear a Stamp equal to three per Cent on the value of the Property transferred.

5th—All transfers of Immoveable Property shall bear a Stamp equal to Five per Cent on the value of the Property transferred.

6th—The amount in value of the Property to be transferred as settled by the Parties shall be set forth in the body of the Deed, and any such Deed which shall knowingly contain a less amount than the actual consideration given for the same, shall make the Parties guilty of, or in any way concerned in such Fraud liable to Fine, Transportation or such other Punishment as by Law shall be inflicted.

7th—Any Transfer of Property whether moveable or immoveable made posterior to the Date hereof and antedated with a view to evade the conditions of the present Regulation; shall make the parties guilty of, or in any way concerned in, such Fraud, liable to Fine Transportation or such Punishment as may be by law inflicted.

8th—Any person who shall after the date her-of, write, and any Person who shall make or sign any transfer of property moveable or immoveable upon Paper, Ols or Parchment not stamped shall over and above the same being null and void as aforesaid, become amenable to Fine or such other Punishment as may be by law inflicted.

9—All such Transfer, when the amount does not exceed Three Hundred Rix Dollars, may be made either on stamped Ols, Paper or Parchment at the choice of the parties concerned— but above Three Hundred Rix Dollars, all Transfers of Property whether moveable or immoveable must be made, and written on Stamped Paper or Parchment only.

10th—No surplussage on Stamped Paper, Ols or Parchment is to be demanded or allowed, nor any Fee or Emolument to be taken or received from the parties for preparing or drawing up any such Transfer, except Colombo, Galle, Jaffna, and Trincomalee and their respective Graves where such Transfers, are to be made by licensed Notaries public, who may demand the notarial Fees now in use or that may be hereafter sanctioned by Government.

11th—With a view to give the greatest facility to this Regulation, licensed Sub-Distributors of Ols and Stamps will be appointed to the Sub-Divisions in each District to act under the following Rules.

1st. They are at the request of the parties to draw up all Transfers of Property whether moveable or immoveable of every species and Denomination without Fee or surplussage of any kind.

2nd—Independent of the deed of Transfer itself, they are, where the sum is under the appealable amount, Vizt. Three Hundred Rix Dollars to make a short memorandum of the Transaction signed by the two parties; Where above the appealable amount Vizt. above Three Hundred Rix Dollars, they are to make a Duplicate of the deed of Transfer signed by the two Parties.

3d—The Deed itself Stamped, of whatever nature, Kind or Species, they are to deliver to the Parties; the Memorandum or Duplicate, they are, when settling their accounts monthly at

REGULATION No. 1 of 1806.

the Cutcherry to deliver over to the Collector, who after having examined and settled the same, he is to transfer the Memorandums and Duplicates to the Provincial Court of the District, where they are to be filed as a Record and Register of the Transaction of whatever Nature it may be.

4th. In order to compensate the Sub-Distributors of Stamps in the different Districts, they are to be allowed Ten per Cent not upon their monthly collection.

5th. Each Sub-Distributor of Stamps who upon examination shall be convicted of taking any Fee, or surplusage of any kind out of the Provisions of this regulation or shall be convicted of neglect of duty of any kind shall be liable to immediate dismissal, and such other punishment as may according to the nature of the offence be by law inflicted.

12th—As the memorandums and Duplicates delivered in by the Sub-Distributors of Stamps in the different Sub-Divisions of Districts when filed in the Provincial Court of the District will form, from the date thereof a complete Register and Record of all legal Transfer of Property in the Islands with exception of Colombo, Galle, Jaffna, and Trincomalie and their respective Gravets, so in these Places the licensed Notaries Public are to lodge at the End of every month in the Provincial Court of their District similar memorandums and duplicates above stated, of all Deeds of Transfer of property moveable or immoveable made by them, so as to form a complete and perfect Register of the whole throughout the Island.

13th—All ready money Transactions, vizt. all Transactions not drawn upon Paper and finally closed within the space of one Calendar month, from the Period of the Original Purchase, or sale, are excluded from the Provisions of this Regulation.

14—All Endorsements on Bills of Exchange are excluded from the Provisions of this Regulation and Bills of Exchange themselves instead of Three per cent are merely to bear a Stamp of one per cent according to their value.

Colombo 1st January 1806.

By the Governor's Command

R. ARBUTHNOT,  
Chief Sec. to Govt.*Schedule of Rate at which Property is to be taxed*

## IMMOVEABLE PROPERTY.

Value of Property.		Value of Stamps.		Value of Property.		Value of Stamps.	
Rds.	Fs.	Rds.	Fs.	Rds.	Fs.	Rds.	Fs.
10	..	0	6	60	..	3	0
15	..	0	9	65	..	3	3
20	..	1	0	70	..	3	6
25	..	1	3	75	..	3	9
30	..	1	6	80	..	4	0
35	..	1	9	85	..	4	3
40	..	2	0	90	..	4	6
45	..	2	3	95	..	4	9
50	..	2	6	100	..	5	0
55	..	2	9				

## MOVEABLE PROPERTY.

Rds.	Fs.	Rds.	Fs.	Rds.	Fs.	Rds.	Fs.
16	8	0	6	66	8	3	0
25	0	0	9	75	0	2	3
33	4	1	0	83	4	2	6
41	8	1	3	91	8	2	9
50	0	1	6	100	0	3	0
58	4	1	9				

THE following List of such Acts as are understood to be transfers of moveable property by the 4th Clause, and of Immoveable Property by the 5th Clause of Regulation No. 1 are published for General Information.

Bonds Obligations and Contracts of every kind, and all contracts of every kind, with or without personal Security.

Sales of Goods Wares and Merchandizes sold at more than one month's Credit or which are not paid for within a month.

Sales of Houses Gardens Lands Ships &c. except Prize Ships.

All Donations of immoveable property.

All Marriage Contracts where any of the parties are benefited with any immoveable property.

Assignment of Bonds Debts and Interest of all kinds, if on security, of immoveable property.

Assignment of Effects if immoveable.

Assignment of a Ship or Vessel or part thereof.

Mortgages of Houses Lands Gardens and Ships.

The following Notarial fees are to be levied on the above Transfers Vizt.

Three Rix Dollars when the Property transferred amounts to five Hundred Rix Dollars and less, and Ten Rix Dollars when the property amounts to any Sum exceeding Five Hundred Rix Dollars.

## REGULATION.

(Repealed by Regulation No. 10 of 1813.)

Regulation No. 2 of 1806.

FOR increasing the Duty on the Exportation of Tobacco from the District of Jaffnapatnam in consequence of the Monopoly thereof.

Whereas we have received undoubted information that a Monopoly exists in the Sale of Tobacco when exported from this Island by means of which, certain Persons connected with the

said Monopoly do engross the Trade, to the detriment and grievance of the Merchants and Cultivators, Inhabitants of the Island and Subjects of His Majesty.

REGULATION No. 2 of 1806.

1st. We do therefore enact and proclaim that from the date hereof the Duty fixed upon the Exportation of Tobacco from the District of Jaffnapatnam shall cease and determine.

2d. From the date hereof all Tobacco exported from the above said District shall pay a duty of Fifty per Cent ad Valorem, the value to be fixed by the Agent of Revenue, the Custom Master, and two Respectable Merchants, whom the Collector is empowered to call in to assist upon this occasion.

Given at Colombo this Tenth day of January 1806.

By the Governor's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

**A** Regulation for the discharge of certain Insolvent Debtors on the Queen's Birth Day.

Regulation No. 3 of 1806.

After a full inquiry into the circumstances of several individuals who are confined for Debt in the Prison of Colombo, it appears, on the one hand, that the Creditors are daily increasing their claims, by the advances which they are, by Law, obliged to make for the sustenance of their Debtors while in Prison, and, on the other, that the Debtors are daily becoming less able to pay those claims, by the total stop which imprisonment has put to their respective occupations; The Governor in Council therefore conceives it is to be consistent with the General principles of Justice, and with the particular interests of the Creditors, that the persons of those Debtors should be liberated, but that their Property should be held liable for the Debts for which they are now in confinement. And hereby enacts as follows.

1st. The Sitting Magistrate of Colombo shall forthwith cause to be brought before him all persons who, having been confined for Debt in the Prison of Colombo previous to the 1st day of January 1806, still remain there.

2d. He shall then cause them to deliver publicly to him upon Oath an exact List of all their Property.

3d. Having done so, he shall cause them to be released from the Prison of Colombo at 6 o'clock on the morning of Her Majesty's Birth Day.

4th. No Debtor, who is released by the present Regulation, shall be again Arrested for any Debt or Debts for which he is now in Prison.

5th. Every sort of property which, any Debtor who is released by the present Regulation may now possess, or hereafter acquire, shall be liable for any Debt or Debts for which he is now in Prison.

Colombo 15th January 1806.

By the Governor's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Nullified by Act 10 Geo: 4 Cap: 7.\*)

**A** Regulation for taking off the restraints which were imposed upon the Roman Catholics of this Island by the late Dutch Government Passed by the Governor in Council, on the 27th of May 1806.

Regulation No. 4 of 1806.

*See D.C. Act. 1806. Sec. 1/2. p. 17*

It being His Majesty's most gracious intention, that all Persons, who inhabit the British Settlements on this Island, shall be permitted liberty of conscience and the free exercise of Religious worship, provided they can be contented with a quiet and peaceable enjoyment of the same, without giving offence to Government.—And it appearing, that the Roman Catholics, who are a numerous and peaceable body of His Majesty's Subjects, are, by several laws passed under the late Dutch Government, rigorously excluded from many important privileges and Capacities, And that, altho' these Laws have not been acted upon in all cases by His Majesty's Government, yet, that they are still unrepealed, and a cause of anxiety to those who profess the Catholic Religion.

The Governor in Council enacts as follows.

First. The Roman Catholics shall be allowed the unmolested profession and exercise of their Religion in every part of the British Settlements on the Island of Ceylon.

Second. They shall be admitted to all Civil privileges and capacities.

Third. All Marriages between Roman Catholics, which have taken place within the said Settlements since the 26th of August 1795 according to the rites of the Roman Catholic Church, shall be deemed valid in Law, altho' the forms appointed by the late Dutch Government have not been observed.

Fourth. This Regulation shall take effect on the 4th day of June next that day being His Majesty's Birth Day.

Fifth. Every part of any Law, Proclamation or order which contradicts this Regulation is hereby repealed.

Colombo 27th May 1806.

By Order of the Council,

JOHN DEANE,  
Sec. to the Council.

## REGULATION.

(Expired.)

REGULATION No. 5 of 1806.

**A** Regulation for authorizing the Agent of Revenue and Commerce of the Province of Galle and Matura to go a circuit thro' the Talpeepattoo of the Galle Corle.

The Talpeepattoo of the Galle Corle has of late been so much infested with numerous and daring associations of Robbers and the Headmen of several Villages in that Pattoo have either from fear or from Bribery been so disgracefully neglectful of their duty that the Governor in Council with a view of affording immediate protection to the peaceable inhabitants of that District enacts as follows.

1st. The Agent of Revenue and Commerce of the Province of Galle and Matura shall proceed as soon as he conveniently can, on a circuit thro' out every Village of the Talpeepattoo of the Galle Corle.

2d. He shall during such circuit exercise a Criminal Jurisdiction over all inferior offences, breaches of the peace, and disorders, against the police with power of inflicting punishment by fine not exceeding One Hundred Rix Dollars, by imprisonment at hard labor not exceeding Six Months and by Whipping not exceeding One Hundred Lashes.

3rd. The Criminal Jurisdiction which is vested in the said Agent of Revenue and Commerce by this Regulation shall cease as soon as he shall have concluded the said circuit.

Colombo 30th June 1806.

By Order of the Council,

JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 3 of 1840.)

Regulation No. 6 of 1806.

**T**HE number of Robberies and other offences which have of late been committed in different parts of the British Settlements on this Island render it necessary that some police Regulations should be immediately made—The Governor in Council therefore enacts as follows.

1st. There shall be one or more headmen called Police Officers in each of the Villages within the British Settlements on this Island.

2d. Every Police Officer shall be appointed by the Agent of Revenue and Commerce for the Province to which he belongs.

3d. He shall give such security as the Agent of Revenue and Commerce shall deem adequate; before he receives his appointment.

4th. He shall be called Village Viddaan of the police, and his appointment shall continue during pleasure only.

5th. He shall during the continuance of his appointment, be exempted from all other Government Service except that which belongs to his Office.

6th. He shall have the power of arresting and searching the Houses of all such persons in his Village, as are either suspected by himself or accused by others, of having committed any offence.

7th. He shall in the shortest possible time after he has arrested any person, send him to the nearest Justice of the Peace with an Ola mentioning the time at which the person was arrested.

8th. He shall, as soon as possible, after he has searched any House, send a report to the nearest Justice of the Peace of all that he has done upon the occasion and of the reasons which induced him to search the House.

9th. He shall be severely punished if, upon an enquiry made by the Justice of the Peace, it should appear, that he either arrested, or searched the house of, any person thro' malice or with a view of extorting money.

10th. He shall have the power of calling upon, in the name of the King, every Inhabitant of his own and of the neighbouring Villages, and also upon all the neighbouring police Viddaans to aid him in the execution of his duty.

11th. Every person who shall refuse to aid him when so called upon in the name of the King, shall be punished.

12th. He shall be allowed 10 per Cent upon all stolen property which he shall discover and bring to a Justice of the Peace; provided that he arrest and convict before the proper tribunal, any one of the persons who shall have been guilty of stealing the said property.

13th. No Person shall exercise the trade of a Silver Smith, without having first given security to, and obtained a license from the Agent of Revenue and Commerce of the Province in which he resides.

14th. No person exercising the trade of a Silver Smith shall mend, alter, or melt, any Silver or Gold thing whatever, without first shewing it to one of the police Officers of his Village.

15th. No person shall either give or receive in pawn any Gold or Silver thing without first shewing it to one of the police Officers of his Village.



16th. This Regulation shall be in force in every Village and Town within the British Settlements on this Island, excepting the Towns and Forts of Colombo, Jaffna, Galle, Matura, Negombo and Trincomalie for which places another proper Regulation will be made.

REGULATION No. 6 of 1806.

Colombo, 8th July 1806.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,

R. ARBUTHNOT,  
*Chief Sec. to Govt.*

## REGULATION.

(Nullified by Charter of 18th February 1833.)

**WHEREAS** by the 39th Clause of a Proclamation of the late Governor The Honble FREDERIC NORTH, bearing date the Twenty Second day of January 1801 it is enacted in all Cases of Slavery heard by the Courts of Landraad that "whosoever the decision of our said Courts respectively shall be against the party alledged to be a Slave there shall be from such decision an Appeal to us in our lesser Court of Appeal, but where the decision shall have been in favor of the person so alledged to be a Slave such decision shall be final and without any Appeal and the alledged Slave shall thereupon be for ever free."

Regulation No. 7 of 1806.

And Whereas great inconveniences have frequently arisen from the observance of this Clause.— His Excellency The Governor in Council is hereby pleased to annul the same, and to enact that in future an Appeal shall be allowed in all cases whatsoever where the property of Slaves may be concerned from the Provincial Courts to the High Court of Appeal provided the Value of the Slave is of an appealable amount.

Colombo, 8th July 1806.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,

R. ARBUTHNOT,  
*Chief Sec. to Govt.*

## REGULATION.

(Repealed by Ordinance No. 5 of 1835.)

**WHEREAS** it appears that the different Magistrates have not hitherto acted under any specific and fixed instructions of Government and whereas considerable inconvenience has arisen from the want thereof, His Excellency the Governor in Council is pleased to declare and enact as follows:

Regulation No. 8 of 1806.

### INSTRUCTIONS FOR MAGISTRATES.

1st. That no person whatever be committed for any Criminal offence unless information of one or more Person or Persons upon Oath be first made before the Magistrate who Commits, containing some Fact or Facts, which induce a well grounded suspicion of the guilt of the Person committed except in cases where the Fact shall have happened within the view of the Magistrate committing.

2d. That in every Committal the Magistrate shall express the cause or causes of his Commitment or in other words the Crime or Crimes alledged against the Party Committed and shall also indorse on the back of his Committal the name or names of the Person or Persons, on whose Information such commitment is grounded with their Proper additions and the place of abode of such witnesses respectively.

3d. That in all the lesser offences, if the Party offers to the Magistrate about to Commit him, good and sufficient Security for his appearance the Magistrate shall accept such Security.

4th. That every Magistrate shall as soon as may be, transmit to the Fiscal within his Province, the information or informations by virtue of which he has Committed to Prison any Person or Persons for Crimes or offences within the limits of his Jurisdiction, except in cases of inferior offences which are competent to be tried by the Magistrate himself or by the Provincial Court of his Province, and that he shall enter in a Book to be kept for that purpose, true Copies of such Information or Informations respectively, and also Copies of the several Committals made by him in consequence thereof.

5th. That every Magistrate within the limits of his Jurisdiction shall have authority to hear and determine all interior or Petty offences, and to punish the same by fine or whipping or by imprisonment, that is to say, by fine not exceeding Twenty Six Dollars, by whipping not exceeding Fifty Lashes, and by imprisonment not exceeding one Month, during which period the delinquent shall be liable to be Employed at hard labour in any of the Public works within the District or Province where the offence was committed. And that a Diary shall be kept by every such Magistrate of all complaints for such offences, and of all fines imposed, and punishment inflicted in consequence thereof.

6th. That every Magistrate in all things to be done by him, as such, do confine, himself strictly within the limits of his District, save and except that every Magistrate shall be permitted for the attainment of Justice, to speed or dispatch his Warrant to any other Magistrate or Magistrates of a different District, in order to have the same executed in such latter District, and the Magistrate or Magistrates thereof, may, by indorsing such Warrant, cause the same to be executed within the limits of such Jurisdiction, and in case any Person or Persons shall be apprehended under the authority of such Warrant so indorsed, the Justice or Justices who so indorsed

REGULATION No. 8 of 1806.

the said Warrant shall forthwith transmit under safe and secure conduct the Person or Persons so apprehended to the Magistrate who first issued such Warrant, to be dealt with according to Law.

7th. That every Magistrate shall within three full days after any Person shall be brought before him and charged by information upon Oath with any Crime or Offence, either commit the party to Prison or enlarge him upon security as beforementioned.

8th. That every Fiscal shall receive into his custody and confine within his prison all and every Person or Persons duly committed by any Magistrate upon any Criminal charge, and that he shall from time to time enter in a Book to be kept for that purpose three copies of all commitments and the indorsements thereon respectively, and shall also make entries of the times when such Persons were by him respectively received into his custody.

9th. That in all cases where any Person or Persons has or have been committed for any Bailable offence, owing to their incapacity to procure sufficient security at the time of their commitment; such Person or Persons shall after they have been delivered into custody of the Fiscal, be entitled to be enlarged upon giving such security to the Fiscal, as herein before the Magistrates were respectively authorized, and required to take when offered to them before commitment.

10th. That in assessing Bail all Magistrates do with the utmost circumspection proportion the amount of the security required to the nature of the offence charged, and above all things that no Magistrate shall require excessive Bail.

11th. If any Magistrate shall take an information in any Criminal case he must proceed in such case till the Evidence for the Crown is fully prepared, and not leave it to another Magistrate to finish.

12th. If a Criminal case is brought before a Magistrate who has competent Jurisdiction over it, he must decide it himself, and not refer it to another Magistrate.

13th. But in case any difficulty should accrue in the course of the proceedings such Magistrate is at liberty, to call in another Magistrate to his assistance.

14th. No Person shall execute any power whatever appertaining to a Magistrate unless he has a Warrant from His Excellency the present Governor.

15th. That every Magistrate on receiving information upon Oath of a Robbery or Theft committed (where the delinquent or delinquents cannot be fully ascertained) do immediately enquire what Person or Persons are or may be reasonably suspected, and that upon colourable grounds to support that suspicion. He do issue forthwith one or more search warrant or warrants for the purpose of seizing the Property so robbed or stolen, and as a foundation for search warrants to act upon. That every Magistrate do take (if possible) an exact account of the Property lost in all such cases. Where the delinquents are positively sworn to, search Warrants ought to issue of course, and that without any the least delay.

16. That in all cases where the greater Crimes are in question, and the Party or Parties impeached are positively sworn to, and have absconded or fled from Justice, the Magistrate do make immediate and strict inquiry from the Headman of the District and otherwise if necessary concerning the Property both moveable and immoveable, belonging to the Party or Parties so absconding or fled, and that in every case where such Property is ascertained, the same be instantly seized under Sequestration, and that Sequestrators be duly appointed to manage the said Property, and when called upon for that purpose to account for the produce or profits thereof, and that all such Property, and the produce or profits thereof be detained or kept in Sequestration, till the party or Parties so absconding or fled to whom it belongs, shall become or shall have rendered him, her or themselves amenable to Justice by being apprehended or by a voluntary surrender, and undergoing, or submitting themselves to be tried for the Crime or Crimes, wherewith they are charged respectively.

Colombo, 16th July 1806.

By Order of the Council,

JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Nullified by Instructions to the Governor.)

Regulation No. 9 of 1806.

It having been represented to His Excellency The Governor in Council from a Variety of Cases incident to the present situation of this Island that great Inconvenience and Loss to Individuals accrues from the difficulty of borrowing Money on Mortgage of moveable or immoveable Property His Excellency The Governor in Council to give every due Encouragement to the Increase of Commerce and to the Industry of individuals, having taken the said Representation into serious Consideration, is pleased to declare and enact:

1st. That the Committee for managing the Civil Fund of this Island be authorized to lend out to individuals, round sums of money not less than 100 Rds. bearing an interest of 9 pr. Cent per Annum, and receive for Security either mortgages, of moveable or immoveable Property.

2nd. That the Committee for managing the Civil Fund be authorized under this Regulation to call into their aid, such Persons as they may deem adviseable to carry into effect the Provisions of this Regulation.

3rd. The sums so to be lent out are for the present not to exceed One Lac of Rix Dollars.

4th. Where the amount of the subject mortgaged exceeds the Value of the Sum borrowed by 25 per Cent such security shall be deemed sufficient. Where it does not amount to 25 per Cent more than the Sum lent. The Borrowers shall be obliged to give besides the Property so mortgaged, two or more Valid Securities who shall bind themselves jointly and severally renouncing the Privileges, which sureties are otherwise entitled to according to Law.

5th. To promote the rising spirit of Trade the Board may lend out Sums of Money to Merchants purchasing a Cargo, and receive as Security a Mortgage on the Cargo so purchased to the Extent of 25 per Cent under the Invoice price of the Cargo; provided also they give two or more good and satisfactory securities who will renounce the usual Privileges to which securities are entitled and who will further bind themselves jointly and severally to pay the proceeds of the said Cargo in proportion as it is sold by the purchaser in part Payment of the amount borrowed—Under a penalty in the event of intentional Failure being proved before the Provincial Court or Sitting Magistrate of 25 per Cent on the whole value of the Invoice price of the Cargo.

Regulation No. 2 of 1806.

6th. The Committee will receive every Wednesday the applications that may be submitted to them under this Regulation, and upon any Individual making application to the Secretary, he will submit to the President of the Board the propriety of calling an Extraordinary Meeting of the Committee to take the application of any Individual into consideration.

7th. No Money to be lent by the Board for the general purposes of Industry for a period exceeding one year renewable, or in the specific instance of the purchase of Cargoes for a period beyond the usual period to be settled if necessary by the opinion of two Respectable Merchants of the fair time to be granted for its resale.

8th. The Interest upon all monies lent to be paid into the Board, the second Wednesday of every month in failure of which the Committee are to be considered in Law entitled to proceed to immediate Recovery both of principal and Interest by parate Execution.

9th. All Individuals borrowing money under this Regulation shall be entitled to pay in, the whole, or any part of the Principal not under the sum of 100 Rix Dollars every Wednesday in the month, upon which Day, the Interest on the money so paid in part, or in whole of the Principal, is to cease.

10th. The Committee are most strictly enjoined, that no money be lent under this Regulation, except to Persons of the most unexceptionable Character, and whose Evident application of the Loan when borrowed, is for the purpose of Legitimate Commerce—and for the support of fair Industry.

Colombo 15th July 1806.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council,*

By His Excellency's Command,

R. ARBUTHNOT,  
*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by Charter of 18th February 1833.)*

**I**T appearing that various abuses exist, and that Considerable inconvenience arises to the mercantile interest from the want of a due Police, and of proper Regulations being established in and over the Port of Colombo, and from the want of a proper Magistrate to carry into speedy effect on the spot the said Regulations, His Excellency the Governor in Council is pleased to enact as follows.

Regulation No. 10 of 1806.

Art. 1st.—There shall be a Sitting Magistrate for the Port of Colombo.

Art. 2d. He shall hear, examine, try, and determine in a Summary way, all claims and demands arising upon any dealing or Contract, relative to any Ship, Vessel, Dony or Boat, which is either now, or shall hereafter be in the port of Colombo, provided that the Sum or matter in dispute shall not exceed the amount of 300 Rds. and further, he shall by all lawful ways and means, cause his sentence to be carried into execution.

Art. 3d.—He shall try and punish all inferior offences, breaches of the Peace, and disorders against the Police which shall be committed, either on Board of any Ship, Vessel, Dony, or Boat in the port of Colombo, or on any part of the Sea shore within the limits of his Jurisdiction, and shall have the power of inflicting punishment by fine not exceeding 100 Rds. by imprisonment at hard labour, not exceeding the period of three months, and by whipping not exceeding 100 Lashes.

Art. 4th.—All Captains and Masters of Vessels, Sirangs and Tindals shall on coming on shore, be brought to the Office of the said Sitting Magistrate, where the present Regulation, which shall be pasted up in English, Dutch, Malabar, and Cingalese shall be communicated to them.

Art. 5th.—If any Merchandizes or wares imported on freight are either landed in a bad state, or are delivered with greater deficiencies than the usual mercantile wastage, at the requisition, either of the owner or of his Agent, to whom they are consigned, the Sitting Magistrate shall ascertain the damage or deficiency, and decide whether or not the damage or deficiency, has been occasioned by the fault of the Captain, Master or Tindal, and shall further have the power of adjudging damages, not exceeding the amount of 300 Rds. and in cases where the damage is estimated at a larger amount, he shall give a written Certificate of his opinion upon the subject to the party aggrieved, in order that the said party may avail himself thereof before a Court of competent Jurisdiction.

Art. 6th.—If a Captain Tindal or any other Boatman refuses to receive Merchandizes or Wares which he had agreed to take on freight, under a pretence that they are either not well conditioned or of a bad quality, the Sitting Magistrate shall decide in how far the refusal is grounded, and shall certify his opinion upon the Subject on the Bill of Lading, which he shall cause to be signed by the owner of the said Merchandizes or Wares.

Art. 7th.—As it is usual, on entering into contracts with the Merchants of this place to stipulate that the products of the place shall be delivered at the Wharf, and as they are often, either of a bad quality, or not well conditioned, the said Magistrate shall in such cases, if required, have the power of imposing on those, whose bad faith is evident, a fine proportionate to the

REGULATION No. 10 of 1806.

damage which results therefrom, not exceeding 100 Rds. he shall also endeavour to accommodate matters to the satisfaction of the parties interested; but if he cannot succeed, he shall give the Plaintiff a certificate of the state of the case.

Art. 8th.—If a Sirang Tindal or any other Boatman has taken at another port, goods on freight for Colombo, and as often happens, instead of proceeding straight, stops without sufficient cause at an intermediate place, and proceeds a long time afterwards to the place of his destination, the said Magistrate shall in the first instance condemn the said Tindal, Sirang, or other Boatman to pay a fine, and shall also enable the party aggrieved to obtain speedy redress before a Court of competent Jurisdiction, by giving the said party a written Certificate of his opinion upon the subject.

Art. 9th.—All Persons having Merchandize or Wares to send on freight by Country-Vessels or Boats, and wishing to make their agreements in writing with the Sirangs or Tindals, at the Office of the said Magistrate, shall be permitted to do so, and the agreements so made shall be confirmed by the signature and seal of the Office of the said Magistrate, and the contraveners of the conditions so stipulated, shall be punished by fine, or whipping, at the discretion of the Sitting Magistrate.

Art. 10th.—If a Merchant or any other person shall come to the Office of the said Magistrate for the purpose of drawing up or executing a Bill of Lading, he shall do it on a stamp bearing One per cent. on the amount of the freight, and a clause shall always be inserted in the Bill of Lading stating, that the Boats or Vessels are considered as Hypothecated for the Merchandizes or Wares laden on Board of the same on freight; if there be any objection to the quality or condition in which the goods are, it shall be specified in a note at the bottom of the Bill of Lading, and the said note shall be signed by the said Magistrate and by the freighter.

Art. 11th.—The Tindals of the Coast, who load Rice on freight for Colombo, are in the habit of wetting the Rice, in order to increase the weight or Bulk: This inamorous practice, not only occasions frequent disputes between the Seller and purchaser; but also damages the grain in such a manner that it cannot be kept long, and becomes at the Expiration of some time, a very unwholesome food: if a Sirang, Tindal, or other Boatman shall be accused of having thro' malice or fraud wet grain, the Sitting Magistrate shall send for four merchants, that is to say 2 Europeans or Country born, one Moosman and one Malabarman, and shall take their Oath that they are not in any way interested in the case, and shall on being satisfied by their report, that such an Offence has been Committed, punish the said Sirang, or Tindal, and as many of the Lascars as shall appear to have been concerned in it, and shall give a certificate of his opinion, and of that of the said four merchants, as to the damages claimed by the party aggrieved.

Art. 12th.—The Tindals, Sirangs and Boatmen of the Coast are in the habit of stopping, very often without any necessity whatever, at Manar, and thereby lose their own passage, and also cause their freighters to lose the advantage which they would otherwise have had in the market as first comers, the Custom Master of Manar is therefore hereby ordered to see that all the Dories and other Country Craft, laden on freight, do not remain any longer in the River of Manar than is absolutely necessary to effect their passage, and is hereby authorized to inflict a corporal punishment not exceeding 50 lashes or a fine not exceeding 100 Rds. on any Sirang, Tindal, or other Boatmen, who shall in the manner aforesaid, either thro' fraud, malice or negligence, injure the interests of the owners of their Cargoes, and he is also hereby ordered to cause all Sirangs/Tindals or Boatmen to be brought before him either on the day of their arrival at Manar or on the next day at furthest, and to explain this Regulation to them: this order particularly relates to Country boats going from Colombo to the Settlements on the Coast.

Art. 13th.—The Sitting Magistrate of the Port of Colombo, shall fix the prices for the Port Coolies both in Ordinary, and Extraordinary cases: and is hereby empowered to make from time to time, such Regulations among the Coolies, as may appear necessary, subject to the approbation of Government. He shall also punish all Thefts Committed by Coolies within the limits of his Jurisdiction, either by imposing a fine to be paid by the whole body of Coolies, or by inflicting corporal punishment upon those who are discovered, and are convicted of the Theft, and further shall use his best endeavours to recover the Goods.

Art. 14th.—The Sitting Magistrate shall keep a diary in which he shall enter all acts wherein he has been obliged to use his authority, and Copies of all the certificates which have been granted by him: in order to defray the expences of his Office, fees shall be levied by him at the rate of 3 Rds. for every first page, and 2 Rds. for every following page of all such Certificates, informations and other written proceedings as have passed before him; all which certificates, informations, and other proceedings, shall be written on a Stamped paper, of 5Rds.

Art. 15th.—The Sitting Magistrate is hereby authorized to arrest, whenever he shall deem such a measure necessary, any Vessel, Boat or Dony in the Port of Colombo also any goods or merchandizes when landed at, or shipped from the Port, and also any person who shall unlawfully have taken refuge on board of any Vessel, Boat or Dony in the Port; Provided however that he shall not do so without an application for that purpose having been first made to him in writing.

Art. 16th.—The Sitting Magistrate shall enquire into all Complaints of Captains, Masters of Vessels, Sirangs, and Tindals against their Crew, and into all complaints of the Crew against their Superiors, and he shall also cause all deserters and other disorderly Seafaring person to be taken up.

Art. 17th.—The Jurisdiction of the Sitting Magistrate of the Port of Colombo is hereby understood to extend along the sea shore from the mouth of the Mutwal to the Battenburg battery; and over all Vessels, Dories and Boats of whatever description, except those which belong to His Majesty, and to the Hon'ble East India Company.

Art. 18th.—In all Civil Cases which come before the Sitting Magistrate he shall have the power, if either of the parties prior to the commencement of the examination applies for it in writing, or if he himself deems it expedient, to call into his assistance the aid of two Merchants not interested in the transaction: provided however that if the parties do not apply for it in writing prior to the commencement of the examination, or that the Sitting Magistrate himself does not deem it expedient for his own information, to call in such assistance, he do forthwith proceed alone to decide upon the case.

Art. 19th.—The Sitting Magistrate is hereby particularly directed to take care that the cargo

of all Ships and Donies, be landed in regular rotation, according to the time of their arrival without partiality.

REGULATION No. 10 of 1806.

Art. 20th.—All Pass-ports shall be sent by the Custom Master to the Sitting Magistrate, prior to their being delivered to the Captains, Masters, or Tindals of such Vessels, as have cleared out of the Custom House, and by the Sitting Magistrate to the Master Attendant.

Art. 21st.—The said Sitting Magistrate is hereby empowered to try all Cases of whatever nature either Civil or Criminal which relate to the Collection of the Customs of the Port of Colombo.

Colombo, 28th July 1806.

By Order of the Council,

JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

### REGULATION.

**N**O person shall bake bread for sale without having previously obtained a written License for the same.

Art. 2d.—Every person who bakes bread for sale, shall pay Five Rix Dollars on taking out his License at the Office of the Sitting Magistrate where his name will be registered.

Art. 3d.—No bread shall be baked for Sale which shall not consist of one of the following weights.

Art. 4th.—The smallest Loaf (or Muffin) shall weigh Four Ounces Dutch, or full Four and a quarter English.

Art. 5th.—The second sized Loaf must be eight Ounces Dutch, or Eight and Three quarters English.

Art. 6th.—The third sized Loaf must be Sixteen Ounces Dutch, or Seventeen and a half English.

Art. 7th.—The fourth sized Loaf shall be Twenty-four Ounces Dutch, or Twenty six and a quarter English.

Art. 8th. That when a bag of wheat (weighing about 150 Dutch Pounds) shall not exceed in price Nine Rix Dollars, the bread weighing four Ounces Dutch or four and a quarter English, shall not be sold for more than three Pice.

Art. 9th. That, upon the same principle, the second sized loaf shall not be sold for more than Six Pice.

Art. 10th. That, upon the same principle, the third sized loaf shall not be sold for more than Twelve Pice.

Art. 11th. That, upon the same principle the fourth sized loaf, shall not be sold for more than Eighteen Pice.

Art. 12th. That when a bag of wheat shall exceed the price of Nine Rix Dollars but not exceed Twelve; the four Ounce bread shall not be sold for more than Three Pice and half; and the Three other Classes of bread, in the same proportion.

Art. 13th. That, if the price of a bag of wheat shall exceed Twelve Rix Dollars but not exceed Fifteen, the price of the bread weighing Four Ounces, Dutch, shall not be sold for more than Four Pice, and the Three other Classes in proportion.

Art. 14th. That, the bread bearing the aforementioned prices, must be well baked, and composed of prime wheaten flour.

Art. 15th. That every person who bakes for sale, shall put a mark upon his bread, which shall be noted down in the License book.

Art. 16th. That each Baker must renew his License annually.

Art. 17th. That each Baker do present himself, or send a Deputy, to the Office of the Sitting Magistrate, on the first of each month, or, should that happen to be a Holy-day, on the 2nd of the month.

Art. 18th. That all and every person who shall be convicted of having deviated from the above Regulations shall be fined, for each offence, at the discretion of the Magistrate, in a sum not exceeding 50 Rix Dollars.

Art. 19th. That any person, should he be convicted a second time, of a breach of any one of the above mentioned Regulations, shall in addition to the fine be liable to forfeit his license.

Art. 20th. Should any Baker, offending against any one of the above Regulations and be convicted thereof, and be unable to pay his fine; he shall be liable to other punishment.

Art. 21st. That the Sitting Magistrate shall call two or more respectable and well informed Merchants or Traders, or Burghers of Colombo, once a month, and confer with them respecting the price, of wheat, and the price of bread shall be regulated thereby.

Regulation No. 11 of 1806.

*Repealed by (Sec) No 19 of 1862*

REGULATION No. 11 of 1806.

*Repealed by 19 of 1848.*

Art. 22nd. That two persons shall be appointed, and being sworn, shall have authority, to enter occasionally the houses of the Bakers, to weigh the bread and examine its quality.

Colombo 5th August 1806.

By Order of the Council

JOHN DEAN,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 3 of 1810.)*

REGULATION No. 12 of 1806.

**R**EGULATION for compelling the Native Headmen to the more effective discharge of their duty and for authorizing Magistrates to apprehend Vagrants.

As it appears by information taken, and reports made to His Excellency the Governor in Council that there have been regular gangs of Plunderers and Robbers who have for years infested different Parts of this Island, to the destruction of the Property of the peaceable Inhabitants, and to the great discredit of His Majesty's Government, and as it is clear that no such gangs could have existed without the knowledge of Government, had the Headmen of different Discriptions done their duty, and as it further appears that there are at present a number of Vagrants on this Island who having no visible means of obtaining a livelihood, generally support themselves by being guilty of all kinds of petty offences; His Excellency The Governor in Council is pleased to enact.

1st. That all Headmen of whatever Denomination, Class or Order, be held in the strictest manner responsible, that no such illegal Combinations or meetings as above stated exist within the Districts under their superintendence without being immediately reported by them to Government through the Dessave of their District.

2nd. That upon it's appearing from any information, or any Report duly verified being made to the proper authority of such combination existing, and of which the Native Headmen had not antecedently given information to Government, such Headmen let their Rank be what it may, will be *ipso facto* dismissed from all their situations and deemed incapable of ever serving His Majesty.

3rd. That such Headmen so neglecting this material Part of their duty shall be held amenable in Law, when such fact is proved before a competent Jurisdiction, to pay such fine and suffer such other punishment as the Court before whom they are tried may deem adequate to the offence, according to the nature and circumstances of the case.

4th. That whereas by the 20th Clause of Instructions from His Majesty to His Excellency The Governor of Ceylon.—The said Governor is authorized and required "to remove and send away from the said Settlements and Island such Persons as he shall suspect of adhering to our Enemies, and all such other Persons, the continuance of whose residence He may have reason to imagine might be inconvenient or prejudicial to the peace, good order, or security of the said Settlements."

His Excellency hereby declares that whenever it appears either by informations taken or by Reports duly verified, made to His Excellency The Governor in Council that such offences do exist, but which it may be impossible from various causes, for legal Proceedings to reach, all Persons so offending shall be banished to the Island of Deltt, there to remain at Hard Labour for such time, as to His Excellency in Council may appear fitting, according to the nature of the case.

5th. Every Magistrate shall apprehend all description of Vagrants or suspected Persons who may be lurking about his Jurisdiction without any ostensible means of subsistence or who cannot give a satisfactory account of themselves.—The Magistrate shall examine on oath such Vagrant, or suspected Persons, and also any Persons who may have knowledge of their usual place of residence, occupation, or mode of obtaining their livelihood, and if there shall appear to him grounds for supposing that they are disorderly or ill disposed people, he shall employ them in repairing the public roads, or upon any other public works until they find such Security as He shall deem adequate, for their good behaviour in case of their being discharged, or until some creditable person shall agree to entertain them in their service, or the Magistrate shall be satisfied, from their deportment whilst in his Custody, or other circumstances, that they will of themselves take to some service or employment, so as to obtain an honest livelihood, in either of which cases, the Magistrate shall discharge them.—If any person so apprehended shall make his escape from the Custody of the Magistrate, before he is regularly discharged and shall be apprehended, he shall be imprisoned and kept to hard Labour for six Months.

Colombo, 14th August 1806.

By Order the Council,

JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,

R. ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Regulation No. 9 of 1818.)*

**W**HEREAS considerable Inconvenience to the Proprietors of Slaves as well as great hardships to the Slaves themselves, have arisen from the uncertain tenure of Slaves in the district of Jaffnapatnam—His Excellency The Governor in Council is pleased to enact as follows:

REGULATION No. 13 of 1806.

1st. That all Slaves whether Domestic or those known by the name of Covias, Pallas and Nalvas, or of any other Denomination whatever within the District of Jaffnapatnam be enregistered at the Cutcherry of that place.

2nd. That the Registration be renewed every five years.

3rd. That the act of Registration shall be subject to a stamp of one Rix Dollar.

4th. That all persons not enregistering their slaves within four months from the date hereof shall forfeit all legal title to the same.

5th. That if a Slave is desirous of being emancipated he or she may appear before the Provincial Judge and Agent of Revenue, who shall call in a Member of the family to whom the Slave belongs, or other respectable Native, and fix a fair price for the Slave, upon the payment of which to the owner, he or she shall receive a Deed of Emancipation subject to a stamp of one Rix Dollar.

Colombo 14th August 1806.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,  
ROBERT ARBUTHNOT,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 3 of 1834.)*

REGULATION FOR THE BETTER POLICE OF THE PETTAH AND OF THE COUNTRY WITHIN THE FOUR GRAVETS OF COLOMBO.

ARTICLE 1st.—The Pettah to be divided into 15 Streets as follows.

Regulation No. 14 of 1806.

## IN THE LENGTH.

- No. 1 The Bank all,  
" 2 The Main Street,  
" 3 The Keyser Street,  
" 4 The Orphan House Street,  
" 5 The Maliban.

## THE CROSS STREETS.

- " 6 The front Street,  
" 7 The 1st Cross Street,  
" 8 The 2nd Ditto,  
" 9 The 3rd Ditto,  
" 10 The 4th Ditto,

## FISHERMENS' QUARTER.

- " 11 The 1st Street in the Length,  
" 12 The 2nd ditto ditto,  
" 13 The 3rd ditto ditto,  
" 14 A Cross Street,  
" 15 Cross Bazar Street.

Art. 2d.—The Collector shall in like manner divide the four Gravets into as many subdivisions as shall appear to him to be necessary for carrying into effect this Regulation.

Art. 3d.—There shall be for each of the Streets No. 1, 2, & 10, three Constables: for each of the Streets from No. 3 to 9 two, for each of the Numbers 11, 12, 13, 14, & 15, one. Total of the Constables 28.

Art. 4th.—Each of them shall have the power of taking up any Suspicious persons who may appear in his division, after sunset, and shall send them to the guard of the Kaymans gate which shall have the necessary orders for receiving such persons: and, in the like manner, the Constable shall be empowered to seize all persons troubling the public repose in any manner whatsoever, either by day or by night.

Art. 5th.—He shall have the power after sunset to search Suspicious houses, upon Complaint made to him, and to take up persons against whom a Complaint is made, and in case of urgency shall afford assistance to any body in his division either by day or by night.

Art. 6th.—He shall have the power of demanding and enforcing entrance into any House of his division or street when he suspects there are disorderly persons, or improper conduct going forward at any time.

Art. 7th.—He shall keep a List of all the Inhabitants of his division, in which shall be included all the persons composing the families and servants: any person removing from one division to another, or from one house to another of the same division, shall within twenty four hours, inform the Constable of the division from which, and to which he removes, of his removal: any increase, diminution or change in the number of persons of their house-hold shall also be reported to the Constables.

Art. 8th.—He shall take up all Vagrants in his division, and take care that no beggars do infest the streets, excepting on Saturdays from seven in the morning till five in the evening: Moreover shall no beggar be allowed to beg without certificate of the Constable or Headman of his division.

REGULATION No. 14 of 1806.

Art. 9th.—He shall report to the Magistrate all disorderly houses and disorderly persons.

Art. 10th.—The Constable of each division shall be Chief overseer of the Patrole of his division, who are bound to obey him.

Art. 11th.—Two or three divisions shall be joined together, if more Convenient, to form a Patrole every night from 10 o'clock till four in the morning.

N. B.—The arrangements of the different Patroles may be made by the Constables assembled, after the Lists of their respective divisions shall have been formed. Subject however to the approval of the Magistrate.

Art. 12th.—The Patroles shall allow no body whomsoever to pass along the Streets, after 10 o'clock without a Light; much less people to sleep under the Piazzas or Varandas of the Houses.

Art. 13th.—No body shall harbour a Stranger without giving notice of it to the Constable of his division, to whom he shall also report his departure; no Malay nor any Cooly shall be allowed to pass the night in the Pettah, who has not a fixed domicile therein.

Art. 14th.—When a Thief is discovered, or in any other pressing emergency, the Constable may call upon his neighbours and his neighbouring Constables to assist him, who shall obey his Summons, and for the more speedy method of Summoning them together, he shall have a rattle.

Art. 15th.—Each Constable shall have a Staff of Office, and shall appear before the Sitting Magistrate every first of the month except when no Casualties have happened in his division; in which case he shall be allowed to make his report in writing; this is not meant to preclude any Constable from having more frequent Communication with the Magistrate, if necessary.

Art. 16th.—Any Constable who shall annoy vexatiously, and without reason any person, under a pretence of Zeal for the police, will be liable to punishment; such questions shall be decided by the Sitting Magistrate.

Art. 17th.—No person shall give or receive in pawn any articles whatsoever, without shewing the same to the Constable of his division.

Art. 18th.—Any person who shall discover, and bring to conviction, any one having received goods on pawn, who had not shewn the same to the Constable of his division shall have five per cent on the amount of the said property.

Art. 19th.—All Gold and Silver, and Copper goods, which are brought shall be shewn by the purchaser to the Constable of his division, with the exception of those bought at public auction—It is prohibited to purchase any goods whatsoever after Sunset from persons who offer them for sale at the Doors.

Art. 20th.—Silver Smiths, Gold Smiths and Brass Founders are to give security for their good behaviour to the Sitting Magistrate, and shall not melt down any wrought Gold, Silver, or Copper, without having shewn the same to the Constables of their divisions.

Art. 21st.—All Gambling places, not licensed, to be abolished, and no person of whatever description, shall be allowed to gamble either in the streets or under the Varandas or Piazzas of the houses in any manner whatsoever.

Art. 22d.—There shall be only three licensed Gambling places in Colombo which shall be closed at six in the evening, and not be opened till Sunrise.

From various reasons nearly connected with the peace and welfare of families, the keepers of Billiard tables shall take Licenses from the Sitting Magistrate, before whom they shall make Oath not to suffer any disorderly conduct to take place in their houses, and the more to prevent licentious debauchery of youth no debts either for gambling or for Liquors used there, shall be admitted in law; and all Billiard houses shall always be shut up at Ten o'clock at night—The Constable shall take particular care that this be punctually observed.

Art. 23d.—No Smoking of Madak or Opium after sunset will be allowed, without permission of the Constable of the division.

Art. 24th.—The Constable shall be entitled to 10 per cent, on all property whatever which he may discover and recover, and in like manner, shall five per cent be given to any other person who shall be the means of recovering and restoring to the owner his stolen property.

Art. 25th.—All persons receiving goods to keep for others, shall give immediate notice to the Constable of their division.

Art. 26th.—All Houses and Gardens shall be encompassed with walls, or good hedges and be cleared of the bushes within, in order to prevent the concealment of Thieves; this to be completed in three months.

Art. 27th.—The Constable shall be careful that no Filth or Dirth remain in the Streets, but that every inhabitant shall keep the space before his House clean.

Art. 28th.—All persons who shall transgress these Regulations, shall be liable to a fine to be imposed by the Sitting Magistrate according to the nature of the offence, the proceeds of which shall go to the maintenance of the police establishment; and such persons whose circumstances, do not allow them to pay the fine, will be subject to corporal punishment, or imprisonment at the discretion of the Sitting Magistrate.

Art. 29th.—The Sitting Magistrate shall be aiding and assisting the Constables in the execution of their functions against all persons whomsoever, who should resist their authority.

Art. 30th.—It shall be one of the principal duties of the Constables to see that the drains of the Houses, and also those along the streets, are kept open so as to prevent the stagnation of water in them.

Art. 31st.—They shall make a particular enquiry into the manner in which the inhabitants of their respective divisions provide for their subsistence.

Art. 32d.—Each Street shall bear a name engraved on a Plank to be nailed up in a conspicuous place at the corner of the several streets; and each house shall be numbered.



Art. 33d.—The firing of musquets in the Pettah is strictly prohibited, as also the firing off of fireworks, without a special permission of the Sitting Magistrate in writing. REGULATION No. 14 of 1866.

Art. 34th.—No Ola huts or sheds will be allowed to be erected in the Pettah, without the permission of the Sitting Magistrate in writing, and those existing at present shall be pulled down within one month from the promulgation of this Regulation, unless allowed by the Sitting Magistrate to continue.

Art. 35th.—In case of fire, the Constables shall use their utmost endeavours to cause the same to be extinguished, the first one who shall have notice thereof shall give the alarm by means of his rattle, which shall be repeated by all the other Constables, when the inhabitants shall come out of their Houses and at the desire of the Constables afford the necessary assistance both by themselves, and by sending their male servants and slaves where the fire is.

Art. 36th.—The Constables shall pay great attention that the butchers keep the places where they kill Cattle always Clean, and that the offal be removed so as not to infect the air.

Art. 37th.—They shall also see whenever any buildings are erected that the Streets be not encroached upon.

Colombo 19th August 1866.

By Order of the Council,  
JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,  
R. ARBUTHNOT,  
Chief Sec. to Govt.

EXTRACT from the Minutes of a Council held at Colombo this 5th day of August 1866

*Present.*

HIS EXCELLENCY THE GOVERNOR.  
THE HONORABLE ALEXANDER JOHNSTON ESQ.  
ROBERT ARBUTHNOT ESQ.

The Chief Justice submits to the Governor in Council the Code of Mahomedan Laws observed by the Moors in the province of Colombo, and acknowledged by the Head Moormen of the District to be adapted to the present usages of the Cast.

Resolved on the motion of the Chief Justice that the same be published—and that they be observed throughout the whole of the Province of Colombo.

“ A True Extract ”

JOHN DEANE,  
Sec. to the Council.

Published by Order of His Excellency The Governor.

ROBERT ARBUTHNOT,  
Chief Sec. to Govt.

SPECIAL LAWS  
CONCERNING  
MAURS OR MAHOMEDANS.  
FIRST TITLE.

RELATING TO MATTERS OF SUCCESSION RIGHT OF INHERITANCES, AND OTHER INCIDENTS OCCASIONED BY DEATH.

**W**HEN either Husband or Wife dies either leaving or not having Children, the Survivor shall in the first place separate and take away from the Estate the dowry brought in Marriage by him or her the same not being in common.

*Mahomedan Law of Inheritance &c.*

2d.—A Husband dying, leaving a Wife but no Children or relations, the Estate shall after deducting the Burial Charges and other Legacies be divided in four shares viz. One fourth to the Wife and the other three fourths to the Poor.

3d.—The Husband dying & leaving a Wife and one or more Sons, then the Estate is divided as follows viz. One eighth part to the Wife, and to the Son or Sons Seven eighth parts.

4th.—The Husband dying leaving a Wife and a Daughter. The Wife is entitled to One eighth part. The Daughter to the just half, and the Poor to the remaining three eighth parts.

5th.—The Husband dying leaving his Wife and two Daughters, then is due. To the Wife, One eighth part. Two thirds to both the Daughters, and Five Twenty fourth parts to the Poor.

MAHOMEDAN LAW OF INHERITANCE &c.

6th.—When the Husband dies leaving his Wife and three Daughters. One eighth part goes to the Wife. Three fourths to the three Daughters, and One eighth part to the poor, and should there even be more Daughters, they shall not inherit more than Three fourth parts.

7th.—The Husband dying leaving his Wife and a Son and one Daughter. The Wife is entitled to One eighth part, The Son to Seven twelfths and the Daughter to Seven Twenty fourth parts.

8th.—Should there be more than one Son and one Daughter then the division is fixed follows. One eighth part to the Wife and The Son or Sons twice as much as the Daughters get.

9th.—The Wife dying leaving alone her Husband. The Husband is entitled to the half, and the poor to the other half.

10th.—The Wife dying leaving the Husband and one Son the Estate is divided as follows. One fourth part to the Husband and Three fourth parts to the Son, should there be even more Sons they will get no more than three fourth parts.

11th.—The Wife dying leaving a Husband and one Daughter. The Husband is entitled to one fourth part of the Estate. The Daughter to the just half, and the poor to one fourth part.

12th.—The Wife dying leaving a Husband and two Daughters. The Husband is entitled to one fourth part. The two Daughters to two thirds and the poor to one twelfth.

13th.—The Wife dying leaving a Husband and three Daughters, the Estate must be divided into thirty three parts viz.

Three sixteenth parts to the Husband. Three fourth parts to the three Daughters, and one sixteenth part to the poor. And in this manner the Estate shall be divided even if there are more Daughters.

14th.—The Wife dying leaving a Husband one Son and one Daughter the Estate shall be divided as follows viz. To the Husband one fourth part, to the Son the just half, and to the Daughter one fourth part.

15th.—The Wife dying leaving her Husband, one son, and two Daughters the following is allotted.

One fourth part to the Husband, three eighth parts to the Son, and three eighth parts to the Daughters. This manner of dividing the Estate shall take place even if there be more Sons and Daughters.

16th.—Should the Husband or Wife die leaving a Father and Mother. The Father gets two thirds and the Mother one third.

17th.—Any one dying leaving a Father and Mother and one Son. The Father is entitled to one sixth part. The Mother to one sixth, and the son to two thirds.

18th.—Any body dying leaving a Father and Mother and one son and one Daughter. The Father is entitled to one sixth. The Mother to one sixth, the son to four ninths, and the Daughter to two ninth parts.

19th.—A person dying leaving a Father and Mother and one Daughter. The Father is entitled to one third. The Mother to one sixth and the Daughter to the just half.

20th.—A person dying leaving a Father and Mother and two Daughters. The Father gets one sixth. The Mother one sixth and the two Daughters two thirds, and altho there be more Daughters they shall have no more than two thirds.

21st.—A man dying leaving a Daughter and a Son's Daughter or grand Daughter they are entitled to the following. The Daughter to one half of the Estate. The grand Daughter to one sixth and the poor to one third.

22d.—Should even the Husband leave besides his aforesaid Daughter two or more grand Daughters, their share shall however not surpass what is stated here above.

23d.—A grand Father or grand Mother and Father or Mother dying and a grand Daughter surviving them. The one half of the Estate shall go to the Grand Daughter, and the other half to the poor.

68. 385. D.C. U. Austin's Rep. p. 2.  
Dio. between wife & daughter, - & daughters  
& son of 2<sup>nd</sup> bed.

Wife under Clause 9. The husband is not entitled  
to recover from the husband, proceeds made by his  
daughter during her life time, & which she was living  
& separate from her husband. Austin. p. 1.  
D. C. Hardy. 110. 176.

24th.—But in case two grand Daughters have been left; then.  
Two thirds go to the two grand Daughters, and one third to the poor.

25th.—If a person has only a grand son he succeeds to the whole property.

26th.—A person dying leaving a grand son and a grand Daughter the Estate is divided as follows.

To the grand son two thirds and to the grand Daughter one third, and altho there be more grand Sons and grand Daughters, the division shall take place in the same manner.

27th.—Should any person die leaving a Daughter and a Son's Son, or grand Son, one third of the Estate devolves to the Daughter and two thirds to the grand Son.

28th.—But in case two Daughters and one grand son are left, each of them is entitled to an equal share of the Estate.

29th.—But should there be a Daughter, a grand Son, and a grand Daughter, the Estate is then divided as follows.

The half to the Daughter, one third to the grand Son, and one sixth to the grand Daughter.

30th.—Should however there be two Daughters, one grand Son, and one grand Daughter, the Estate shall be divided as follows:

To the two Daughters two-thirds.

To the grand Son two ninths, and to the grand Daughter one ninth.

31st.—Should there be one Daughter, two grand Daughters, and one Daughter's Son, the Estate is to be divided as follows:

To the Daughter the half. To the two grand Daughters, one fourth and to the grand Son one fourth.

32nd.—Should there be two Daughters, two grand Daughters, and one Daughters Son, or grand Son.

The two Daughters are to have two thirds. The two grand Daughters, three Eighteenths and the grand Son one Eighteenth.

33rd.—Should any body die, leaving one Daughter and a Sister, altho' he and the Sister be of two Mothers and the same Father.

The half of the Estate shall go to the Daughter and the other half to the Sister.

34th.—Should the deceased leave one Daughter and two Sisters.

The Daughter must have the half, and the two Sisters the other half.

35th.—Should he have left two Daughters and two Sisters.

The two Daughters shall have two thirds and the two Sisters one third, the same division shall take place even if there be more Daughters and Sisters.

36th.—The Husband dying leaving his wife with one Daughter and a Son's Daughter, and leaving also a Mother, and one Sister, the Estate shall be divided as follows:

The wife shall have one eighth.

The Daughter the half.

The grand Daughter one sixth.

The Mother one sixth and

The Sister one twenty fourth part.

37th.—But should as in the above case the Husband survive his wife, and remain with the above persons, then the Estate is divided as follows:

To the Husband three thirteenths.

To the Daughter six thirteenths.

To the grand Daughters two thirteenths, and to the Mother two thirteenths, and the Brothers and Sisters are in this case not to share in the Inheritance.

38th.—The deceased leaving one Brother and one step Brother from the side of another Father or Mother.

The full Brother is entitled to five sixths, and the step Brother to one sixth.

39th.—A person dying leaving two Brothers or Sisters of one Mother and two Fathers.

The two Brothers or Sisters are to have one third, and the poor two thirds.

40th.—The deceased leaving two half Brothers or Sisters of one Mother and another Father and one full Brother and one full Sister, the Estate is divided in the following manner.

One third goes to the two half Brothers or Sisters, four ninths to the full Brother and two ninths to the full Sister.

41st.—The wife dying leaving her Husband and her grand father, each of them are entitled to one half of the Estate.

42nd.—The Husband dying leaving his wife and his grand Father. One fourth of the Estate devolves to the wife, and three fourths to the grand father.

43rd.—Should the deceased leave a daughter and grand father each of them shall be entitled to an equal share of the Estate.

44th.—Should the deceased leave two daughters and a grand father, each of them shall be entitled to one third of the Estate.

45th.—Should there be a grand father of the father or mother's side and a son and a daughter.

The grand father shall be entitled to one sixth, the son to five ninths and the daughter to five Eighteenth parts.

46th.—Should the wife die leaving her husband grand father or grand mother and a son.

The husband shall be entitled to one fourth, the grand father or grand mother to one sixth, the sons to seven twelfth parts.

47th.—Should there be two sons then the Husband is entitled to one fourth.

The grand father or grand mother to one sixth and the two sons to seven twelfth parts.

48th.—Should there be also a son and a daughter.

The Husband is entitled to one fourth, the son seven eighteenths, the grand father or grand Mother to one sixth, and the daughter to seven thirty sixth parts.

49th.—Should the deceased leave a grand father and grand mother of the father's side.

The grand father is entitled to five sixth, and the grand mother to one sixth part.

50th.—Should the deceased have left a grand father and grand mother of the Father's side and a grand mother of the mother's side then.

The grand father of the father's side is entitled to two thirds, the grand mother of the Father's side to one sixth, and the grand mother of the mother's side, to one sixth.

51st.—The wife dying leaving her husband, father and a son, then.

The Husband is to have one fourth.

The father one sixth. the son seven twelfths.

52nd.—The Husband dying leaving his wife's mother and a daughter.

The wife is to have one eighth.

The Mother one sixth.

The Daughter the half of the estate, and the poor five twenty fourths.

53rd.—The Husband dying leaving two wives and a son then.

The two wives are to have one Eighth, and the son seven Eighths, and should there be more wives the division shall take place in the same manner.

54th.—A grand father or grand Mother dying leaving a Son's Daughter, or grand daughter.

The grand daughter is to have one half of the Estate, and the poor the other half.

55th.—A person dying leaving two grand daughters of his son's side, and a brother, each of them are entitled to one third.

56th.—If the deceased has left a sister she is entitled to the half, and the poor to the other half.

57th.—The wife dying leaving her husband and two Sisters.

The Husband is entitled to three sevenths and the two sisters to four sevenths.

58th.—If the wife has left two full Sisters and an Uncle of her Father's side, then each of these persons shall be entitled to one third part.

59th.—An Emancipated female Slave dying leaving her husband and one daughter together with her late Master or Mistress, then.

The Husband is entitled to one fourth.

The daughter to one half, and the Master or Mistress to the other one fourth.

60th.—An Emancipated male slave dying leaving his wife, daughter and his Master or Mistress, then

The wife is entitled to one Eighth.

The daughter to one half, and the Master or Mistress to three Eighths.

61st.—An Emancipated female slave dying leaving her husband and two daughters, together with her late Master or Mistress, then the property is divided as follows:

One fourth to the husband, two thirds to the two daughters, and one twelfth to the late master or mistress.

62nd.—If such an Emancipated male slave dies.

The wife will be entitled to one Eighth.

The two daughters to two thirds, and the master or mistress to five twenty fourth parts.

63rd.—Lastly agreeable to the same rule, all descendants are entitled to their respective shares of Inheritances, according to the persons they represent in the same manner as.

A wife or her descendants, a full Brother or his descendants, Paternal uncle and full uncles and aunts and their Children, and their descendants if there be no nearest-kin Fathers' Brothers, and mothers' sisters' Children are entitled to the same shares as sons and daughters.

MAHOMEDAN LAW OF INHERITANCE.

## SECOND TITLE.

### CONCERNING MATRIMONIAL AFFAIRS.

64th.—A person wishing to Marry, application must be made to the Bride's father and mother for their consent.

65th.—Should the Parents of such Bride be dead, the man must make his intentions known to the relations of the Bride, and endeavour to obtain their consent.

66th.—And after consent having been obtained it is the custom that the Bride and Bridegroom interchange some presents, which however are reciprocally restored if the marriage does not take place.

67th.—The Parents or nearest relations of the Bride, shall then with the knowledge of the Bride enter upon an agreement with the Bridegroom concerning the marriage gift, called maskawien.

68th.—The matter being settled, the Bridegroom is obliged to pay to the Bride immediately what has been agreed upon.

69th.—But should the Bridegroom not be able to pay such marriage gift immediately, it is with special consent of the Bride however carried to a separate account.

70th.—The Bridegroom is obliged to inform the Commandant or the Headman under whose orders he stands of his intended marriage.

71st.—The Commandant will then by means of the Native Commissioners apply to His Excellency the Governor for his consent.

72nd.—The Maskawien or Magger being paid or remained owing, the Priest or Lebbe shall be informed thereof.

73rd.—The Priest and Commandant are then obliged to record all such transactions, and to permit the Marriage Ceremonies to be performed.

74th.—Should before the Consummation of the marriage it be discovered, that the Bridegroom laboured under any bad Complaints such as Leprosy, Insanity or any other disorder, so that he is unable to perform the matrimonial duties, in which case a divorce is permitted.

75th.—The Bride wishing to be divorced is obliged to inform the Priest thereof, who after having deliberated with the Commandants on both sides in the presence of the Native Commissioners accedes to the divorce, which they are obliged to record, should the parties however not wish to abide by the decision, they shall be at liberty according to custom to lay their case before the competent Judge.

76th.—The Bride is in such case obliged to restore to the Bridegroom the Maskawien or Magger.

77th.—But should the disorder be discovered after the cohabitation a divorce may take place, and the wife may in that case keep the maskawien or magger.

78th.—And although such complaint should be discovered by the Bride either before or after the consummation of the marriage, the Husband is entitled to the Maskawien or Magger if discovered before the Cohabitation, but the wife is entitled to the same if discovered after.

79th.—Married Persons whether they can alledge any reasons or not, being with mutual consent divorced, the Husband is obliged to allow his wife the Moettelaak or ready money proportioned to the marriage Gift, for the support of the house.

80th.—Should the Husband and wife disagree, and live in continued dissensions with one another and wishing to be divorced.

81st.—In that case the Priest and the Commandants on both sides are obliged to inquire into the matter and endeavour if possible to reconcile parties.

82nd.—But should the wife oppose a reconciliation and the Husband being inclined to a divorce in that case they shall be separately kept by their own relations.

83rd.—After which a meeting of the Priests and the Officers of the Company shall be appointed.

*This is said to be a wrong translation. "Moettelaak" means thing or absolute repudiations, not by any means money." See H. K. R. p. 21*

84th.—And the matter in dispute shall be investigated for a second time and endeavours made to bring the Parties if possible to a reconciliation.

85th.—And if the parties cannot come to a reconciliation before the said assembly, the matter in question must be brought before the Sitting Magistrate.

86th.—And if the wife should oppose the reconciliation she shall be held to restore to the Husband twice the value of the Maskawien.

87th.—The Husband being desirous to divorce his wife, he shall be obliged to give her the Tollok or Letters of Divorce, which is repeated a second time at the expiration of Fourteen Days, and at the end of one month she receives the third Tollok during which time the Husband is obliged to maintain the wife and to furnish her with all necessaries.

88th.—Before the third Tollok is issued a reconciliation between the parties may take place and it is not necessary that they should disclose to any body the causes of their differences.

89th.—But should the third Tollok have been issued they must divorce, and it is in use, that should the Husband be determined to divorce his wife without any further consideration, to issue three Tolloks or Letters of divorce at once, but in that case he is obliged to furnish the wife with a dwelling place for the space of three Months, and she shall not be allowed to marry before she has had three times her menses.

90th.—The Husband is held to give notice to the Commandant on both sides of such Divorce which shall be recorded by them, and no body else shall meddle themselves therewith.

91st.—No wife is obliged to receive from the Husband any interest money for her maintenance, but such maintenance must according to the Mahomedan Law be the Product of some trade or manual work of the Husband.

92nd.—A married man decaying into poverty, so as to be unable to maintain his wife, such wife if she should be possessed of any wealth, which she is unwilling to share with her Husband, may obtain a Divorce, should she wish it, under the same provision as stated in the 76, Art.

93rd.—The Husband leaving his wife in order to repair to some place or other on Business, he must without giving occasion to Divorce provide for the maintenance of his wife in the presence of his relations.

94th.—A married woman disobeying her Husband shall suffer herself to be reprimanded by him for the first time with kindness in order to bring her back to her duty.

95th.—Should the wife, however fail in her due obedience for the second time, the Husband is then permitted to inflict on her some gentle correction, but by no means to treat her in a rough manner so as to occasion any marks either in her face or other parts of her Body much less is he permitted to Beat her on any dangerous place of the Body, so that blood appears.

96th.—A Divorced wife being pregnant is entitled to be maintained till she be delivered by her Husband, who is also obliged to pay the Expense of her lying in.

97th.—The wife in the above case is obliged to nourish her Child during three days without being at liberty to ask or receive any thing.

98th.—But the Husband is after the Expiration of that time obliged to fix a certain amount for the maintenance of the child if the wife requires it.

99th.—Should the wife be unwilling to keep the Child longer than three days the Husband is obliged to receive it.

100th.—A man is according to the Law of Mahomet permitted to marry Four wives that is to say only such men as are uncommonly addicted to the fair sex who have abilities enough to acquit themselves of their duty, and who are possessed of wealth enough to maintain the same property.

101st.—Such men are also permitted to keep under their protection besides their lawful wives so many Concubines, as they are able to maintain.

102nd.—The Husband and wife being divorced, and the third Tollok having been issued, are not permitted to reconcile and live as Husband and Wife, unless the Wife has been married to another Husband and obtained from him also Letters of Divorce.

The shares allotted to the poor by several of the foregoing articles, are not for the poor, but must go to the Asewatoekares, Aroegamoedeweigel and people of the Fathers' and Mothers' side who are entitled to the same.

Heirs who claim such inheritances make the same known to the Headman of the Maurs the Arbitrators, the Priests, who then at the entrance of the Gate of the Temple enquire and decide the case and cause the shares to which each is entitled to be given to them, and as according to the Mahomedan custom the Women may not go out, it is therefore the custom that their cases are enquired into and settled in an amicable manner but not being contented therewith both such cases and the Criminal ones are brought before the Governor.

In this manner we the Marcair Arbitrators Priests and Inhabitants have according to our knowledge and having consulted with the learned high Priests, have stated the foregoing Articles as agreeable to the Laws and customs for to be observed, and have confirmed the same with our Signatures at Colombo the 1st of August 1806.

(Signed.)

Mamoenyna Poelle Sl. ma Lebbe Marikair.  
 Segoe Isnael Lebbe Nyna Marikair.  
 Oedoema Lebbe Meestriar Sekadie Marikair.  
 Magelien Moegydien Lebbe.  
 Segoe Mira Lebbe Oedoema Lebbe Marikair.  
 Ibrahim Poelle Sinne Lebbe,  
 Lebbe Marikair Sarany Lebbe Marikair.  
 Agamadoe Lebbe Segoe Abdul Kader Interpreter.  
 Omeroenayna Poelle.  
 Segoe Lebbe.  
 Kasie Lebbe Mamoenyna Poelle.  
 Asen Mira Lebbe Moegammadoe Lebbe.  
 And-kana Poelle Ossena Lebbe.  
 Kasi Lebbe Segoe Mira Lebbe.  
 Aydroes Lebbe Sultan Kandoe.  
 Lebbe Marikair Oemeroe Lebbe Markan.  
 Lebbe Marikair Samsoe Lebbe Markair.  
 Segoe Mira Poelle Awoewekker Lebbe Alvers.  
 Mira Lebbe Meestiriar Sekadie Markair.  
 Slyma Lebbe Jesboe Nayna.

## REGULATION.

(Repealed by Ordinance No. 6 of 1835.)

**R**EGULATION for the Relief of Merchants who from unforeseen misfortunes have become insolvent.

Regulation No. 15 of 1806.

Art. 1st.—All persons engaged in Trade of whatever nature or Denomination it may be, and residing in the Island of Ceylon, will in the following Cases, be considered Bankrupts.

- 1st.—If they quit the Island without the consent of those with whom they have engagements to fulfil, or absent themselves longer than agreed upon with them, so as to cause just fears.
- 2d.—If they fly the legal pursuits of their Creditors, by absenting themselves from their usual place of abode, or Concealing themselves in any manner.
- 3d.—If, in order to defraud their Lawful Creditors, they transfer their property by a pretended Sale; or by the assistance of a false bond or other security cause their own property to be seized; or secretly remove or displace their Goods or Merchandizes, with the intention of preventing their being legally seized, or in case they have had recourse to any fraud, or imposition of which the object is evidently to defraud their Creditors, or any of them.
- 4th.—Or if, in order to defraud or delay his or their just Creditors, or any of them, any Merchant or Trader shall present or shall have presented to the Governor of this Island, or to any of the King's Courts of Justice therein, any Petition or Bill against his Creditors, or any of them, thereby seeking desiring or endeavouring to prevail upon or compel them, or any of them to accept less than their just and principal Debts, or to procure longer time or more days of Payment than was or were given at the time of their original Contract or Contracts.
- 5th.—Or lastly in case any Trader shall be sued in any competent Court of Justice upon this Island for any Debt or Debts to the amount of 500 Rix Dollars or upwards and shall without any just or lawful defence contest suit with the Complainant so as to delay him in such his Prosecution, or if after admitting such Debt or Debts and Judgment or Decree obtained on such admission, such Trader shall not pay the amount of such Judgment or Decree within one Calendar Month from the commencement of such proceedings, or in case of any Trader, after a lawful Recovery or Decree had against him to the amount afore-said, shall suffer Execution to issue thereon—either against his person or against his Moveable or Immoveable Property.

REGULATION No. 15 of 1806.

Art. 2d.—The Governor in Council will not grant a Commission of Bankruptcy against any Person except on the following Conditions.

1st.—On a Petition in writing of a Creditor for the sum of 1000 Rds. at least, of two Creditors jointly for 1500 Rds. and three Creditors jointly for 2000 Rds.

2d.—After the said Petitioners shall have exhibited and verified on Oath the Vouchers of their Claims.

3d.—After they shall have bound themselves in a sum, to be fixed by the Governor in Council, in behalf of the alledged Bankrupt; and that they shall have given good and sufficient Security for the Payment of the same, should the alledged act of Bankruptcy, or their Claims, not be sufficiently proved.

4th.—That they shall have Deposited with the Governor in Council the sum of 2000 Rds. to defray the costs of the Proceedings: Which Sum will be Re-imbursed them as soon as the Commissioners shall be enabled, by the seizure of the Effects of the Bankrupt, to make good these costs.

Art. 3d.—The Committee of Bankruptcy will be Composed of two, or at most, three Members, to be appointed by the Governor in Council and each of the said Members before they proceed to act must take the following Oath.

“I promise and Swear truly and justly to execute all that is required of me by the Bankrupt Regulation, enacted for the Island of Ceylon, in my capacity of Commissioner in this “present Commission named” after which a Deed under the Seal and Signature of the Governor will be delivered, by Virtue of which the said Commissioners will have the power to seize the Person, Goods, Books of accounts and papers of the Bankrupt, and to come in for all his Claims and Rights, direct or indirect, present or remote, and to act in the like manner as the Bankrupt might have personally done, had he not Committed an act of Bankruptcy.

Art. 4th.—The first duty of the Commissioners will be to cause the person against whom a Commission of Bankruptcy has issued to be informed of the act of Bankruptcy, with which he is accused, and the name of his accusers; the Commissioners will send to his usual place of abode a notification in writing and in his own Language, if the person accused, is not there, the same will be delivered to one of his relations, aged upwards of 12 Years, and in default of such a person, the notification will be posted to the Door of the House, where it will remain 30 Days, and longer, if there be reasonable cause to prolong the delay.

Art. 5th.—If at the expiration of the 30 Days, or the further Delay which may be granted the person accused does not appear to answer to the accusation, or Complaint, the Commissioners will proceed to inquire into the proof of the alledged act of Bankruptcy, and if there be reason to do it, they will declare the person so accused, a Bankrupt, in consequence of the act by him Committed, and will cause their Sentence to be published in the next Government Gazette, and to be posted in the several Languages of the Country; but should the person accused, present himself before the Expiration of the 30 Days, or of the further Delay, he will be admitted to make good his Reasons or Defence, not only before the Commissioners, but also before the Governor in Council if required.

Art. 6th.—Immediately after the Commissioners have declared a person Bankrupt, they will take Possession of all his Property (excepting his Clothing and Bed, and that of his Wife and Children, and Kitchen Utensils, and what shall be deemed necessary for the maintenance of the family, for the space of 40 Days) and will make Inventories of the same, and cause all that shall have been seized, to be appraised by Government appraisers, as soon as possible, and shall be careful of the surety and Conservation of all that is subject to damage, or to be Stolen; until administrators or one or more assignee or assignees have been appointed, and the said Commissioners may if they deem it necessary, appoint a provisional assignee or administrator, who may either be continued, or changed by the majority of the Creditors in Value that is according to the amount of their Claims if proved, or who shall have proved the same at the first meeting.

Art. 7th.—The Creditors will be Convoked as soon as possible by an advertisement in the Gazette where the time and place of meeting will be appointed, and the first proceeding of this assembly will be to admit the Creditors to prove their Respective Claims, those who reside at a great distance from the place where the assembly is held, within this Jurisdiction, or within the Territories of the Honble East India Company, may prove, and cause their Claims to be Certified by a Magistrate of the Province where they reside, and will then be admitted to have their persons represented in the assembly by an Agent furnished with a power in due form.

The Claims of the Creditors present in the assembly being verified and those that have been admitted being registered, they will proceed to appoint one or more persons not exceeding three to administer the Estate of the Bankrupt.

Art. 8th.—None of the Creditors will be admitted to vote in the nomination of assignees or administrators, without having, at least, a Claim of 500 Rds. on the Estate, and that Claim verified.

Art. 9th.—The administrators will be chosen by the Majority of the Creditors, not according to their number, but according to the amount of the Claims they have proved.

Art. 10th.—The Majority of the Creditors in value may whenever and as often as they deem it convenient change either the whole, or part of the administrators, and if the late Members do not, within the space of 15 Days, deliver over, or transfer to their successors, the Effects with which they shall have been entrusted, together with the Accounts and Documents relative thereto they will be punished by fine to be fixed by the Commissioners, according to the nature of the case, besides being responsible for the Damages occasioned by their not having delivered sooner the aforesaid accounts and documents, the whole amount of such fine, and Damages to go for the profit of the Creditors, that is to increase the Bankrupt Funds.

Art. 11th.—The Commissioners will deliver over to the administrators, as soon as they have been appointed, all the Goods, Merchandizes, Vouchers of Claims, Books of accounts, and other Documents (without exception) relative, or belonging to the Estate of the Bankrupt, and which may actually be in their possession.

Art. 12th.—The said administrators will be admitted to plead before all Courts of Justice, or



of Equity, against the Bankrupt, or against those, who will try to establish Claims against him, by virtue of transactions posterior to the Date of the act of Bankruptcy in consequence of which the Commissioners have been appointed; provided however that a Convention made *bona fide*, previous to the Appointment of the Commissioners, between the said Bankrupt and a person then ignorant of the act of Bankruptcy shall be valid.

Art. 13th—From the moment that the Public have been duly informed that a Commission of Bankruptcy has issued against any person, it will be unlawful for any of the Debtors to make any payment to the Bankrupt, either in specie or in Merchandize; all transactions or arrangements made with him, posterior to the date of the Publication of such Bankruptcy shall become void, but where a Debtor shall *bona fide* have paid his Debt, on the Day it became due, and shall make oath that at the time of the said payment, he had not the least knowledge of the act of Bankruptcy of his Creditor, or of a Commission of Bankruptcy having been issued against him, he shall not a second time be obliged to pay his Debt.

Art. 14th—If there be Complaints preferred to the Commissioners, or if they themselves have reason to believe that a person conceals any of the property of a Bankrupt they are hereby empowered to Cite him, or cause him to be cited by a Proctor, before them, or before the Judge of the District where he resides; in order that he may be Interrogated and Examined on Oath, and should he refuse to answer to the Interrogatories, and to sign, or subscribe his answers thereto; or should he, during the Course of the Examination, be convicted of having concealed, or disguised, the truth in any essential points, the said Commissioners, or the said Judge, are hereby empowered to imprison him, until he shall submit respectfully to the Interrogations and Examination, and until he shall confess without restriction, all that he knows relative to the different subjects on which he is Examined, and such person shall further be Condemned to pay for the use of the Creditors, a fine of double the value of the Effects which he shall have been convicted to have concealed.

Art. 15th—The Commissioners will in like manner, have the power of summoning, or causing to be summoned before them, such persons, who have, or are with reason supposed to have, knowledge of the Bankrupt's affairs, and to examine them on Oath, and should any person, when so Examined, perjure himself, either by influence, corruption, or other improper motive, such person shall be subject to pay to the King a fine not exceeding 3000 Rds. or to imprisonment; not exceeding two years, and in each of those cases he will be declared incapable of ever giving evidence in a Court of Justice.

Art. 16th—Whoever endeavours to establish, either in collusion with the Bankrupt or with any other person or persons any Debt, Claim, or Demand on his Estate, shall forfeit for the use of the Creditors, double the value of the amount claimed by him.

Art. 17th—All Donations of a Bankrupt posterior to the Engagements, or agreements entered into, by him, with his actual Creditors, are void.

Art. 18th—A Bankrupt, who within the space of 40 Days, (or such further delay as shall have been granted him,) after the Commission of Bankruptcy against him shall have been duly published, and thereby notified, does not appear before the Commissioners, or having appeared, shall refuse to be Sworn or to answer to the Interrogations and submit to the Examination, or who, having been examined, shall be convicted of not having faithfully discovered the state of his affairs, or, of having, deliberately concealed any circumstance to the prejudice of his Creditors, shall be declared a fraudulent Bankrupt, and Condemned to imprisonment, for the space of 5 years; nor shall a Bankrupt, in such case be allowed to enjoy the Benefits comprized in these Regulations.

Art. 19th—If the Bankrupt be in prison, in consequence of proceedings anterior to the Commission, and cannot be liberated to appear before the Commissioners, one of them shall be obliged to attend on him, from time to time, in order to examine, and to obtain from him the necessary information.

Art. 20th—If a Bankrupt refuses to submit to the Examination of the Commissioners, and to give them such correct information of the state of his affairs, as lies in his power, or, that during the Examination, he be convicted of perjury, he shall be punished by imprisonment for 3 years at least, or for any term not exceeding 5 years.

Art. 21st—A Bankrupt, who shall have surrendered himself to, or appeared before the Commissioners, before the Expiration of 40 days, or of the further delay granted him, will be allowed to inspect his Books, Papers &c. in the presence of one or more person or persons appointed for that purpose by the Commissioners, and he will be at liberty to call to his assistance such person or persons as he pleases, in order to assist him in arranging his affairs; that he may give a clear statement thereof to the Commissioners.

Art. 22d—Whoever knowingly and advisedly shall give refuge to a Bankrupt who has declined or delayed to surrender himself to the Commissioners in due time without informing the Police thereof, or who conceals him after a Commission of Bankruptcy issued against him shall have been duly published, will be subject to a fine, not exceeding 2000 Rds. or to imprisonment, for one year.

Art. 23d—After the Examination of the Bankrupt is concluded, if any person shall discover property of the Bankrupt, not revealed by him, such person shall be entitled to 5 per Cent on the Value of the property so discovered, and the Commissioners will be at liberty to allow him such additional recompence, as they shall deem fit and convenient.

Art. 24th—Should it appear that any person, employed by the Bankrupt to form, or assist in forming a statement of his affairs, was acquainted with any important matter, omitted in the declaration of the said Bankrupt, and that, within ten days after the conclusion of his Examination such person does not discover to the Commissioners such important matter, he shall forfeit double the value of the amount or thing so concealed.

Art. 25th.—If at the time of the seizure of a Bankrupt's Property, there should be found amongst his Goods, or Merchandizes, any wares consigned on Commission to him, and which evidently are the property of other persons, the Commissioners will be Responsible for them to the owners, provided however that for such part of the said Wares or Merchandizes, as shall have been sold before the seizure, the said owner cannot be paid otherwise than in Concurrence with the other Creditors.

This alludes merely to such Goods, as are sent specially for the purpose of being sold on Commission, and the Commissioner must inform as soon as possible the owners of the above stated Goods in order that they may take the necessary measures to procure their property.

REGULATION No. 15 OF 1806.

Art. 26th.—If, after the appointment of the Commissioners the Bankrupt makes any private arrangement, with one or more of his Creditors, to the prejudice of the others, either by paying them any sum or sums of money, by delivering them any merchandizes, or Wares, or by giving them any security for what he owes them, it will be considered a new act of Bankruptcy, and the persons who shall have accepted of such unjust Conditions, will not only be obliged to reimburse the Value of that they shall have thus received, but will forfeit all their claims on the Estate of the Bankrupt: which in that case will be revertible to the other Creditors.

Art. 27th.—The administrators, before the Expiration of one Year, from the time the Commissioners have been appointed will cause at least 30 Days public notice to be given of the time and place, where the Commissioners intend to meet or assemble in order to make a dividend of the proceeds of the goods and effects of the Bankrupt: at such meeting, all creditors, who have before neglected so to do, will be permitted to prove their Claims, and the Administrators will then lay before the Commissioners and the Creditors present, a correct account of the funds in their hands, specifying the proceeds of the sales, and the amount of the Debts recovered; they will also furnish a statement of what remains due and unsold, which statement must contain all the Particulars which it may be important for the Creditors to know. The Commissioners will deduct from the proceeds the Expenses, made by the administrators, during the course of their administration, and will, either approve, or reduce, the amount thereof. They will fix the remuneration to be allowed them, in proportion to the trouble they have taken, and these different charges being deducted, they will order and direct such part of the nett proceeds, as they shall deem convenient, to be proportionally divided between the admitted Creditors. The order of the Commissioners in such cases, will always be in Writing, signed by all the Members, and the date and place, when and where the order is given, must be specified therein: also the total amount of the Claims proved, the amount of the actual Dividend, the sum remaining in hands of the administrators, and how much per Cent has been ordered to be paid to each Creditor in particular; after which the administrators will make the payments, pursuant to such order of the Commissioners of which a Copy will be given them in due form. They will take a receipt from each Creditor, of the share by him received: which receipt must be written in a book prepared for that purpose.

Art. 28th.—Before the Expiration of 18 Months, from the appointment of the Commissioners, a second meeting will be convoked, in the manner before described; should new Creditors then present themselves they will be admitted to prove their Claims: it is probable that the Proceedings of this meeting will be definitive; but should there be still any goods unsold, or any Debt in litigation, the administrators are enjoined to convoke another meeting within the space of two months, after they shall have realized the amount of the said goods, or debts, and to make a dividend according to what is before said. It must however be understood that no Claim whatever can be proved after the Expiration of the said 18 Months.

Art. 29th.—None of the Creditors of the Bankrupt will be paid in preference, except in cases, where they have notarial bonds, on Stamped Paper, of an antecedent date to the appointment of the Commissioners, or a mortgage of certain Property, or where they have obtained execution against, and by virtue thereof seized some of the property of the Bankrupt, before the Commission against him had issued; in such Cases a Creditor, with such Titles will be paid in preference the whole amount of his Claims, or Debt, and even the interest (if stipulated in the security), till the time of payment.

Art. 30th.—The Administrators are to keep a Book, in which they will punctually enter all sums of money, or goods by them received, with the prices they have been appraised at, and all Creditors, whose claims have been proved, will be at liberty to have recourse to the said entries, at all reasonable times they think it necessary.

Art. 31st.—A Bankrupt, who of his own accord and free will, shall have presented himself to the Administrators, will be obliged to attend on them, every time he shall be directed so to do in writing, to assist them to arrange his accounts and be examined touching the same whenever they shall deem his presence necessary, or useful, for which Attendance he will be allowed a daily sum at the option of the Administrators.

Art. 32nd.—The Bankrupt, who, *bona fide*, shall have Surrendered himself to the Commissioners, and fulfilled all the duties imposed on him by this Regulation, will be allowed 5 per Cent on the nett proceeds of his Estate, if it be sufficient to pay 50 per Cent on the whole of his Debts; should there be enough to make a Dividend of 75 per Cent, he will be allowed 10 per Cent, on the nett proceeds, but should there not be wherewithall to pay 50 per Cent, he will not be allowed more than 3 per Cent on the nett proceeds.

Art. 33rd.—The Commissioners will allow an honest Bankrupt a Certificate of Bankruptcy, which will discharge him from all Debts contracted by him before the Appointment of the Commissioners, provided the said Certificate be approved of, and Signed by His Excellency the Governor; and be it known that by granting a Certificate of Bankruptcy, it is the intention of Government to assist honest persons, whose affairs are deranged, in consequence of unforeseen misfortunes, or of involuntary errors; but, from this number, will be excluded all those who shall have extravagantly squandered other Men's Property, either by unwarrantable profuseness, by gaming, or by scandalous debauchery.

Art. 34th.—Should any body have given Credit to a person, before he had been declared a Bankrupt, however remote the time of payment may be, he will in like manner, as the other Creditors, be allowed to prove the Debt, or Claim before the Commissioners; provided he consents to allow nine per Cent interest to be deducted, from the time his claim has been proved until the time it becomes due, as Stipulated in the Bankrupts Security and he may even petition for a Commission against him, (the Debtor) if he can prove an Act of Bankruptcy Committed by his said Debtor; altho he be then not actually at liberty to claim Payment of what is due to him.

Art. 35th.—When it shall appear to the Commissioners that there has been a mutual credit given by the Bankrupt and any other person, or mutual Debts between them at any time before such person became a Bankrupt, the Assignee or Assignees of the Estate shall state the Accounts between them, and one debt may be set off against the other, and what shall appear to be due on either side, on the Balance of such account after such sett off, and no more, shall be claimed or paid on either side respectively.

Art. 36th.—Should any contest arise between the Administrators and other person or persons, respecting the property, or other affairs of the Bankrupt, they may, if the Commissioners and the Majority of the Creditors in amount consent thereto, propose to the opposite party to refer the case to Arbitration, and this being accepted, the award of the Arbitrators will be binding on all parties.

Art. 37th.—The administrators are authorized to dispose of all the property moveable and immoveable of the Bankrupt, and the said Property will not be subject to any tax, or duty whatever; any regulation to the contrary notwithstanding. REGULATION No. 16 of 1806.

Art. 38th.—Should the Bankrupt die before the proceeds of his property have been divided, the Commissioners shall nevertheless continue to Act in like manner as if the Bankrupt was still living, and shall allow to his Wife and Children or either of them the same percentage on the nett proceeds of his property as they would have allowed to the Bankrupt had he been alive.

Art. 39th.—His Excellency the Governor in Council will settle the Fees, or Remuneration, to be granted to the Commissioners of a Bankrupt.

Art. 40th.—Should the Commissioners render themselves reprehensible for any deviation from the present regulation, the Majority of Creditors in value may petition His Excellency the Governor in Council to change the said Commissioners.

Art. 41st.—The amount of the Fines imposed by this regulation shall be recoverable at Law as common Debts.

Art. 42nd.—The Commissioners will be careful to keep the originals of their official proceedings, in order to be produced to His Excellency the Governor in Council whenever he thinks proper to call for them, and authenticated Copies of such Proceedings will be admitted in Evidence before the several Courts of Justice.

Art. 43rd.—In case the Creditors, or the Bankrupt, conceive themselves aggrieved by any act of the Commissioners, either party may petition His Excellency the Governor in Council for relief.

Art. 44th.—The Commissioners, before the Administrators have been chosen and appointed, or from the moment they have commenced their proceedings, will be at liberty to allow from the funds of the Estates of the Bankrupt, what they conceive indispensably necessary for the maintenance of himself and family.

Art. 45th.—Whenever the Administrators have in their hands more than One Thousand Rds. of the proceeds of the Estate of the Bankrupt, it will be permitted them, or the majority of the Creditors may require them to pay the same into the Treasury, for which a receipt will be granted.

Art. 46th.—A Bankrupt will not be allowed more than once a certificate of discharge, and in case of a relapse, or a second Derangement of his affairs he will be only allowed one for his person, except the nett proceeds of his Estate, for the second time, will suffice to pay 75 per Cent on the whole of his Debts.

Art. 47th.—The moveable or immoveable property of a Bankrupt may be sold on such Credit and Sureties, as the majority in value of the Creditors are willing to accept: provided however that such transaction shall not prevent the said Bankrupt from obtaining a certificate whenever his other affairs shall have been terminated.

Art. 48th.—And whereas it may frequently happen, in Bankrupt cases, that Creditors, residing at a Distance from Ceylon in various other Parts of India may not be able within the utmost time, limited by the foregoing Regulations for receiving proof of Debt, or Claims, to make Proof of such their Debts or Claims, so as to charge the Estate and Effects of their Bankrupt Debtors, and entitle themselves to one or more Dividend or Dividends thereof *pari passu*, with other Creditors, more favourably circumstanced in point of situation.—To remedy this grievance, whenever it may arise, the Commissioners, in every such case, shall be at liberty to enlarge the time for receiving proof of such Debts or Claims for any period, not exceeding six Calendar months, to commence after the Expiration of Eighteen months from the date or day of awarding such Commission of Bankruptcy, so as to give such absent and remote Creditors the full term of two Years from the date of such Commission to avail themselves of the Benefit thereof by proving their Debts or Claims respectively within such period of two years. But, if such Creditors should neglect or fail to make such Proof within the said enlarged Term of Six Months, they and every of them the said Creditors shall forfeit and be deprived of all Benefit and advantage they might otherwise have been entitled to, under such Commission of Bankruptcy, and as a further punishment for such their gross neglect or Delay no such Creditor shall be at liberty to sue the Bankrupt for recovery of any Debt Claim or Demand, which might have been proved under such Commission of Bankruptcy, in any Court of Justice on the Island of Ceylon.

Art. 49th.—The present Regulation shall not by any means affect the Rights of Government.

Colombo 19th August 1806.

By Order of the Council,  
JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,  
ROBERT ARBUTHNOT,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by Charter of 18th February 1833.)

**WHEREAS** in and by His Majesty's Charter, Establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty Eighth Section thereof the following Power (among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or Petition shall be Personal, and of more amount in value than one Hundred Rix Dollars of Current money of Ceylon, and the Plaintiff by Affidavit or being a Quaker, by Affirmation in writing to be filed of Record, shall satisfy the said Supreme Court of Judicature, that the Defendant is justly and truly indebted to him, in a greater sum than one Hundred Rixdollars, or shall by like affidavit or affirmation, to be filed as aforesaid, verify to the satisfaction of the said Supreme Court; a case of such enormous Personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Court, to render such security necessary for the Purposes of Justice the said Supreme Court of Judicature, in the Island of Ceylon shall, and is hereby authorized

Regulation No. 16 of 1806.

Regulation No. 16 of 1806.

“ and empowered to award and issue, in lieu of the Citation aforesaid, a mandate of arrest, to be prepared in manner abovementioned and directed to the said Fiscal, Commanding him to arrest and seize the Body of such Defendant, and to have his said body at a time and place in the said mandate to be specified, before the said Court, to answer the said Label or Petition, and to give sufficient Bail to be approved of by the said Supreme Court, that he will stand to and perform the sentence of the said Supreme Court upon the Premises, and pay all such sum or sums of money as shall thereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given that such Defendant shall appear at the time and place mentioned in such mandate, and in all things perform and fulfil the Exigence thereof, and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison to the Custody of the said Fiscal, unless, or until he shall give security to the satisfaction of the said Supreme Court, to perform to the sentence thereof, and Pay all such sum or sums (as shall be decreed thereby; which security we hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail.” And whereas there is no Provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in Lieu of the said ordinary Process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Supreme Court, annually and whereas during such Periods, while the said Supreme Court is absent from Colombo, Cases may and do frequently arise, in which the substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial Justice, and, above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by virtue of the Powers vested in us by His Majesty. We do hereby enact that in the absence of the said Supreme Court from Colombo, during the circuit which is now about to be made, it shall and may be lawful for the Sitting Magistrate of Colombo for the time being in the cases, mentioned in the said in part recited Thirty-eighth Section of the said Charter, (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any suit commenced or to be commenced in the said Supreme Court, whenever the Plaintiff or Plaintiffs therein shall by affidavit, or otherwise, to the satisfaction of the said Sitting Magistrate; furnish Proof to shew that such Defendant or Defendants are so vehemently suspected for intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Sitting Magistrate to render such arrest, and the security, consequent thereupon, under the Provision of the said Charter, in the said Thirty-eighth Section thereof prescribed, necessary for the purposes of Justice. The Sitting Magistrate shall in all such cases report his proceedings to the Supreme Court within 24 hours after the said Process of arrest shall have issued.

Colombo. 28th August 1806.

By Order of the Council,

JOHN DEANE,

Sec. to the Council.

By His Excellency's Command,

ROBERT ARBUTHNOT,

Chief Sec. to Govt.

## REGULATION.

(Annulled by Subsequent Instructions.)

Regulation No. 17 of 1806.

Schedule A.

HIS EXCELLENCY THE GOVERNOR on investigating the Civil accounts of this Island, having observed that the regular authorities from Government specifying the correct amount of all Pay and Establishment are in many Instances deficient, and as he conceives that the fixing annually the exact amount of Pay and allowance for Establishment for the ensuing year will at once simplify the whole of the Business of passing and auditing those accounts, and hinder the possibility of any Error whatsoever occurring, he is pleased to direct and order that from the 1st of the ensuing month, the following is to be the fixed Rate of Pay and Establishment in every Branch and Department of His Majesty's Civil Service here to the End of the year 1807,

And the Civil Auditor General is hereby Commanded peremptorily to surcharge any sum or sums different from the Establishment now laid down, stating such surcharge immediately to the Chief Secretary's and Pay-master-General's Offices, who are hereby directed to deduct the amount of such surcharge whatever it may be from the personal Pay for the ensuing month of the Head of the Department, making such unauthorized Demand.

Schedule B.

It appearing further to His Excellency The Governor that a considerable Irregularity prevails in the modes of sending in the monthly Abstracts and that great deficiency exists in many of the Vouchers, he hereby directs & Commands that the following be the exact mode in which all Abstracts are to be invariably sent in and the Civil Auditor General is hereby directed to surcharge all sum or sums that upon Examination appear to be deficient in the necessary Voucher stated in this schedule.

All Expenses incurred in the Civil Service other than those stated in the schedule of fixed Establishment are to be brought forward Monthly, as Contingent Charges, which are to the End of the year 1807, to be considered under the two following Heads.

### FIXED CONTINGENT CHARGES.

### UNFIXED CONTINGENT CHARGES.

Under the first Head are to be included all Charges contingent in their amount but certain in their nature—for Instance, the Commission of 2 per cent upon the monthly Collection of the Revenue is a fixed Contingent charge in as much as tho' the amount is uncertain, yet some Expense on that Head is certain to be incurred.

Unfixed Contingent Charges are all the charges that are neither certain to be incurred and equally uncertain in their amount, such as repairs of Buildings &c.

REGULATION No. 17 of 1806.

The authority necessary for incurring the first is to be applied for at the beginning of every month to the office of the Chief Secretary to Government who will issue the necessary Printed authority for the incurring the Expense under this Head during the Month.

The authority necessary for incurring the second can only be had by previous application to the Chief Secretary's Office whenever a necessity for incurring such Expense occurs, and the Civil Auditor General is hereby directed veremptorily to surcharge against the Individual making such unauthorized Charge every Contingency of every kind for the Expenditure of which there is no printed authority of Government annexed with the exception where the necessity of service has not given the Civil Servant an opportunity of applying to Government previous to the Expense being incurred—in which instance the Civil Auditor General is to apply to the Secretary to Government to know how far the Individual making such charge has complied with the order of Government under date September 6th 1805. hereto annexed which is to be considered as an invariable rule in cases of Civil as well as of Military Expenditure and where such order has not been complied with he is then directed to surcharge the amount against the Individual.

Schedule C.

The form of bringing forward all Receipt for Contingent Charges is invariably to be as follows—and no Receipt will be considered valid, made in any other Form & the Civil Auditor General will accordingly surcharge all Contingent Charges of every kind when the receipt is not consonant to the orders of Government.

Schedule D.

Colombo, 27th October 1806.

By Order of the Council,

JOHN DEANE,

Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,

Chie. Sec. to Govt.

A.

FIXED RATE of Pay and Establishments in the several Departments of His Majesty's Civil Service.

B.

FORM OF RECEIPT.

ABSTRACT and acquittance of Pay forself and the fixed Establishment of my Office in all its Branches for the Month of 180 , as by Regulation of Government under date 27th October 1806.

SITUATIONS,	NAMES,	AMOUNT.	We the undersigned do acknowledge to have received from the Sums opposite to our respective Names.

I do hereby acknowledge to have received the Sum above stated opposite my Name being my Salary as for the period above specified and do declare upon my Honor that the Persons composing my establishment whose Names or Marks are subscribed in this Abstract were actually and bona fide employed during the Month of to the best of my knowledge and belief.

C.

ORDER of Government authorizing Civil Servants in certain instances to bring forward Charges, for the incurring of which the previous authority of Government has not been obtained

To The Collectors

SIR,

WITH Reference to my Letter of the 1st ultimo regarding the mode of supplying Commandants or other Officers at our stations with money on account of the Military Department, I am directed by His Excellency the Governor to authorize you in cases of emergency which may render the marching of Troops without previous Orders necessary, to make such advances as may be required upon an application in writing from the Commandant of the District, without waiting for the previous sanction of Government, taking the Receipt in Triplicate of the Officer who Commands the Detachment, and giving information of the amount you advanced; to Government the same day.

I have the Honor to be,  
Sir,  
Your Most Obedient Servant,

R. ARBUTHNOT,

Chief Sec. to Govt.

Colombo September the 6th 1805.

REGULATION No. 17 of 1806.

D.

Form of bringing forward all Receipts for Contingent Charges.

The Government of Ceylon.....Dr.

To

180

For

Rds. Fs. P.

---

Total Rix Dollars—

---

Signature of the Person }  
to whom the account is due }

180

Received from

Esq.

the Sum of \_\_\_\_\_ being for \_\_\_\_\_ as per above Account of  
particulars furnished for His Majesty's Service, for which I have Signed three  
Receipts of the same tenor and date.

Witness to the Payment;  
(never to be the Person paying the Money,  
or one interested in the Expenditure.)

Signature of the Person Receiving the  
Money if in Malabar Character the  
Name to be Translated.

REGULATION.

Regulation No. 18 of 1806.

**A** Regulation for the security of Property and the Establishment of a due Police in the District of Jaffnapatnam and its Dependencies.

The system anciently pursued with respect to the different Description of property which exists in the province of Jaffna, was the result of much local experience and of a very attentive consideration of those Customs and Religious Institutions which had prevailed in that Province not only from the time of the Portuguese conquest, but also from the earliest period of the Malabar Government. It assimilated itself to the ancient habits of the Country, to the feelings and prejudices of the people, and it was for these reasons on the whole; Wise in principle, and salutary in its effects.

It appears however that of late years, measures have been adopted inapplicable to the situation of the Country, shaking in a considerable degree the tenure on which various species of property rested, and destructive of the Police and the Tranquillity of the people.

The most valuable property in that District consists partly in Land and partly in a Right of Servitude possessed by Persons of the Higher Casts over those of inferior: Vizt. of the Covia, Nallua, and Pallua, casts, approximating nearly to a state of lenient Slavery.

The Proprietors' Titles to both these species of property have been rendered obscure and uncertain; their rights to Land by the Introduction of a new plan of Registration and by the means which have been taken to enforce it; the right to Servitude of persons of the lower casts, by the decisions of Provincial Courts: and the abolition of those Regulations which under the former system secured to each proprietor the particular services that from immemorial Custom he was authorized to expect from those of the inferior casts bound in service to him, and that he was equally bound to support.

These Circumstances have not only tended to diminish the value of Land but have materially checked the Cultivation of the Country and gradually destroyed the whole of its Police.

The Property in Land is shaken by its being exposed to constant and vexatious Litigation, the Property in service by the Person bound in that service referring to the Decisions of Provincial Courts. The Servant from these Decisions refuses to obey his Master; The Master consequently refuses to support his Servant; The ancient system of subordination is done away; numbers of the lower Casts without the means of subsistence are daily turned upon the Public and uniformly commit those Enormities which for the last few years have disgraced the Province of Jaffna, and which demand the immediate and salutary Interference of His Majesty's Government.

With a view therefore to re-establish the security of property whether in Land or in

Service, and to prevent those Enormities that have recently occurred. The Governor in Council is pleased to enact.

REGULATION No. 18 of 1806.

1st.—The Thombo Registers of the respective Churches of the Province of Jaffna shall be delivered back to the respective Schoolmasters of the said Churches.

2d.—As there is reason to apprehend that many of the Thombo Registers are in themselves inaccurate, and in some Instances from want of proper care and attention mutilated, they are to be immediately revised, without any expense to the Inhabitants. And for this purpose the Schoolmasters in the different Churches are to open new Registers, in which the whole of the present Titles to the Ground within the Church to which he belongs, is to be inserted within a year from the date hereof.

3d.—From circumstances that have heretofore occurred it is necessary clearly to ascertain, and that the people should clearly understand that the object of this Registration is legally to ascertain the Title, such as it may be; but that in no instance it can be understood to decide upon the Legality of that Title.

4th.—From the Expiration of the year when the revision of the present Thombo Registers will be complete, the revised Register is to be solely referred to by the Courts of Law in the district of Jaffna in regard to the immediate and present Title by which Lands are held, but in the instance of litigation, the ancient Thombo Register may be resorted to, to ascertain the legal Validity of such Title.

5th.—The Register of the lower Classes of Persons bound in service viz. Covia, Nallua, and Palluas, which was directed to be forthwith made under Regulation 13th of the year 1806 shall be immediately completed.

6th.—The Thase Walma, or Customs of the Malabar Inhabitants of the Province of Jaffna, as collected by order of Governor Simons in 1706 shall be considered to be in full force.

7th.—All questions between Malabar Inhabitants of the said Province or wherein a Malabar Inhabitant is Defendant shall be decided according to the said Customs.

8th.—All Questions that relate to those Rights and Privileges which subsist in the said Province between the higher Casts particularly the Vellales on the one hand and the lower Casts, particularly the Covias, Nalluas and Palluas, in the other, shall be decided according to the said Customs and the ancient usages of the Province.

9th.—All Persons of the lower Casts shall shew to all Persons of the higher Casts such marks of Respect as they are by ancient Customs entitled to receive.

10th.—All persons who possess Property in the Covia, Nallua and Pallua Casts, shall deliver to the Agent of Revenue a List of all such Covia, Nallua, and Palluas, belonging to them who are people of bad Character.

11th.—All Masters shall give such moderate security as the Agent of Revenue may deem adequate for the good behaviour of every Covia, Nallua and Pallua, as appears by the Register to belong to them with the Exception of those who come under the Description of Clause No. 10.

12th.—The Agent of Revenue shall proceed with such persons as are described in Clause No. 10 according to the Enactments of the 5th Clause of Regulation 12th. A. D. 1806.

13th.—All persons of whatever description in the province of Jaffna who may be committed to hard Labour under the said Clause of the said Regulation shall be employed at the Expense of Government in the improvement of the Church to which they respectively belong or some of the Churches adjacent.

14th.—For the purpose of enabling the Agent of Revenue to carry the foregoing Clause into Effect, the Headmen and principal Inhabitants of each Church shall point out to the said Agent all such works of public utility as can be undertaken in their respective Churches.

*Colombo, 9th December, 1806.*

By order of the Council,

JOHN DEANE,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief. Sec. to Govt.*

## REGULATION.

*(Expired.)*

REGULATION No. 1 of 1807.

**T**HE Provincial Judge of the Province of Jaffna and the Sitting Magistrate of Colombo shall forthwith cause to be brought before them all persons who having been confined for debt in the respective Prisons of Jaffna and Colombo previous to the first day of January 1807 and still remain there.

2d.—The said Magistrate shall then cause the said prisoners to deliver publicly to them upon Oath an exact list of all their property.

3d.—Having done so, the said Magistrate shall cause them to be released from the respective prisons of Jaffna and Colombo at 5 o'clock on the morning of Her Majesty's Birth day.

4th.—No debtor, who is released by the present Regulation, shall be again arrested for any debt or debts for which he is now in prison.

5th.—Every sort of property which any debtor who is released by the present Regulation may now possess, or hereafter acquire, shall be liable for any debt or debts for which he is now in prison.

Colombo 6th January 1807.

By Order of the Council,

JOHN DEANE,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*Regulations Respecting Bakers at Trincomalie.*

Regulation No. 2 of 1807.

**N**O person shall bake Bread for Sale, without having previously obtained a Written License for the same.

2d.—Every person who bakes Bread for Sale, shall pay five Rix Dollars on taking out his License, which shall be issued by the Collector; his name shall be Registered at the Cutcherry, and the said License be annually Renewed.

3d.—No Bread shall be baked for Sale, which shall not consist of one of the following weights, and of that quality expressed.

4th.—There shall be two kinds of Bread allowed to be Sold namely: Bread of Prime Wheaten Flour, and Bread of a second quality called Brown Bread.

5th.—The smallest Loaf or Muffin of the first kind, shall be of Prime Wheaten Flour; and weigh four ounces Dutch, or full four and a quarter English.

6th.—The Second sized Loaf of this kind of Flour must weigh eight ounces Dutch, or eight and three quarters English.

7th.—The third sized Loaf must weigh sixteen ounces Dutch or seventeen and a half English.

## BREAD OF THE SECOND QUALITY.

8th.—The first sized Loaf of this kind of Flour must weigh eight ounces Dutch or eight and three quarters English.

9th.—The second sized Loaf must weigh sixteen ounces Dutch or seventeen and a half English.

10th.—That when a bag of Wheat weighing about 150 Dutch Pounds, shall not exceed in price Twelve Rix Dollars the Bread weighing four ounces Dutch or four and a quarter English, shall not be sold for more than three Pice.

11th.—That upon the same principle the second sized Loaf shall not be sold for more than Six Pice.

12th.—That upon the same principle the third sized Loaf shall not be sold for more than Twelve Pice.

13th.—That the price of the Loaf made with Flour of the second quality, and weighing eight ounces Dutch or eight and three quarter English, shall not be sold for more than Two Pice.

14th.—That the price of the Loaf of this kind of Flour and weighing sixteen ounces Dutch or seventeen and a half English, shall not be sold for more than Four Pice.

15th.—That the Bread bearing the abovementioned prices must be well baked.

16th.—That every Person who bakes Bread for Sale, shall put a mark upon his Bread, and which mark shall be entered in the License Book.

*Repealed by 19 of 1848*



17th.—That all and every person, who shall be convicted of having deviated from these Regulations shall be fined for each Offence at the Discretion of the Magistrate in a Sum not exceeding 50 Rix Dollars.

18th.—That any person upon being Convicted a Second time of a Breach of any of the aforementioned Regulations shall in addition to the fine, be liable to forfeit his License.

19th.—Should any Baker offending, on any one of these Regulations be Convicted thereof, and be unable to pay the fine he shall be liable to other punishment.

20th.—That the Collector shall call to his assistance one or more Respectable Inhabitants at Trincomalie, once in three months (or oftener if necessary) to confer with them respecting the price of Wheat and the price of Bread to be regulated accordingly.

21st.—That two persons may be appointed and being Sworn shall have authority to enter occasionally the houses of the Bakers, to weigh the Bread and examine its quality.

Colombo 19th January 1807.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION

(*Expired.*)

A REGULATION prohibiting the Exportation of Grain from the Island of Ceylon for a limited period.

WHEREAS it appears under a Government Advertisement bearing date the 11th January 1807, and published by order of the Right Honble the Governor in Council of Fort St. George that a considerable failure has taken place in the Periodical Rains of the late Monsoon; And Whereas such failure must produce a considerable effect on the quantity of Rice annually imported into this Island from the Coast of Coromandel—and Whereas it appears further that the premium offered by the Government of Fort St. George in the said Advertisement may operate as an Inducement to export Grain from His Majesty's possessions in this Island to the great distress of the Natives of this Colony, His Excellency the Governor in Council is pleased to enact.

Regulation No. 3 of 1807.

1st. That from the date of this Regulation an Embargo be laid upon the Exportation of Rice, Paddy and Grain of any kind from any parts of the British Settlements on this Island to the 1st of November next.

2d. That any attempt to export Rice, Paddy or any other Grain, during the above period contrary to the tenor of this Regulation be punished by the Seizure and Forfeiture of such Grain, and by the Seizure and Confiscation of any Vessel so attempting to export it.

3d. The different Collectors of Customs are hereby directed to specify in the clearance of every Vessel and Dhoney, the exact quantity of Rice, Paddy or other Grain in the said Vessel, the amount of which is in every case to be limited to a fair and liberal allowance for the Voyage of the Vessel.

4th. The Cargoes of all Vessels touching at any of the Ports of this Island during the above period are excepted from the provisions of this Regulation.

5th. Dhonies and other Vessels, trading Coast ways in the Island are excepted from the provisions of the present Regulation; but with a view to prevent all evasion the Collectors of Customs in the various parts of the Island are previous to such Vessels clearing out and having on Board either Rice, Paddy or other Grain, to receive a penalty Bond from the Shipper or Shippers, that such Grain be actually landed at the Port of the Island to which it is destined, in default of which, on due proof, the penalty of the said Bond is immediately to be levied by the Collector of Customs.

Colombo, 28th January 1807.

By Order of the Council,  
JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

(*Annulled by Charter of 18th February 1833.*)

Regulation No. 4 of 1807.

A REGULATION for extending the Local Jurisdiction of the Supreme Court and for increasing the powers of certain Magistrates within the Province of Colombo.

1st. The space bounded on the North by the River Dandocgam, on the South by the River of Bentotte, on the West by the Sea, and on the East by the Candian limits, shall be, and be deemed to be the district of the Town and Fort of Colombo for the intent and purposes set

REGULATION No. 4 of 1807.

forth in the 29th Clause of the Charter or Letters Patent establishing the Supreme Court of Judicature in this Island.

2d. Sitting Magistrates shall be appointed to reside at such places within the said district as shall appear to be most convenient to the Inhabitants, with the following Criminal and Civil Jurisdiction: a Criminal Jurisdiction over all interior offences, breaches of the Peace, and disorder against the Police, with power of inflicting punishment by fine not exceeding 100 Rix Dollars, by imprisonment at hard labour not exceeding three Months, and by whipping not exceeding fifty Lashes.

A Civil Jurisdiction over all cases between Natives of this Island or of India (Borghers excepted) up to 300 Rix Dollars; over all cases between Europeans or wherein there is an European Plaintiff or Defendant and over all cases between Burghers or wherein there is a Burgher Plaintiff or Defendant, up to 100 Rix Dollars only.

3d. All powers and authorities granted to or vested in the Court styled the Provincial Court of Colombo shall cease and determine on the 15th day of March next and be no longer exercised by the said Court.

4th. This Regulation shall take effect on the said 15th day of March next, and every part of any former Regulation Proclamation or order which contradicts it is hereby repealed.

Colombo, 23rd February 1807.

By Order of the Council,  
JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Annulled by Charter of 18th February 1833.)

REGULATION No. 5 of 1807.

**A** REGULATION for establishing a Provincial Court at Negombo and for facilitating the Administration of Justice throughout the Province of Chilaw and Putlam and that of Manaar.

1st. There shall be a Court at Negombo styled the Provincial Court of Negombo which shall exercise a Criminal and a Civil Jurisdiction in and throughout all that space which is bounded on the North by the district of Warteltivo on the South by the River of Dandoeagam on the West by the Sea and on the East by the Candian limits.

2d. The said Court shall exercise the following Criminal & Civil Jurisdiction.

#### CRIMINAL JURISDICTION.

A Criminal Jurisdiction over all inferior offences, breaches of the peace, and disorders against the police with power of inflicting punishments by fine not exceeding 100 Rds. by imprisonment at hard Labour not exceeding the period of three months and by whipping not exceeding 100 Lashes.

#### CIVIL JURISDICTION.

Over all Cases not exceeding 100 Rds. between Europeans, or wherein there is an European defendant, and over all Cases of whatever nature or amount between Natives or wherein there is a native Defendant.

3d. The said Court shall go four circuits every year to Chilaw, Putlam, Calpenteen, Anippo, Mantotte and Manaar.

4th. It shall set off from Negombo, on the said Circuits at the four following periods the 1st of January, the 1st of April, the 1st of July and the 1st of October.

5th. It shall exercise while on Circuit the same Criminal and Civil Jurisdiction as is vested in it by the second Section of this Regulation.

6th. It shall try and decide all Causes which are brought before it at such places within its Jurisdiction as are most convenient to the parties concerned.

7th. All Powers and Authorities which are now exercised by the Court styled the Provincial Court of Chilaw, and Putlam shall from and after the 15th of this Month cease and determine and be no longer exercised by the said Court, but the same shall and may be exercised by the said Provincial Court of Negombo.

8th. There shall be a Sitting Magistrate at each of the following Places.

Chilaw, Putlam, Calpenteen and Manaar.

9th. The said Sitting Magistrates shall exercise the following Criminal and Civil Jurisdiction:

A Criminal Jurisdiction over all interior Offences, breaches of the peace & disorders against the Police with power of inflicting punishment by fine not exceeding 50 Rds. by imprisonment at hard labour not exceeding two Months and by whipping not exceeding 50 Lashes—Civil Jurisdiction over all cases of whatever nature not exceeding 100 Rds

10th. This Regulation shall take effect on the 15th of this Month and every part of any former Regulation, Proclamation, or Order, which Contradicts it, is hereby repealed.

Colombo, 10th March 1807.

By Order of the Council,  
JOHN DEANE,  
Sec. to the Council,

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 5 of 1835.)*

**I**T appearing that several persons committed by Justices of the Peace under the 12th Regulation of Government, dated 14th August 1806, have been sent to Hard Labour in the public works out of the immediate Jurisdiction of the Magistrate by whom they were committed; it is hereby enacted and declared.

REGULATION No. 6 of 1807.

1st. That all such persons shall continue to be employed in any public works within the Island of Ceylon or the Settlements and Dependencies thereof until they shall be Lawfully discharged by virtue of the present and hereinbefore recited Regulation.

2nd. That the nearest Magistrate within whose local Jurisdiction they shall be employed at Hard Labour or any other Person having Magisterial Authority within such Districts shall have full power to enquire and Determine respecting them in the same manner as the Magistrate by whom they were first Committed in case they had continued within his Jurisdiction.

3d. That in all future commitments under the said Regulation, the Magistrate by whom they shall be made, shall at his discretion sentence the Person committed, either, to Hard Labour within the Jurisdiction of the Magistrate by whom such commitment shall be made, or in case the offender be notorious, to Hard Labour in any of the Public works of the Island of Ceylon or the Settlements and Territories thereof at the pleasure of His Excellency the Governor.

4th. That any Magistrate within whose Jurisdiction such Prisoner shall at any time be situated shall have full Power and Authority and the nearest Magistrate is hereby required from time to time to make enquiries respecting the conduct of such prisoner and to re-commit or discharge him exactly in the same manner as if the Prisoner had originally been committed by him.

5th. That all Magistrates whatever have and shall have Authority to Commit any Prisoner who has escaped or shall hereafter escape from the Punishment to which he was or may be subjected by virtue of the said Regulation, to Hard Labour for 6 Months in any of the Public works in Ceylon and the Territories and Dependencies thereof at the pleasure of His Excellency The Governor and all such Commitments heretofore made for 6 Months certain on account of such escapes are hereby declared and enacted to be valid.

6th. That no Prisoner shall be removed from the custody of one Fiscal to that of another except by an order written by the Authority of His Excellency The Governor—and that the Fiscal who receives such order shall deliver one copy thereof to the Magistrate by whom the Prisoner was Committed to his charge and another to the Fiscal to whom he shall deliver over the Custody of the Prisoner and the Fiscal to whose custody such Prisoner shall be delivered shall forthwith deliver a Copy of the Order under which he shall receive such Prisoner, to the Magistrate within whose Jurisdiction such Prisoner is to be employed.

Colombo, 4th May 1807,

By Order of the Council,  
JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION

*(Nullified by Charter of 18th February 1833.)*

**W**HEREAS in and by His Majesty's Charter, establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty Eighth Section thereof the following Power among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or petition shall be personal, and of more amount in value than one Hundred Rix Dollars of current Money of Ceylon, and the Plaintiff by Affidavit or being a Quaker, by Affirmation in writing to be filed of Record, shall satisfy the said Supreme Court of Judicature, that the Defendant is justly and truly indebted to him in a greater sum than one Hundred Rix Dollars, or shall by like Affidavit or Affirmation, to be filed as aforesaid, verily to the satisfaction of the said Supreme Court; a case of such enormous Personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Court, to render such security necessary for the Purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon shall, and is hereby authorized and empowered to award and issue, in lieu of the Citation aforesaid a mandate of arrest, to be Prepared in manner abovementioned and directed to the said Fiscal Commanding him to arrest and seize the Body of such Defendant, and to have his said Body at a time and place in the said Mandate to be specified, before the said Court, to answer the said Libel or Petition, and to give sufficient Bail to be approved of by the said Supreme Court, that he will stand to and perform the sentence of the said Supreme Court upon the Promises, and pay all such sum or sums of Money as shall thereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, that such Defendant shall appear at the time and place mentioned in such mandate, and in all things perform and fulfil the Exigence thereof, and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison to the Custody of the said Fiscal, unless, or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and Pay all such sum or sums as shall be decreed thereby; which security we hereby; empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail." And whereas there is no Provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in Lieu of the said ordinary Process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Su-

Regulation No. 7 of 1807.

REGULATION No. 7 of 1807.

preme Court, annually and whereas during such Periods, while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the substitution of a Mandate of Arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial Justice, and, above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice; and by virtue of the Powers vested in us by His Majesty. We do hereby enact, that in the absence of the said Supreme Court from Colombo, during the circuit which is now about to be made, it shall and may be lawful for the Sitting Magistrate of Colombo for the time being, in the cases, mentioned in the said in part recited Thirty eighth Section of the said Charter, (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs therein shall by affidavit, or otherwise, to the satisfaction of the said Sitting Magistrate; furnish Proof to shew that such Defendant or Defendants are so vehemently suspected for intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Sitting Magistrate to render such arrest, and the security consequent thereupon, under the Provision of the said Charter, in the said Thirty Eighth Section thereof, prescribed necessary for the purpose of Justice. The Sitting Magistrate shall in all such cases report his proceedings to the Supreme Court within 24 hours after the said Process of Arrest shall have issued.

Colombo, 3rd August 1807.

By order of the Council,

JOHN DEANE,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 5 of 1835.)

Regulation No. 8 of 1807.

**H**IS Excellency The Governor has been pleased to enact; as follows.

1st. That whenever it shall appear upon Evidence to any Provincial Judge or Sitting Magistrate that a Recognizance not exceeding 100 Rds. has been forfeited within the local limits of his Jurisdiction, he shall be authorized to levy such Recognizance.

2d. In cases of this nature where the Recognizance exceeds 100 Rds. after due enquiry he shall declare it to be forfeited and shall sequester the Property of the Person by whom it has been forfeited to the amount of the Recognizance together with reasonable costs, till he shall receive the directions of His Excellency The Governor to whom the Magistrate shall report his Proceeding, whose directions shall be a sufficient authority to him to levy the amount out of the sequestered Property.

Colombo 17th November 1807.

By Order of the Council,

JOHN DEANE,  
Sec to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

Regulation No. 9 of 1807.

**H**IS Excellency The Governor having reason to believe if the fixed Establishments for the ensuing Year were settled now according to His Excellency's intentions arising out for the Returns directed to be made in the circular Communication to all the Civil Servants at the Head of Departments of the 9th November, that it would be necessary on the receipt of the very first Dispatches from England to make very Material Alterations in the same, he therefore enacts as follows.

The fixed Establishments for the Year 1807 shall continue in force till the end of March next, except otherwise hereafter directed.

Colombo 8th December 1807.

By Order of the Council

JOHN DEANE  
Sec to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 5 of 1835.)

Regulation No. 1 of 1808.

**I**T appearing expedient that whenever any person shall be confined in a Criminal Case by the order of any Magistrate for the want of finding Sureties, That such person should be employed at Hard Labour at the discretion of such Magistrate within the Limits of his Jurisdiction.

tion. His Excellency The Governor hereby enacts that all such persons may be so employed at the discretion of the Magistrates by whom they shall have been ordered to find Sureties.

REGULATION No. 1 of 1808.

Colombo, 22nd March 1808.

By Order of the Council,

JOHN DEANE,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

**W**HEREAS, Doubts have arisen in regard to the legal Construction of the End of the 4th Clause in His Majesty's Instructions, to His Excellency The Governor, commencing with the words "And it is Our Will and Pleasure" and ending with the words "by the Authority of the Governor," which may in their Consequences, have the effect of shaking the legal validity of the past Acts of His Majesty's Government, of rendering inefficient for the time, the present Acts of His Majesty's Government, and of impeding in their Progress, according to the Construction that may be put at the moment on the said Clause, the future Acts of His Majesty's Government; and Whereas, it is necessary and expedient, that immediate Remedy should be applied with a view to remove all such Doubts, and to settle completely and ultimately what is the true and legal Construction of such Paragraph of the 4th Clause of His Majesty's Instructions above alluded to. His Excellency The Governor in Council is pleased to declare, and enact.

Regulation No. 2 of 1808.

1st. That all Executive and other Acts of the Governor (save, and except the Legislative Acts of Government) since the Promulgation of the Charter of Justice in this Island, or the receipt of His Majesty's Instructions and Commission, by the late Governor, The Honorable FREDERIC NORTH, signed by the Governor Himself, though not bearing the Signature, or Countersignature of the Chief Secretary of Government, up to the date of this Regulation, are hereby declared to be legal and valid, as much as if the Chief Secretary of Government had signed or Countersigned such Public Act or Acts.

2ndly. That all future Executive, and other acts of the Governor, (save and except the Legislative Acts of Government) Signed by His Excellency himself, though not bearing the signature or Countersignature of the Chief Secretary of Government, are to be held legal and valid, as much as if the Signature of the Chief Secretary to Government were attached thereto.

3dly. That all Legislative Acts of this Government, issued in the name of the Governor since the Promulgation of the Charter of Justice, or the receipt of His Majesty's Instructions and Commission, by the Late Governor The Honble FREDERIC NORTH, Signed by the acting Secretary or Deputy Secretary, in the necessary absence, or indisposition of the Chief Secretary of Government, are hereby declared to be legal and valid, as much as if the signature of the Chief Secretary of Government had been attached thereto.

4thly. That all future Legislative Acts of His Majesty's Government, to be issued in the name of the Governor, bearing the Signature of the Deputy Secretary of Government in the necessary absence or indisposition of the Chief Secretary of Government, or of the Assistant Secretary of Government, in the necessary absence or indisposition of both, are hereby declared to be, and are to be considered legal and valid, as much as if the signature of the Chief Secretary of Government were attached thereto.

Colombo 30th April 1808.

By Order of the Council,

RICHARD PLASKET,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 9 of 1818.)*

REGULATION No. 3 of 1808.

**W**HEREAS on the 14th August 1806 a Regulation of Government No. 13 passed, Relative to the Registration of Slaves whether Domestic or those known by the names of *Corias Pallas* and *Natuwas*, or of any other Denomination whatsoever, within the District of Jaffnapatnam, and whereas there is reason to suppose that the Provisions of the said Regulation have in many instances not been complied with and that the Registration therein ordered has never effectually taken place His Excellency the Governor in Council is pleased to enact and to declare.

1st. That the Penalty alluded to in the 4th Clause of the said Regulation shall be suspended from the date of that Regulation up to the present time and further for the space of 6 months from the date of the present Regulation.

2nd. That after the lapse of 6 months from the date hereof. The Provincial Judge, The Agent of Revenue, and Sitting Magistrates and all other Magistrates within the District of Jaffnapatnam be directed peremptorily to liberate and to grant Deeds of manumission to all Slaves in the different Churches and Districts of the Province of Jaffra, whose masters or Proprietors shall omit to comply, within the ensuing Six months with the Provisions of the present Regulation.

3rd. With a view to give every facility to the complying with this Regulation. The Agent of Revenue and Commerce will direct Registers to be opened in the different Churches of his District for the purpose of the above Registration and such other Places as he may judge fitting and advisable.

4th. The act of Registration shall be subject only to a Stamp of Six fanams in the instance of an Individual Slave to one Rix Dollar in the instance of a Family of Slaves and to two Rix Dollars in the instance of Registering in one List the whole Slaves belonging to any Individual.

5th. That there may be no plea for the non compliance of this Regulation. The Agent of Revenue is directed to publish it in the most notorious manner in every Church of his District Signifying at the same time His Excellency's Determination that the Second Clause of this Regulation be peremptorily carried into effect without further Reference to Government in the event of the non compliance with the other Provisions therein contained and with such Provisions also of the abovementioned Regulation of the 14th August, as are not annulled by this Regulation.

Colombo, 27th May 1808.

By Order of the Council,

RICHARD PLASKET,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*(Expired.)*

Regulation No. 4 of 1808.

**T**HE period during which the Provisions of the Regulation of Government No. 17 under date the 17th October 1806 were to continue in force, having elapsed, His Excellency The Governor in Council is pleased to direct and to order.

1st. That all the Establishments contained in that Regulation be renewed and remain in full force, from the first day of the present Month to the end of the year 1809; save and except in the two following instances.

First Schedule. A being the rate of Pay and Establishments, then fixed for the several Departments of His Majesty's Civil Service, is not renewed.

Second. The unfixed Contingent Charges in the several Departments under the Commissioner of Revenue, are instead of being applied for direct to the Chief Secretary's Office, as stated in the above Regulation, to be transmitted in the first instance to the office of the Commissioner of Revenue who will forward them to the Chief Secretary to Government.

2nd. In lieu of the Schedule marked A of the Regulation No 17 the following also marked A is to be considered as the Schedule of fixed Pay and Establishments from the 1st of the present month up to the end of the year 1809.

Colombo 6th July, 1808.

By Order of the Council,

R. PLASKET,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*(Annulled by Charter of 18th February 1833.)*

Regulation No. 5 of 1808.

**A** REGULATION for increasing the Criminal and Civil Powers of the Sitting Magistrate of Trincomalie.

As the Provincial Court of Trincomalie has been abolished, it becomes necessary, to increase the Jurisdiction of the Sitting Magistrate of that Place;—The Governor in Council has accordingly enacted as follows.

The Sitting Magistrate of Trincomalee shall exercise the following Criminal and Civil Jurisdictions.  
 First—A Criminal Jurisdiction over all inferior offences, breaches of the Peace and disorders against the Police, with Powers of inflicting punishment by fine not exceeding 100 Rds. by imprisonment at Hard Labour, not exceeding the period of three Months and by whipping not exceeding 100 Lashes.

Second.—A Civil Jurisdiction over all Cases of whatever nature (except suits relative to the Revenue) not exceeding 300 Rds.

Colombo, 26th July 1808.

By Order of the Council.

RICHARD PLASKET,

Sec. to the Council.

By His Excellency's Command.

JOHN RODNEY

Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 2 of 1817.)

*A Regulation making legal and valid Deeds and other Instruments which have been Stamped since the making and execution thereof and allowing unstamped Deeds and other Instruments to be Stamped after a time limited and also repealing the Stamp Duty of 3 per Cent upon moveable property as levied by the Regulation of Government bearing date 1st January 1806, and granting other Duties in lieu thereof.*

**W**HEREAS from the urgent necessity of the case and other causes many persons have made, written and executed Deeds, and other Instruments for the transfer of Moveable or Immoveable Property upon unstamped Paper, Parchment, or Ola, and some have procured the same to be Stamped after the making and writing and Execution thereof and others have neglected to have such Deeds and other Instruments Stamped with a proper Stamp as not being permitted or authorized so to do according to the provisions contained in a certain Regulation of Government entitled "A Regulation for the Prevention of Forgery and for the Increase of the Revenue by renewing and extending the Tax formerly levied on Transfers of Property Moveable and Immoveable and for the more easy and simple Registration of the same."—And Whereas doubts have occurred whether according to the directions in the said Regulation contained any Deed or other Instrument which shall or may have been made, written, or executed, on Unstamped Paper, Parchment, or Ola, is or can be in any manner useful or available in Law or Equity and Whereas it hath been thought expedient to declare valid such Deeds or other Instruments as may have been Stamped with a proper Stamp after the making Writing or execution thereof and to permit such Unstamped Deeds or other Instruments Stamped with an improper Stamp to be Stamped or restamped with the proper Stamp provided the same be done within the time herein after provided and limited for restamping or Stamping the same, His Excellency The Governor in Council directs and enacts and it is hereby enacted accordingly.

2. That all Deeds or other Instruments in any way relating to the transfer of Moveable or Immoveable Property which shall or may have been Stamped since the making Writing or execution thereof are and shall be deemed good, useful, and available in Law or Equity any thing in the said recited Regulation contained to the contrary notwithstanding.

3. And all unstamped Deeds or other Instruments relating to such transfer as aforesaid and all such Deeds and other Instruments as may have been made, written or executed on an improper stamp shall and may be permitted to be Stamped within the time herein after limited upon payment of the Duties in and by the said herein before recited Regulation charged upon, and payable for the same.

4. Provided that all such Deeds and other Instruments which shall have been drawn, made, written, or Executed within the four Gravets of Colombo be brought to the Stamp Office at Colombo within Thirty Days from the date of the Promulgation hereof and with respect to such Deeds and other Instruments as shall have been drawn, made, written, or executed without the said four Gravets provided such Deeds or other Instruments be delivered to the Collector of the District in which such Deeds or other Instruments shall have been drawn made or executed or to the Collector of the District next adjoining within Thirty Days after the Promulgation hereof by the Collectors in their respective Districts.—And all and every the said Collectors are hereby required upon such Delivery to them as aforesaid of any such Deeds or other Instruments as aforesaid for the purposes aforesaid to grant a receipt for the same and to insert upon their several Diaries the day Month and the Year on and in which such Deeds or other Instruments shall have been so delivered to him for the purposes aforesaid. And the said Collectors are hereby required to transmit such Deeds or other Instruments without delay to the Stamp Office at Colombo and the Commissioner of the said Stamp Office or other person by him authorized is hereby required to stamp or restamp the same as required, and to return the same to the said Collector in order that such Deed or other Instrument when Stamped or restamped may be returned (upon payment to the said Collector of the Stamp duties due thereon to the person or persons entitled to the same.

5. And whereas by the said herein-before recited Regulation a Stamp Duty of 3 Per Cent on the transfer of moveable property was amongst other things therein mentioned thereby directed to be levied and collected, and whereas it hath appeared that the said Duty of 3 Per Cent hath failed to produce the beneficial effects which were expected to arise from it; His Excellency The Governor in Council having taken the same into consideration and being willing to the utmost of his power and ability to give all due encouragement to persons engaged in trade and Commercial pursuits is pleased further to direct and enact and it is hereby enacted accordingly.

6. That from and after the Date of the Promulgation of this Regulation in each District of the Island by the respective Collectors the said Stamp duty of 3 Per Cent upon the transfer of moveable property shall cease and determine.

7. That in lieu thereof a Stamp Duty of one per Cent according to the Rates in the Schedule hereunto annexed marked A. upon the value or Sum contained or specified in and upon all Mortgages, Bonds, Contracts or Agreements in Writing and all Deeds and Conveyances whatever being or purporting to be or providing or engaging for the transfer of any Moveable Property, and a Stamp Duty of one half Per Cent according to the Rates in the Schedule hereunto annexed marked B. upon the value or Sum mentioned or described in all Bills of Exchange promissory or other Notes or Drafts, shall be raised levied and collected.

REGULATION No. 6 of 1808.

Regulation No. 1 of 1809.

Regulation No. 1 of 1809.

8. And whereas it hath been doubted how far it was necessary or incumbent upon the parties to any Deed or Instrument article matter or thing in any way relating to the transfer of moveable property to have such Instrument article matter or thing drawn up by a Notary Public or licensed Distributor or Sub distributor, it is hereby declared and enacted that all and every such Deeds, Instruments, articles, matters, or things, (mortgage Deeds, only excepted) may be drawn up, inscribed, Written or endorsed by the Parties themselves and without the interposition of a Notary Public, Stamp Distributor, or Sub-distributor any thing in the said recited Regulation contained to the contrary notwithstanding.

9. Provided that nothing herein contained shall be held to alter or annul any of the Provisions in the said recited Regulation contained respecting the transfer of immoveable Property.

10. And whereas Doubts have arisen whether money transactions concluded within a Month and drawn upon Paper Oia or Parchment are liable to Pay the Stamp Duty in respect of the value Specified or described in any such Paper Oia or Parchment it is hereby declared and enacted that no ready money transactions within the meaning of the said recited Regulation whether the same be upon paper or not shall be liable or subject to any Stamp Duty in respect thereof.

11. Provided also and it is hereby enacted that it shall and may be lawful for any persons or person to indorse upon the back of any Deed Instrument article matter or thing herein before specified upon which a lawful Stamp hath been affixed and duty paid a Receipt for the Sum or value contained or mentioned in any such previously Stamped Deed, Instrument, Article, Matter, or thing without any fresh Stamp or paying any fresh duty for the same.

12. Provided also that nothing herein contained shall be held to extend, to alter or repeal any Clause or Clauses of the said herein before recited Regulation other than and except as the same hereby are or may be altered or repealed: and all and every the provisions and Clauses in the said herein before recited Regulation contained for the prevention and Punishment of Fraud and Forgery in respect of the Stamp Duty of 3 per Cent. upon Moveable property therein mentioned shall be held and are hereby directed to be held applicable and in force to and for the protection of the said Stamp Duties of One per Cent and Half per Cent hereby directed to be raised levied and Collected, and all and every Persons or Person concerned in any Fraud or Forgery of the Stamps or Duties hereby directed to be used, levied, or Collected shall be in like manner Subject to the pains and penalties in the said herein recited Regulation directed to be levied and inflicted with respect to any Fraud or Forgery committed upon the said Stamp or Duty of 3 per Cent thereby ordered to be used, levied and Collected.

13. And it is hereby further enacted that the present Regulation shall take effect from the Date of its Promulgation in the different Districts of the Island by the several Collectors.

Colombo 1st February 1809.

By Order of the Council.

R. PLASKET,

Sec. to the Council.

By His Excellency's Command.

JOHN RODNEY,

Chief Sec. to Govt.

SCHEDULE of the Rates to be levied on Moveable Property referred to in the Regulation of Government No. 1 of 1809.

Rds. Fs.			SCHEDULE A.			Duty.
16	8	and under	25	0	.....	2 Fs.
25	0	do.	33	4	.....	3 Fs.
33	4	do.	41	8	.....	4 Fs.
41	8	do.	50	0	.....	5 Fs.
50	0	do.	58	4	.....	6 Fs.
58	4	do.	66	8	.....	7 Fs.
66	8	do.	75	0	.....	8 Fs.
75	0	do.	83	4	.....	9 Fs.
83	4	do.	91	8	.....	10 Fs.
91	8	do.	100	0	.....	11 Fs.
100	0	.....			.....	1 Rd.

And so in Proportion, for Sums exceeding 100 Rix Dollars.

Rds. Fs.			SCHEDULE B.			Duty.
16	8	and under	33	4	.....	1 F.
33	4	do.	50	0	.....	2 Fs.
50	0	do.	66	8	.....	3 Fs.
66	8	do.	83	4	.....	4 Fs.
83	4	do.	100	0	.....	5 Fs.
100	0	.....			.....	6 Fs.

And so in Proportion for sums exceeding 100 Rix Dollars.

REGULATION.

(Annulled by Charter of 18th February 1833.)

Regulation No. 2 of 1809.

WHEREAS by the Government Regulation No. 4 under date the 22d February 1807, it was ordered and directed that the Powers and authorities then vested in the Court styled "The Provincial Court of Colombo" should cease and determine on the 15th day of March 1807.

And Whereas it is Our will and Pleasure that the said Provincial Court of Colombo should be re-established, with all the Powers and Authorities vested in it at the date of the abovementioned Regulation.

It is hereby ordered and directed that the said Court be re-established from the date hereof, with Jurisdiction throughout the District of Co'ombo, as defined in the Government Regulation No. 4. as abovementioned.

Colombo, 1st March 1809.

By Order of the Council.

RICHARD PLASKET,

Sec. to the Council.

By His Excellency's Command.

JOHN RODNEY,

Chief Sec. to Govt.



## REGULATION.

*(Annulled by Charter of 18th February 1833.)*

WHEREAS in and by His Majesty's Charter, Establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty Eighth Section thereof the following Power (among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or Petition shall be Personal, and of more amount in value than One Hundred Rixdollars of Current money of Ceylon, and the Plaintiff by Affidavit or being a Quaker, by affirmation in writing to be filed of record, shall satisfy the said Supreme Court of Judicature that the Defendant is Justly and truly indebted to him, in a greater Sum than One Hundred Rixdollars, or shall by like Affidavit or affirmation, to be filed as aforesaid, verily to the Satisfaction of the said Supreme Court; a case of such enormous Personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Court, to render such Security necessary for the purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon shall, and is hereby authorized and empowered to award and issue, in lieu of the Citation aforesaid, a mandate of arrest, to be prepared in manner abovementioned and directed to the said Fiscal, Commanding him to arrest and seize the Body of such Defendant, and to have his said Body at a time and place in the said mandate to be specified, before the said Court to answer the said Libel or Petition and to give sufficient Bail to be approved of by the said Supreme Court, that he will stand to and perform the Sentence of the said Supreme Court upon the premises, and Pay all such sum or sums of money as shall thereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, that such Defendant shall appear at the time and place mentioned in such mandate, and in all things perform and fulfil the Exigence thereof and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison to the Custody of the said Fiscal, unless or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and Pay all such sum or sums as shall be decreed thereby; which Security we hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail." And Whereas there is no provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in lieu of the said ordinary process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Supreme Court annually, and whereas during such periods, while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial Justice, and, above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by virtue of the Powers vested in us by His Majesty. We do hereby enact that in the absence of the said Supreme Court from Colombo, during the circuit which is now about to be made, it shall and may be lawful for the Sitting Magistrate of Colombo for the time being, in the cases, mentioned in the said in part recited Thirty Eighth Section of the said Charter (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any Suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs therein shall by Affidavit or otherwise to the satisfaction of the said Sitting Magistrate, furnish proof to shew that such Defendant or Defendants are so vehemently suspected of intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Sitting Magistrate to render such arrest, and the Security, consequent thereupon, under the provision of the said Charter in the said Thirty Eighth Section thereof prescribed, necessary for the purposes of Justice. The Sitting Magistrate shall in all such cases report his proceedings to the Supreme Court within Twenty-four Hours after the said process of arrest shall have issued.

*Colombo 10th March 1809.*

By Order of the Council,

RICHARD PLASKET,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*Regulation for issuing New Government Notes and for calling in and Cancelling those hitherto in Circulation.*

WHEREAS it has been represented that the Government Notes now Current in this Island have from long Circulation become much worn and defaced His Excellency The Governor in Council is pleased to enact.

1st. That on the 1st day of September next New Notes of this Government will be issued at the General Treasury and at the Cutcherries of Colombo, Jaffnapatnam, Galle and Maturai, for Circulation throughout these Settlements.

2d. That from that date until the 31st day of December next, all Notes at any time heretofore issued by the British Government in Ceylon and now outstanding shall be paid or Exchanged for New Notes, on presentation at the General Treasury or any of the said Cutcherries; and the Holders of such former Notes are hereby required to present the same accordingly.

*Regulation No. 4 of 1809.*

REGULATION No. 4 of 1809.

3d. That after the expiration of the said period the Notes heretofore issued shall cease to be Current or of any legal value and the payment thereof shall not be recoverable except by an Application to His Excellency in Council accounting in a Satisfactory manner for the Non-presentation of the same in due time.

Colombo 12th June 1809.

By Order of the Council,  
RICHARD PLASKET,  
Secy. to the Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Secy. to Govt.

## REGULATION.

(Annulled by Charter of 18th February 1833.)

*A Regulation for appointing Minor Courts of Appeal from the Provincial and other Courts of inferior Jurisdiction where the Sum is under the appealable amount established by His Majesty's Charter for The High Court of Appeal.*

Regulation No. 5 of 1809.

WHEREAS His Majesty by His Royal Charter Constituting the Supreme Court of Judicators did also appoint a Court of Appeal called the High Court of Appeal in the Island of Ceylon for hearing and determining Appeals from all Courts of Justice (the said Supreme Court excepted) then established or to be established in this Island: provided however that in such Appeals the Sum or value Appealed for, should exceed Thirty Pounds Sterling or Three Hundred Six Dollars.

And whereas from the increased number of Provincial and other inferior Courts in these Settlements and the extent of Civil Rights and property decided by the same in cases below the amount so declared by His Majesty's Charter to be appealable to the High Court of Appeal it is expedient to appoint Courts of Appeal from the said Courts of inferior Jurisdiction in such cases.

His Excellency The Governor in Council is therefore pleased to enact and declare.

1st. That Commissions of Warrants will from time to time be issued by His Excellency in Council to such stations as He shall judge expedient—appointing two or more of the principal Civil Servants or others resident at such stations respectively to form Courts of Appeal at and for the same and with such extent of local Jurisdiction as in the said Commissions or Warrants shall be specified.

2d. That the Courts so constituted shall be called The Minor Courts of Appeal at the said respective stations and shall be competent to receive Appeals from the decisions of all the Provincial and other inferior Courts within their respective Jurisdictions in all Civil Cases whatever under the amount Appealable to The High Court of Appeal except Cases touching His Majesty's Revenue and to hear and try the merits of such Appeals, and determine the same affirming, reversing, or varying, the original Decree according to Justice and Right and also to assess both or either of the parties in the said Appeals with Costs at such rates as shall be established in that behalf.

3d. That the form of application shall be by Petition addressed to The Minor Courts of Appeal stating generally and concisely the nature of the Demand and the decision thereon with the date of such decision, also the reasons upon which the party applying considers himself aggrieved and concluding with a prayer for relief.

4th. That the party intending to Appeal shall lodge in the original Court or the Office, thereof, a Written Notice of such intention within two days exclusive of Sunday after the decision, and shall in like manner file his Petition of Appeal within Ten days exclusive of Sunday and at the same time give Security to pay all such Costs as may be awarded against him by the Minor Courts of Appeal in failure of which notice or of failing the said Petition within the time aforesaid or of giving the Security hereby required the right of Appeal shall be wholly forfeited and barred.

5th That the Security shall be by the Undertaking of two sufficient Persons to be endorsed on the Petition of Appeal and shall be in amount as follows viz.

In cases not exceeding ... Rds.	50	... Rds.	5
Above Rds. 50 & not exceeding	100	.....	10
Above 100 and not exceeding	200	.....	20
Above 150 and not exceeding	300	.....	30

6th. That the said inferior Courts upon any Decree passed therein may, according to the Rules now in force, grant execution upon the effects only of the party decreed against but shall not proceed therein further than to Seize and Sequester but without removing the same, and the effects so seized and Sequestered shall be kept in safe Custody until it shall be known whether the party will Appeal or not and in the event of an Appeal then until the decision of the Court of Appeal.

7th. That His Excellency The Governor in Council will issue to the said Minor Courts of Appeal from time to time as may be necessary proper Rules and Forms of proceeding and also Tables of the Fees to be charged and Levied on proceedings in Appeal by Stamps to be used for that purpose; which Rules, Forms and Tables, and all instructions issued by the Authority aforesaid; the said Courts of Appeal are hereby required strictly to observe and Obey,

8th. And Whereas Petitions in the nature of Appeals have from time to time been preferred to the High Court of Appeal in Suits not regularly Appealable which Petitions have there-

fore according to the usual Course in such cases been referred to the consideration of His Excellency The Governor in Council and a number of the said applications now remain undisposed of. It is hereby declared that all cases so depending at the date of this Regulation shall and may be referred by Order of Government to the respective Minor Courts of Appeal to which the same shall belong and shall be received and entertained as Appeals notwithstanding any lapse of time which might otherwise defeat the Claim of the parties to such benefit.

REGULATION No. 5 of 1809.

And lastly it is hereby provided and specially declared that the said Minor Courts of Appeal shall in no case take Cognizance of any Suit the amount whereof may be Competent to the Jurisdiction of the High Court of Appeal.

Colombo, 31st July 1809.

By Order of the Council,

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*Regulation for ascertaining the persons holding the Employments or Titles of Native Headmen in the Cingalese Districts, and for preventing the assumption of the Authority or Title of a Headman, by persons not duly Appointed for that purpose.*

**W**HEREAS in order to ascertain the persons actually holding the employ or entitled to the rank of Native Headmen in the Cingalese Districts of Chilaw, Colombo, Caltura, Galle and Matura, it has been necessary to call in all ancient Acts granting such employ or Rank and new Acts have been issued to all persons duly entitled thereto.

Regulation No. 6 of 1809.

His Excellency The Governor in Council is pleased to enact and declare.

1st.—That all Acts Effective or Titular granting the employ or Rank of Mohandiram and upwards to any person whomsoever and bearing date at any time previous to the 4th day of June instant shall be Null and Void to all intents and purposes, and no persons shall be entitled to hold such employs or Rank except by virtue of an act of the English Government dated on or after the said last mentioned day.

2d.—That all Acts appointing effective or Titular Cingalese Headmen under the Rank of Mohandiram, and bearing date at any time previous to the first day of May last shall be Null and Void, and no Act for the said purpose shall be valid unless signed by the Commissioner of Revenue and dated on or subsequent to the first day of May last.

3d.—That any person assuming the Rank or Title of a Cingalese Native Headman whether effective or Titular of whatsoever degree without such proper Act as aforesaid shall on proof thereof before any Court or Magistrate, be subject to a heavy fine according to the nature of the Rank or Title so assumed, and also to imprisonment or Corporal punishment, and shall further on being reported by the Magistrate before whom they are tried be declared by Government to be incapable of ever serving His Majesty in any Capacity whatsoever.

4th.—And whereas great abuses have been practised by Persons having merely the Rank or Title of Cingalese Native Headmen assuming the functions and authority of Headmen actually employed, it is hereby declared that all persons guilty of such fraud shall be liable to the like penalties as are provided by the next foregoing clause.

5th.—And in order to encourage the detection of persons assuming the Rank or Title of Native Headmen, without a proper Act for that purpose or assuming the authority of Office without any actual employ, it is hereby declared that the person by whose information such fraud be discovered and the offender brought to Justice, shall receive one third part of the fine levied on his Conviction.

6th.—That the Cingalese Native Headmen whether effective and in actual employ or only Titular shall according to their respective Ranks wear such Dress as is specified in the Schedule bearing Date herewith, and any Headmen assuming the Dress of a rank to which he is not entitled shall be liable to lose the Employ or rank, which he may actually hold and to be further punished by the Magistrate for such misdemeanour by Fine, Imprisonment or Corporal punishment.

Colombo, 19th August 1809.

By Order of the Council,

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

SCHEDULE OF THE DRESS OF NATIVE HEADMEN IN THE CINGALESE DISTRICT FROM CHILAW TO MATURA INCLUSIVE.

<i>Rank Description or Class of Headmen.</i>	<i>Coat.</i>	<i>Trimings.</i>	<i>Sword.</i>	<i>Belt.</i>
<b>WELLALE CAST.</b>				
1 Mahamodliars .....	Velvet, Silk or Cloth	{ Gold or Silver lace Loops and Buttons	{ Hilt and Scabbard of pure massive or wrought Gold, or of Silver inlaid with Gold.....	{ Of Gold or Silver Lace or of Silk embroidered or spangled with Gold or Silver. Ditto
2 Modliars of the Gate or Guard .....	Silk or Cloth .....	Ditto .....	Hilt and Scabbard of Silver inlaid with Gold ..	Ditto
3 Modliars of the Attepattoe, Modliars of the Corles &c. Mohotiars of the Guard and Attepattoe and Mohandirams of the Guard .....	{ Ditto .....	{ Ditto .....	{ Hilt and Scabbard of Silver, Hilt inlaid with Gold .....	{ Ditto
4 Mohandirams of the Attepattoe, the Basnaike, Padikare Mohandirams, and the Mohandirams employed as Interpreters in the Courts of the se- veral Provincial Judges .....	{ Ditto .....	{ Ditto .....	{ The Hilt and Scabbard of Silver and the Eyes and Tongue of the Lion's Head may be of Gold.	{ Of Gold or Silver Lace but not spangled.
5 The Corals, Corle Mohandirams, and Mo- handirams employed as Interpreters in the Courts of the Sitting Magistrates .....	{ Ditto .....	{ Ditto .....	{ The Hilt and Scabbard of Silver in the middle of the Scabbard must be a plain Silver plate ..	{ Ditto
6 Arrachies .....	Cloth or Linen .....	{ Silver Buttons and Loops .....	{ The Hilt and Scabbard of Silver with 2 plain plates of Tortoise-shell on the Scabbard .....	{ Of Coloured Ribbon em- broidered with Flowers of Gold or Silver Thread. Of Coloured Ribbon with- out embroidery.
7 Canganies .....	Ditto .....	Ditto .....	{ The Hilt of the Sword of Horn inlaid with Silver the Scabbard of Horn or wood with 3 Silver bands	{ Of Gold or Silver Lace but not Spangled.
<b>FISHERMEN AND CHANDOS CAST.</b>				
1 Modliars and Mahavidhan Modliars .....	Silk or Cloth .....	Ditto .....	{ The Hilt and Scabbard of Silver and the Eyes and Tongue of the Lions Head may be of Gold..	
2 Mahavidhans, Mahavidahn Mohandiram, Pat- tengatyn Mohandiram all other Mohandirams of the same Casts .....	{ Cloth or Linen .....	{ Ditto .....	{ The Hilt and Scabbard of Silver, but in the middle of the Scabbard must be a plain plate of Tortoise-shell .....	{ Of Gold or Silver Lace.
3 Arrachies .....	Ditto .....	{ Silver Buttons and Silk Loops .....	{ The Hilt of Horn and the Scabbard embellished with silver, with three Tortoise shell plates ..	{ Of Coloured Ribbon em- broidered with Silk.
4 Canganies .....	Linen .....	Ditto .....	{ The Hilt of Horn embellished with Silver the Scab- bard of Horn or Wood with two Silver plates ..	{ Of plain Coloured Ribbon.
<b>BLACKSMITHS AND WASHHERMEN.</b>				
1 Mahavidhans, Mahavidhan Mohandirams ..	Cloth or Linen .....	{ Silver Buttons and Loops .....	{ The Hilt & Scabbard of Silver, must be one plate of Tortoise-shell on the Scabbard and two plates of Tortoise-shell to be worn by the washermen...	{ Of Ribbon embroidered with Flowers of Gold or Silver thread.
2 Arrachies .....	Linen .....	{ Silver Buttons and Silk Loops .....	{ The Hilt of Horn embellished with Silver, the Scabbard of Horn or wood with three Silver Bands	{ Of plain Coloured Ribbon.
3 Canganies .....	Ditto .....	{ Horn or covered Li- nen Buttons .....	{ The Hilt of Horn the Scabbard of Horn or wood with three Copper Bands .....	{ Of plain Ribbon.
1 Vidhan Mohandirams .....	Cloth or Linen .....	{ Silver Buttons and Loops .....	{ The Hilt and Scabbard of Silver, but on the scabbard there must be two plates of tortoise-shell	{ Of Coloured Ribbon em- broidered with Flowers of Silver thread.

The Titular Headmen of each rank are to be dressed in every respect as the Headmen of the Rank and Cast to which they belong, but as a distinguishing mark the word "Titular" is to be engraved on the Hilt of their Swords.

## REGULATION.

*(Repealed by Ordinance No. 2 of 1837.)**For Providing a more Effectual Course of proceeding in the recovery of Debts due to the Crown.*

REGULATION No. 7 of 1809.

**W**HEREAS certain Magistrates have lately been appointed by His Excellency The Governor for the special purpose of trying all Revenue Cases in their several Districts, and it is expedient to declare the Jurisdiction of such Magistrates in such Proceedings, and to declare the mode of executing Process in such and other Cases; His Excellency The Governor in Council directs and enacts and it is hereby enacted accordingly.

That all and every the said Magistrates so appointed and all and every Magistrate hereafter to be appointed in such cases, shall have power and are hereby authorized from and after the date of their respective Warrants to hear, try and determine all Revenue Cases arising within the limits of their respective Districts subject to appeal by any or either of the parties where the Sum in dispute shall exceed the Sum of Three Hundred Rixdollars.

And Whereas the mode of executing Process in Revenue Cases hath been found wholly inefficient in recovering the amount of Debts due to the Crown, and much fraud and evasion in secretly removing their goods hath been practised by Debtors to the Crown, by reason of their previous notice of the Intention and purpose of the Collectors of His Majesty's Revenue to proceed against them the said Debtors, their Goods, and Chattels, for the Debts due and owing to His Majesty.—His Excellency The Governor in Council further directs and enacts and it is hereby enacted accordingly. That from and after the Promulgation hereof by the Collectors in their respective Districts, it shall and may be lawful for any Collector of Revenue in all Revenue Cases within his District, upon his own knowledge of the default of payment by any Debtor to His Majesty, or notice to him the said Collector given of any Debt having accrued due to His Majesty, upon the personal Responsibility of him the said Collector, promptly and immediately to Seize, take and in safe Custody to keep, (but without removing the same until the Trial of the case by a Competent Jurisdiction and Judgment obtained for the Crown) all and every the property of any Debtor or Debtors to the Crown within the said Collector's District, to an amount sufficient to cover the said Debt so due and owing, and the Costs attending the same.

And all and every the said Collectors are hereby required within three days at farthest after their so having Seized the property of any such Debtor or Debtors as aforesaid, to file in the Court of the Revenue or Provincial Magistrate (as the case may be) of that District, wherein the said Debt shall have accrued, a Certificate of the Nature and amount of the Debt so due to His Majesty.—And all and every the said Revenue and Provincial Magistrates upon such Certificate being filed as aforesaid are hereby required to deliver to the said Fiscal or Collector filing the same a Warrant to Sequester the Property of the said Defendant with a Clause of Citation to be inserted in such Warrant setting forth the said demands of and calling on the Defendant to shew cause why the same should not be decreed against him and the Sequestered property sold in satisfaction thereof.

And the several Proceedings to be had in Revenue Cases pursuant to this Regulation and the Rules of practice touching the same shall be according to such Forms as may herewith, or from time to time hereafter, be transmitted to the said respective Courts by authority of His Excellency The Governor in Council.

Colombo 9th September 1809.

By Order of the Council,

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## RULES AND FORMS OF PROCEEDING IN REVENUE CASES.

1st. The Collector shall file a Certificate according to the form (A.) on which a Warrant of sequestration according to the form (B.) shall issue respecting all the Property of the Debtors and Securities to cover the amount due and Costs with a Clause of Citation to them to appear on a day fixed and shew cause, if any, why the said effects should not be sold to satisfy Government which Citation shall be served personally if possible otherwise by leaving at the parties last place of abode or affixing upon the Door of the Cutcherry or some other conspicuous place thereabout the personal Citation marked (C.)

2d. If the Defendants appear and shew any Cause against the admission of the Claim it will be heard and decided on as usual. If not a Decree will pass and execution issue as per form (D.)

3d. If after execution issued in default of appearance the Defendant within 3 Months Petitions the Court for a rehearing, and shews good cause the same to be granted on his depositing a Sum of One Hundred Rds. to answer any Costs which may be incurred and if any error appears in the former decision Government to repay any amount wrongfully decreed as a Contingent charge.

4th. In all other Government cases the Court to use its discretion as to issuing sequestrations at the Commencement of the Suit according to the circumstances of the case.

To facilitate this mode of proceeding the following number of Printed Stamped Forms will be necessary with the spaces left large to fill up with the numerous Names and Descriptions of Debtors.

REGULATION No. 7 of 1809.

		Rs.	Fs.
A.	1st Class.....	100 of 1	0 each
	2d Do.....	100 — 1	6 "
	3d Do.....	150 — 2	0 "
	4th Do.....	20 — 3	0 "
B.	1st Do.....	100 — 2	0 "
	2d Do.....	100 — 3	0 "
	3d Do.....	150 — 4	0 "
	4th Do.....	20 — 6	0 "
C.	1st Do.....	400 — 0	6 "
	2d Do.....	400 — 0	9 "
	3d Do.....	600 — 1	0 "
	4th Do.....	80 — 1	6 "
D.	1st Do.....	100 — 2	0 "
	2d Do.....	100 — 3	0 "
	3d Do.....	150 — 4	0 "
	4th Do.....	20 — 6	0 "

(A)

In the Court of  
The King Against  
I Collector of do hereby Certify that the above first  
named Defendant purchased the Farm of on the security of the other  
Debtors for the amount of payable  
That of the said amount is still due and interest thereon  
from at 12 per Cent per annum.  
Whereof I the said Collector pray that Process may issue to compel the payment of the  
said amount with Costs.

(B)

In the Court of  
To the Fiscal of  
Whereas the Collector of hath by Certificate filed this day informed the Court  
that purchased the rent of on the security of  
for an Amount of of which Amount and Interest  
thereupon from at 12 per Cent per annum is still due.

You are therefore hereby Comanded to seize and sequester the lands houses goods Credits  
and other effects of the said Wheresoever the same may be in the Provincial  
District of to the value of and keep them safely till you shall receive  
the further orders of the Court respecting the same.

And inform the said Court on the day of next what lands houses goods  
Credits and effects you shall have seized of the abovenamed persons and the value of the same  
respectively and in whose hands the same were, at the time of seizure.

Further you are Comanded to Cite the above named personally if possible  
otherwise by leaving this said Citation under the last place of abode of the said or in case the  
ordinary residence of the said Debtor or Debtors is not to be found or is out of the Juris-  
diction of this Court then by affixing the same, upon the Cutcherry door or other conspicuous  
place thereabouts that they be and appear before this Court at nine o'clock on the morning of  
said day of then and there to shew Cause, if any they have, why the lands houses goods  
Credits and effects by you to be seized as aforesaid should not be sold to satisfy the amount due to  
Government as above mentioned with Costs in default whereof this Court doth intend, and will  
on the said day pass a decree in favour of Government for the said amount and the said sever-  
al lands goods houses Credits and effects will, be sold in satisfaction thereof and have you  
there this mandate.

Given at in the Court aforesaid the day of (C)

To  
You are hereby required to be and appear before the Court of at  
on the day of next at nine o'clock in  
the Morning then and there to shew cause if any you have, why your property which is ordered  
to be seized should not be sold to satisfy Government for an amount of due  
for the Rent of and Interest thereon from the at 12 per Cent  
per annum and the Costs of Prosecution in default whereof the said Court doth intend and will  
on the said day pass a Decree in favour of Government for the said amount and such effects as  
may be seized will be Sold in satisfaction thereof.

Fiscal. (D)

In the Court of  
To the Fiscal of  
Levy and make of the several Lands Goods Houses Credits and other Effects of  
heretofore seized and sequestered by you under a Mandate issued from the  
Court on the day of as you informed the Court on the day of  
the Sum of which the Government of Ceylon has by a Decree of this Court  
dated this day recovered against the said and also the Sum of  
being the Costs recovered under the said Decree and have these Sums before  
the Court on the day of to render to the said Government with  
poundage at the rates herein undermentioned and inform the said Court on the said day what  
effects of the said Persons you have Sold and for what Sum and to whom respectively and have  
you there this Mandate.

Given at in the Court aforesaid the day of  
Colombo, 9th September 1809.

By Order of the Council,  
THOMAS EDEN,  
Sec. to the Council.  
By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

*Repealed by Ordinance No. 3 of 1852*

*For declaring the Tenure of Service-Parveny Lands and to prevent the same from being aliened or incumbered.*

REGULATION No. 8 of 1809.

**W**HEREAS there is reason to believe that abuses prevail with respect to the Lands called Service-Parveny Lands, in prejudice of the Rights of Government, and to the impoverishment of Families holding the said Lands.

His Excellency The Governor in Council deems it necessary to declare, conformably to the ancient Tenure of the said Lands, and it is hereby declared accordingly :

1st. That all such Lands are held, as in former times, immediately under Government :

2ndly. That the privilege of succeeding thereto is in the Male Heirs only, of those who die possessed of such Lands, and that the same revert to His Majesty's use on failure of such Male Heirs or breach of the Conditions of Tenure :

3rdly. That the same are not capable of alienation by Gift, Sale, Bequest or other Act of any party, or of being charged, or incumbered with any Debt whatever :

4thly. That the said Lands, are not liable to be sold by virtue of any Writ of Execution or other legal process of any Court or Courts in this Island :

Any Regulation or Precedent to the contrary notwithstanding.

Colombo 12th October 1809.

By Order of the Council

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

*Repealed by 3 of 1852*

REGULATION.

*(Annulled by Charter of 18th February 1833.)*

*For Establishing a separate Jurisdiction of Magistracy in and for the Fort of Colombo.*

**W**HEREAS it is deemed Expedient that the Jurisdiction hitherto vested in the Sitting Magistrate of Colombo as to Civil and Criminal Cases arising within the Fort should be Exercised by a separate Magistrate. His Excellency The Governor in Council is pleased to enact that the Sitting Magistrate of the Fort shall be vested with the like Powers both Civil and Criminal as possessed by the Sitting Magistrate of Colombo.

Regulation No. 1 of 1810.

And for Settling the relative Limits of the said Department it is hereby enacted and declared :

1st. That all Criminal Offences committed within the Fort shall be under the cognizance of the said Magistrate there—whether for the purpose of hearing and deciding the same, or of taking Informations referable to the Supreme Court of Judicature.

2nd. That of Civil Cases heretofore Competent to the Jurisdiction of the Sitting Magistrate of Colombo all such wherein there is a Sole Defendant residing in the Fort shall belong to the Magistrate of the Fort—and where there are several Defendants one or more resident in the Fort—And the other or others without the same such Cases shall be Competent to either Magistrate.

3rd. That wherever either of the said Magistrates shall in any Civil or Criminal Cases depending before him find it necessary to issue any Summons, Warrant of Arrest—Writ of Execution, Search Warrant or other Process against Persons, Houses or Goods within the local Limits of the adjoining Jurisdiction it shall be Competent so to do—and all such process shall have due effect without any reference of the one Magistrate to the other.

Colombo, 10th January 1810.

By Order the Council,

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 4 of 1811.)**For increasing the Batta or Gaol Allowance of Prisoners in Civil Cases, and for the relief of Debtors imprisoned for small Debts under Decrees of the Provincial or other Inferior Courts:*

REGULATION No. 2 of 1810.

WHEREAS it appears that the Batta or Gaol Allowance of Prisoners in Civil Cases as fixed by the Proclamation of the 22d January 1801 is not at present sufficient for their maintenance His Excellency the Governor in Council is pleased to enact that from and inclusive of the 18th day of January instant being the Anniversary of Her Majesty The Queen's Birth-Day all such Prisoners shall be entitled in lieu of the Allowance heretofore fixed as aforesaid to the following rates Viz;—Every Cingalese or other Native—being of Native Parents 3 Fanams—Every Burgher or Person descended from an European by a Native 4 Fanams—Every European or Person born of European Parents 6 Fanams—And it is further enacted that the respective Courts under whose Decree any such Prisoners are or shall be confined may on reasonable Cause shew for that purpose in any particular Case direct and increase of Allowance not exceeding one half of the fixed rate.

And the payment of the said Allowances whether Ordinary or Extraordinary shall be in such time and manner and subject to such Rules as in the said Proclamation are enacted respecting the Batta or Allowance thereby established.

And Whereas His Excellency The Governor in Council has deemed it expedient to make Provision during a limited time for the relief of Debtors confined for small debts.

It is hereby enacted by the authority aforesaid that from and inclusive of the 18th day of January instant, and until and inclusive of the same Anniversary in the now next ensuing Year;—Any Prisoner confined in execution at the suit of an individual under the Decree of any Provincial or other inferior Court for a Civil Debt not amounting with the Costs of suit to One Hundred Six Dollars at the time of the Decree or reduced by Payment within the said Amount—and who shall have been so confined for the full period of one Year shall on application for that purpose to the Court and making Oath that he has not alienated or secreted any of his Property or done any other fraudulent act to evade satisfying the said Decree be entitled to Rule or order calling on the Plaintiff to shew Cause within one week after service of the same on him, or at his last place of abode, why the Prisoner should not be discharged;—And unless the Plaintiff shall upon such Notice prove against the Prisoner some act of fraud by him committed to defeat the said Decree such Prisoner shall be forthwith discharged and for ever afterwards exempted from Personal Arrest on account of the same debt but subject always and from time to time until the debt is satisfied to Execution against his Property as if this Regulation had not been made—And in Case any such fraud as aforesaid shall be proved the Prisoner shall be remanded to confinement and barred of the benefit of this act.

Provided always that the Provisions hereby made for the discharge of Debtors shall not apply to Debtors of the Crown or in any way affect the Rights of Government.

Colombo 18th January 1810.

By Order of the Council,

THOMAS EDEN,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION

Regulation No. 3 of 1810. *For consolidating and Simplifying the Export and Import Duties levied in the Island of Ceylon.**(Repealed by Regulation No. 10 of 1813.)*

The repealed enactments relating to the Customs are not published at length.

## CHARTER.

6TH AUGUST 1810.

*(Repealed by Charter of 18th February 1833.)*

Charter 6th August 1810.

GEORGE the Third, by the Grace of God, of the United Kingdom of *Great Britain and Ireland* King, Defender of the Faith; to all to whom these Presents shall come, Greeting.

Preamble.

Recital of the Charter dated  
18th April 1801.

Whereas, by Our Charter and Letters Patent, under Our Great Seal of Our United Kingdom of *Great Britain and Ireland*, bearing Date at *Westminster*, the Eighteenth Day of *April*, in the Forty first Year of Our Reign and in the Year of Our Lord One thousand eight hundred and one, reciting Our Commission and Instructions relating to Our Settlements, Territories, and Dependencies in the Island of *Ceylon*, We did establish a Supreme Court of Judicature in the said Island, and make Provision for the due Administration of Justice in Our Settlements in the said Island, with the Territories and Dependencies thereof, subject to such Alterations and Provisions as we might thereafter think fit to make, or as circumstances required: And whereas it is expedient to make certain Alterations and further Provisions for the more speedy and due Administration of Justice in Our Settlements in the said Island, and the Territories and Dependencies thereof: Now know ye, that We, upon full Consideration of the Premises, and of



Our especial Grace, certain Knowledge and mere Motion, have thought fit to grant, direct, ordain, and appoint, that the Supreme Court of Judicature of the said Island shall be a Court of Civil and Criminal Jurisdiction, and shall have full Power and Authority to administer Justice and Law in all and every Part of Our Settlements in the said Island of *Ceylon*, and the Territories and Dependencies which now or may hereafter belong to the same, and over all the Inhabitants thereof and as to all Matters and Things as well Criminal as Civil, and in relation to all Persons as well *British* as others, and whether *Europeans* or *Natives*, and of whatever Description, and all Our said Settlements, Territories, Dependencies, Persons, Matters, and Things, whether described in Our said Letters Patent of the Forty-first Year of Our Reign aforesaid or not, shall be and are hereby declared to be subject to the Jurisdiction, Powers and Authorities, Criminal as well as Civil, of Our said Supreme Court, and all Process thereof.

II. And We do further will, ordain, and appoint, That from and after the Publication of these Our Letters Patent in the said Island of *Ceylon*, Our said Supreme Court of Judicature shall usually sit in Two Divisions; and the Chief Justice of the said Court shall form one and the First of the said Divisions, and the Puisne Justice the other and Second Division.

III. And We do further will and ordain, That Our said Chief Justice shall usually sit and hold the First Division of the said Supreme Court at *Colombo* in the said Island; and shall (subject to the Provisions hereafter mentioned) make Circuits throughout the Districts or Provinces of *Colombo*, *Chilaw*, *Negombo*, *Caltura*, *Point de Galle*, *Maiura*, *Tanqal'e* and *Hambantotte*, for the Exercise of both Civil and Criminal Jurisdiction within the said Districts or Provinces.

IV. And We do further will and ordain, That Our said Puisne Justice shall usually sit and hold the Second Division of the said Supreme Court at *Jaffnapatnam*, in the said Island; and shall (subject to the Provisions hereinafter mentioned) make Circuits throughout the Districts and Provinces of *Jaffnapatnam*, *Manar*, *Pullam*, *Wanny*, *Trincomalie*, and *Batticaloa*, for the Exercise of both Civil and Criminal Jurisdiction, within the said Districts or Provinces.

V. And We do hereby direct and ordain, That Our said Chief Justice (by and with the knowledge and concurrence of Our Governor, or in his Absence from the said Island, of the Person or Persons executing the Office of Governor of the said Settlements for the Time being), shall from Time to Time appoint proper Periods of Circuit for the Exercise of the Civil and Criminal Jurisdiction of the said Supreme Court, by the Two several Divisions thereof and they change and vary such Appointments as Occasion shall require.

VI. And it is Our further Will and Pleasure, That the said Judges sitting in the said respective Divisions, and the Advocate, Fiscal, Registrar, and other Officers of the Court acting therein, shall be competent to exercise, and shall and may exercise the like Duties, Powers, and Functions, in all Respects, and with the same and like Authority and Effect in all Cases and Matters whatever, as are now or may be hereafter lawfully exercised by both Judges, sitting together in the said Supreme Court of Judicature, and the Advocate, Fiscal, Registrar and other Officers of the said Court acting therein.

VII. Provided always, That it shall be still lawful and competent to the said Chief Justice and the said Puisne Justice, and they are hereby authorized and commanded, to sit and act together as constituting the said Court for all such Purposes as the Chief Justice may from Time to Time think necessary; and in any Case, Civil or Criminal, which may appear to the Chief Justice, if such Case shall have occurred before him, or upon the Statement and Representation of the Puisne Justice, to the Chief Justice, if the Case shall have occurred before the Puisne Justice from its Importance to require the Presence of both the said Judges; in all which Cases the said Supreme Court shall be assembled and sit at such Town or Place within Our said Settlements as shall be appointed by Our said Chief Justice; and shall have and use the same Seal as has been heretofore used by the said Supreme Court; and all Process, as well Mandatory as Executive, to be decreed and issued by the said Supreme Court, shall be issued and decreed in the same Form and Manner as has been heretofore observed by the said Supreme Court; and the said Judges shall, in case any Difference of Opinion shall arise between them, in the course of any Proceeding which shall be so had before them, jointly be regulated by, and act according to the Provisions of Our former Letters Patent in that Behalf established.

VIII. And We do further grant, ordain, and appoint, That the said Chief Justice and Puisne Justice of the said Supreme Court, as forming the First and Second Divisions of the said Court, shall each have and use a Seal bearing a Device and an Impression of Our Royal Arms, with an Exergue or Label surrounding the same with this Inscription, *The Seal of the First Division of the Supreme Court*, for the Seal of the Chief Justice, and *The Seal of the Second Division of the Supreme Court*, for the Seal used by the Puisne Justice; and that all Process, as well Mandatory as Executive, to be decreed or issued by the said Supreme Court, in the First and Second Divisions thereof respectively, shall run and be in the Name and Style of Us or Our Heirs and Successors, and shall be sealed with the Seal of the said Court in the said First and Second Divisions thereof respectively; and shall have and bear the Attestation of the Chief Justice in the First Division, and of the Puisne Justice thereof in the Second Division; and shall be signed by the Registrar or Person acting as such in each Division.

IX. And We do further authorize the said Chief Justice of Our said Supreme Court of Judicature in the Island of *Ceylon*, from Time to Time, as Occasion may require, to nominate and appoint such and so many Registrars, Clerks, and other Ministerial Officers, as shall be found necessary for the Administration of Justice, and due Execution of all the Powers and Authorities which are and shall be granted and committed to the said Supreme Court of Judicature, and to the Two Divisions thereof, by Our former and present Letters Patent and as shall be approved of by Our Governor, or in his Absence from the said Island by the Person or Persons executing the Office of Governor of Our said Settlements, for the Time being; and such Registrars, Clerks, and other Ministerial Officers so appointed, shall have and receive respectively such reasonable Salaries as Our Governor, or in his Absence from the said Island the Person or Persons executing the Office of Governor of Our said Settlements, for the Time being, with the Advice and by the Recommendation of the said Chief Justice, shall appoint for each Officer respectively.

X. And whereas it is deemed expedient and beneficial that Trial by Jury in Criminal Cases should be introduced into the *British* Settlements on the Island of *Ceylon*, subject to such Modifications as the State of the Settlements may require, We do hereby direct and ordain, That

## CHARTER 6TH AUGUST 1810.

The Supreme Court to have Civil and Criminal Jurisdiction over every Part of the British Settlement in Ceylon, and over every Person and Thing therein.

The Supreme Court to sit in Two Divisions, the Chief Justice to form the First, and the Puisne Justice the Second Division.

The Chief Justice to sit at Colombo, and to make Circuits through certain Districts.

The Puisne Justice to sit at Jaffna, and to make Circuits through certain other Districts.

The Chief Justice; with the Concurrence of the Governor, to fix the Periods of Circuits for both Divisions.

Each Division to have the same Powers as the whole Court.

Proviso that both Judges may sit together on certain Occasions.

Each Division of the Court to have a Seal.

Appointment of Registrars and other Officers for the Supreme Court, and both Divisions thereof.

Introduction of a Trial by Jury in Criminal Cases.

CHARTER 6TH AUGUST 1810.

from and after the Publication of these Our Letters Patent in the Island of *Ceylon*, Our said Supreme Court of Judicature, or Our Chief Justice or Puisne Justice sitting in their respective Divisions herein-before appointed, shall at a convenient Time previous to the holding any Court or Session of Criminal Jurisdiction for the Trial of Offenders, and Delivery of the Gaols, issue his or their Warrant or Precept, to be directed to the Fiscal of the Province or District wherein such Session is appointed to be holden, commanding him to summon a convenient Number therein to be specified of good and sufficient Persons, qualified in such Manner as shall be regulated by Rules or Orders established by our Chief Justice, for the purpose of trying all Offenders with whom they shall be charged at any such Session; and out of such Persons so returned a Jury composed of Thirteen Men shall be drawn by the Registrar, or Person acting as such, at such Criminal Session; and every Prisoner shall be entitled to have Five peremptory Challenges, without assigning any Cause for such Challenges; and may also, upon good Cause assigned to the Court, challenge any other of the Jurors, which last Challenge shall be refused or allowed at the Discretion of the Court; and others shall be drawn in lieu of such as shall be rejected upon peremptory Challenges, or Challenges allowed by the Court; and if a sufficient Number do not attend to form a Jury, or if the Persons summoned are reduced by Challenges below the Number sufficient to make a Jury others of the Bye-standers, or who can be immediately summoned and can attend, qualified as Jurors according to the Direction of the Precept for summoning the Jury, shall be added to the Jury until Thirteen shall appear; and the said Jury so formed shall be duly sworn to try, and shall well and truly try, all Offenders with whom they shall be charged at any Court, Session, or Gaol Delivery, and shall give such Decision or Verdict in respect of all such Persons, and upon all Issues in Criminal Matters, as they or the major Part of them shall agree upon; and if any Person or Persons to be summoned on such Jury as aforesaid shall refuse or neglect to attend according to such Summons, and be sworn upon such Trial, We do hereby empower the Supreme Court, or each Judge thereof sitting in his respective Division, to punish such Contempt by Fine, or by Imprisonment, or by both,

Provide that the Court and each Division may, in particular Cases, order Jurors to be returned from particular Classes of Inhabitants.

XI. Provided always, That it shall be lawful for Our said Supreme Court of Judicature, or Our Chief or Puisne Justice, sitting in their respective Divisions, in any Case in which it shall appear to be necessary or expedient for insuring a more impartial Trial of any Offenders, to order and direct that the Jurors shall consist of *British* or *European*, or Natives, or of any such Description of *Europeans* or Natives as shall be specified in any Order made for that Purpose; and the Fiscal shall in every such Case summon Jurors of the Description of Persons specified in such Order.

XII. Provided also, That so much of the Form of Proceeding in Criminal Cases, established in and by Our former Letters Patent, as is not inconsistent with and contrary to the Trial by Jury, as introduced by these Presents, shall continue in full Force and Effect.

The Salaries of the Chief and Puisne Justices.

XIII. And We do further grant, ordain, and appoint, That the said Chief Justice, and Puisne Justice shall and may, and so long as they shall hold their said Offices respectively shall be entitled to have and receive respectively, certain and established Salaries, that is to say, the said Chief Justice Six thousand Pounds by the Year, and the Puisne Justice Three thousand five hundred Pounds by the Year; and Our said Governor, or in his absence from the said Island the Person or Persons executing the Office of Governor for the Time being, of the said Settlements and Territories in the said Island of *Ceylon*, is and are hereby directed and required to direct and cause such Salaries to be paid to the said Chief Justice and Puisne Justice respectively; and such Salaries shall be paid and payable to each and every of them respectively at *Madras*, out of the Territorial and other Revenues of the said Settlements in the Island of *Ceylon*, at an Exchange of Eight Shillings Sterling for the *Madras* Star Pagoda.

Provincial Courts abolished, and Landraads re-established.

XIV. And whereas the Division of Our Supreme Court by these Our Letters Patent and making Circuits as aforesaid, will render the several Courts called *Provincial Courts* in the *British* Settlements in *Ceylon*, unnecessary: And whereas We deem it expedient to re-establish the ancient Courts called *The Landraads*, in certain Districts and under certain Modifications, We do therefore hereby direct and ordain, That from and after the Publication of these Presents the aforesaid Provincial Courts shall be abolished; and We further direct, that Our Governor of the said Settlements, or in his Absence from the said Island the Person or Persons executing the Office of Governor for the Time being, shall forthwith re-establish the Courts of Landraad in such Districts of the said Settlements, and under such Modifications, as the Chief Justice may deem expedient; and the said Courts shall have, in such Districts as aforesaid, such Jurisdiction as the Chief Justice may from Time to Time fix: And We do further direct, that Our said Chief Justice, with the Concurrence of Our said Governor, or in his Absence from the said Island of the Person or Persons executing the Office of Governor for the Time being, shall make such Rules of Proceeding, and such Tables of Fees, and appoint such Secretaries and other Officers for the said Courts of Landraad, as may from Time to Time appear to him to be necessary; and farther, that the said Courts shall consist of such Members as Our said Governor, or in his Absence from the said Island the Person or Persons executing the Office of Governor for the Time being, may from Time to Time think proper to appoint.

Commissioner of Revenue to be a Member of the High Court of Appeal.

XV. And it is Our said Will and Pleasure, and We do hereby direct and ordain, That the Commissioner of Revenue, or the Person executing the said Office for the time being, shall be one of the Members of the High Court of Appeal in the *British* Settlements in the Island of *Ceylon*.

Mode of Proceeding in Cases not provided for by the former Charter or by the present.

XVI. And whereas Cases may arise hereafter in which our former Letters Patent and these our Letters Patent may not specifically or sufficiently provide for the Administration of Justice, and the carrying into Execution Our Intentions as to Our former and these Our Letters Patent, and as to the Introduction of the Trial by Jury in Our said Settlements and Territories on the Island of *Ceylon*; and Doubts in some Cases may arise as to the Construction of the Provisions of Our former Letters Patent, and of these Our Letters Patent, for Remedy whereof, and preventing Failure of Justice or Inconvenience which may arise therefrom in Territories at such a Distance from Our Seat of Government, Our Will and Pleasure is, That Our Chief Justice shall draw up a Statement of every such Case, and lay such Statement before Our Governor, or in his Absence from the said Island of *Ceylon* before the Person or Persons executing the Office of Governor, for the Time being, of Our said Settlements and Territories on the said Island of *Ceylon*, who shall thereupon take the same into Consideration, and provide for the same by Regulation or otherwise, by his or their Authority, as he or they shall deem expedient; which said Regulation or Provision shall in every such Case be as good, valid, and effectual, and as binding and conclusive upon all Persons, and over all Authorities within Our said Settlements,

until Our Will and Pleasure shall be made known thereon, as if the same had been contained in Our former or in these Our Letters Patent; and no such Regulation or Provision shall be made by Our Governor, or in his Absence from the said Island, by the Person or Persons executing the Office of Governor for the Time being, unless, the Necessity thereof shall be so stated by Our said Chief Justice; and every such Regulation or Provision so made by Our Governor or in his absence from the said Island, by the Person or Persons executing the Office of Governor for the Time being of Our said Settlements and Territories, shall be transmitted as soon as conveniently may be to one of Our Principal Secretaries of State, to be laid before Us, Our Heirs and Successors, for Our or Their Royal Approbation, Correction, or Refusal.

CHARTER 6TH AUGUST 1810.

XVII. And We do hereby direct and require, that these Our Letters Patent shall, as soon after their Delivery to the Governor of Our said Settlements, or in his Absence from the said Island, to the Person or Persons executing the Office of Governor of Our said Settlements for the Time being, as can conveniently be done, be published and read with all due Solemnity in the Presence of Our Civil and Military Establishments, and others Our Subjects assembled for that Purpose at *Colombo*.

Manner of publishing the present Charter.

XVIII. And We do hereby strictly charge and command all Our Governors, Lieutenant Governors, Magistrates, Officers, and Ministers, Civil and Military, and all Our faithful and liege Subjects whatsoever in and throughout the said Settlements in the said Island of *Ceylon*, with the Territories and Dependencies thereof, That in the Execution of the several Powers, Jurisdictions, and Authorities hereby created and made, or modified, revised, and enforced, they be aiding and assisting, and obedient in all Things, as they will answer the contrary at their Peril.

All the King's Subjects to be aiding and assisting.

XIX. Provided always, That nothing in these Presents contained, or any Act which shall be done under the Authority thereof shall extend, or be deemed or construed to extend, to prevent Us, Our Heirs and Successors, from making such farther or other Provision for the Administration of Justice throughout the said Settlements and Territories in the Island of *Ceylon*, with their Dependencies, at Our and Their Will and Pleasure, and as Circumstances may require; We, meaning and intending fully and absolutely, and to all Intents and Purposes whatsoever, to reserve to Ourselves, Our Heirs and Successors, such and the same Rights and Powers in and over the said Settlements, Territories, and Dependencies, and every Part thereof and especially touching the Administration of Justice therein, and all other Matters and Things in and by these Presents provided for, as if these Presents had not been made; any Thing in these Presents contained, or any Law, Custom, Usage, Matter, or Thing whatsoever to the contrary in any wise notwithstanding.

Proviso.

In witness whereof We have caused these Our Letters to be made Patent: Witness Ourselves at *Westminster*, the Sixth Day of *August* in the Fiftieth Year of Our Reign: By Writ of Privy Seal.

BATHURST and BATHURST.

## REGULATION.

(*Repealed by Ordinance No. 3 of 1834.*)

*To prevent loose and suspicious persons from residing in the Fort of Colombo.*

IN consequence of the numerous thefts and abuses which have of late been committed in the Fort of *Colombo* by loose and disorderly people harbouring therein,— and pursuant to the intentions declared on the part of Government by Advertisement bearing date the ninth day of *May* last, His Excellency the Governor in Council, in order to provide for the peace and good order of the said Garrison, has deemed it expedient to revive the salutary Regulations established by the Dutch Government on that subject, with such variations as are necessary to adapt the same to existing circumstances.

Regulation No. 4 of 1810.

It is therefore hereby directed by the authority aforesaid, and under the penalties hereinafter enacted.

First. That from and after the 1st day of *November* next no persons whosoever shall reside within the said Fort, except such Classes as are herein particularly specified and permitted, with their respective Families, and such other persons or families to whom on proper information of their good character and of their having some honest trade, occupation, service or other lawful means of livelihood, ascertained by application of the parties before the Sitting Magistrate of the Fort, His Excellency's license may be granted for that purpose.

Secondly. The Classes permitted to reside in the Fort without special license are as follows

1st. All persons in His Majesty's Service or Employ Civil or Military, and widows and families of such persons.

2nd. All persons born in Europe and registered in the office of the Secretary to Government, as licensed to reside in the British Settlements.

3rd. All persons now or late in the Service of the Dutch Government, being of or above the Rank of a Book Keeper, or being commissioned Military Officers.

Thirdly. None but persons duly qualified or licensed as aforesaid shall be Proprietors of Houses in the Fort—And all persons not having such qualification or license or having forfeited the same, being Proprietors of Houses, shall forthwith dispose thereof to persons entitled to hold them—and in failure of a voluntary sale within three months after notice from the Magistrate to such purpose, it shall be lawful to Government to cause such Houses to be sold by the Sitting Magistrate, who under such order is hereby authorized to make conveyances of the Premises so sold—which conveyances, being otherwise legally made out, are declared to be good and valid.

Fourthly. Proprietors of Houses in the Fort holding His Excellency's License, are not to let their Houses to any but persons permitted to reside within the Fort, on pain of forfeiting their own title to reside in the Fort, or hold property therein.

REGULATION No. 4 of 1810.

Fifthly. House-keepers in the Fort shall not admit any Lodgers or Boarders without leave of the Magistrate in writing, and then only qualified or licensed persons—on pain of forfeiting their own qualification or License.

Sixthly. All breaches and contraventions of this Regulation shall, over and above the special Penalties aforesaid, be punishable by the Magistrate as disorders against the police, according to the nature of such misdemeanours, and the repetitions thereof by the same individual.

Lastly. His Excellency The Governor reserves to himself the power of revoking the qualification or License of any individual, either on the representation of the Sitting Magistrate or other unfavourable report, and especially for breach of any of the orders herein contained. And in the instance of strangers, His Excellency will from time to time issue such Orders and Directions as He may deem necessary.

Colombo 18th August 1810.

By Order of the Council,

RICHARD PLASKET,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For the Prevention of Smuggling.**(Repealed by Regulation No. 1 of 1813.)*

Regulation No. 5 of 1810.

The repealed enactments relating to the Customs are not published at length.

## REGULATION.

*(Repealed by Regulation No. 2 of 1817.)*

Regulation No. 1 of 1811.

**W**HEREAS by a Regulation of Government dated on the first day of February 1809, it was enacted that all such Unstamped Deeds and Instruments as are therein mentioned should be permitted to be Stamped within a Certain time therein limited upon payment of the Duties Chargeable thereupon.

And it having been humbly represented to His Excellency the Governor, that in consequence of errors and neglects as to the time and manner of publishing the said Regulation within the District of Mannaar, many Persons were deprived of an opportunity of availing themselves of the Benefit of such permission.

His Excellency the Governor therefore directs and enacts, that the period for taking the benefit of the said Regulation within the said District of Mannaar be extended, and it hereby is extended to the first day of July next.

And whereas it hath been also represented to His Excellency, that in many instances within the District of Matura the Second and Third Schoolmasters although not licensed Distributors of Stamps have drawn up transfers of immoveable property, and that Deeds so drawn are conceived to be illegal under the Provisions of the Government Regulation of the first day of January 1806.

His Excellency is therefore pleased to declare and enact, that no deed of transfer of immoveable Property actually executed before the date of the publication of this Regulation in the said District of Matura, shall be liable to be impeached on the Ground of not having been drawn up by the licensed Distributor of Stamps.

Provided nevertheless that no transfer of immoveable property executed on or after the said publication shall be valid unless drawn by the licensed Distributor of Stamps, and provided always that the Stamp Duties have been paid on such transfers.

And Whereas it hath been further represented to His Excellency that as well the licensed Distributors of Stamps as other persons who have drawn transfers of property moveable or immoveable within the District of Matura, have in many instances neglected to make and deliver to the Collector of the said District the Memorandum or Duplicate of such transfers required by the said last mentioned Regulation of 1st January 1806, whereby much distress and injury may arise to individuals and great Confusion be occasioned in the property so transferred.

For remedy whereof His Excellency is pleased to enact that if such Memorandum or Duplicate of any deed of transfer executed within the said District of Matura on or before the date of the publication of this Regulation be lodged with the Collector of the said District on or before the first day of October next, the same shall be deemed and taken to have been made and lodged in pursuance of the provisions of the said Regulation.

Colombo 5th March 1811.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Expired.)*

**W**HEREAS many persons are Imprisoned in the several Goals of this Island for Debts which they are unable to discharge although willing to surrender to their Creditors all the property they possess.

REGULATION No. 2 of 1811.

And Whereas it is the wish of His Excellency to relieve the unfortunate who have not been guilty of fraud or breach of trust.

It is therefore enacted that any person who is at the date of this Regulation in Custody for any Debt shall be discharged from custody upon and subject to the following Conditions and Regulations.

1st. The person so in custody shall cause to be made out a full and perfect statement of all such property moveable and immoveable as he or she shall be possessed of or entitled to or of which any person in trust for him or her shall be so possessed of and entitled to of which statement one copy shall be delivered to each and every Creditor at whose suit such person is detained at least six days before application for the discharge of such prisoner, and another copy shall be delivered to the Judge or Magistrate by whom or by whose authority such prisoner stands committed, who shall thereupon appoint a day not earlier than six or later than ten from the receipt thereof for the prisoner to be brought before him to apply for his discharge.

2d. If upon the prisoner being brought before the Judge or Magistrate on such day any Creditor or person on behalf of a Creditor shall be able to prove to the satisfaction of the Judge or Magistrate by legal evidence either,

1st. That six days notice has not been given together with such a Statement as is hereby required.

2d. That the Debt was contracted by means of fraud practised by the prisoner or by breach of any trust reposed in him.

3d. Or that the prisoner has concealed or omitted in his Statement any property of any kind whatever save necessary wearing apparel and the instruments of his or her trade or occupation, then and in any of these cases the prisoner shall not be entitled to any benefit from this Regulation.

3rd. But if on the contrary no such charge is either made or proved, and the prisoner shall swear to the truth of the Statement so delivered to the Creditor and Judge or Magistrate and shall in the presence of such Judge or Magistrate make and execute an assignment of all the property contained in such statement (excepting only his or her necessary wearing apparel and the instruments of his or her trade or occupation) to his or her Creditor if there be only one and if more than one to a person to be named by the said Judge or Magistrate as a Trustee for his or her Creditors, such prisoner shall be immediately discharged and shall be no more liable to arrest for the Debts for which he or she shall have been so in custody.

Provided always and it is hereby enacted that in the case of prisoners at the suit of Government the Statement required by the first clause of this Regulation shall be delivered to the Collector of the District in which such Prisoner is confined, and the day to be appointed by the Judge for bringing such Prisoner before him shall not be later than Thirty days after the delivery thereof.

And, if upon such day the Collector shall suggest to the Court (by a Suggestion in writing to be then received and filed) that there is good cause for excluding the prisoner from the benefit of this Regulation—further proceedings shall be thereupon stayed, and the prisoner shall be remanded to custody for a term not exceeding two Calendar months in the Districts of Trincomalee and Batticaloa and in any other Districts not exceeding one Calendar month, at the end of which time he or she shall be again brought before the Judge, and unless a Warrant under the hand and Seal of The Governor or Lieutenant Governor of this Island excluding and excepting such prisoner from the benefit of this Regulation shall be then produced and filed, the Judge shall proceed as is hereby directed in the case of other prisoners.

But if such warrant shall be so produced and filed the prisoner shall be remanded to his former Custody.

Provided nevertheless that if it shall appear expedient to the Judge to postpone the hearing of any prisoner from the day first appointed, he may appoint any further day or days at an interval of not more than twenty from the first day of hearing, before the expiration of which last period he shall proceed as is herein before directed.

But it is hereby declared and enacted that the future property of every person so discharged shall be and continue liable to such debts until the same shall be fully satisfied.

And the following is directed to be the form of the assignment so to be executed by the Prisoners.

I do hereby assign and make over to all the property moveable or immoveable contained in a statement by me delivered upon Oath to the Judge (or Magistrate) of this day in pursuance of the Regulation of the day of excepting my necessary wearing apparel and the instruments of my trade or occupation.

And it is further declared and enacted that such assignment shall not be subject to Stamp duty—and that this Regulation be forthwith translated as usual and that one Copy in each language be posted and set up within the limits of every Goal in this Island.

Colombo, 9th March 1811.

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

*For the protection of His Majesty's Pearl Banks of Ceylon.*

REGULATION No. 3 of 1811.

**W**HEREAS there is reason to suspect that depredations are committed in the Pearl Banks of this Island by Boats and other Vessels frequenting those places in the calm season without any necessity or lawful cause for being in that situation.

For the Protection of His Majesty's Property and Revenue His Excellency The Governor in Council is pleased hereby to enact and declare,

That if any Boat or other Vessel, shall hereafter between the 10th of January, and the end of April, or between the 1st of October, and the end of November, in any Year be found within the limits of the Pearl Banks, as described in the Schedule hereunto annexed anchoring or hovering and not proceeding to her proper destination as Wind and Weather may permit it shall be lawful for any person or persons holding a Commission or Warrant from His Excellency The Governor for the purposes of this Regulation to enter and seize such Boat or other Vessel and carry the same to some convenient Port or Place in this Island for prosecution.—And every such Boat or other Vessel is hereby declared liable to forfeiture by Sentence of any Court having Revenue Jurisdiction of sufficient Amount and shall be condemned accordingly two thirds thereof to the use of His Majesty and one third to the Persons seizing or prosecuting unless such Boat or other Vessel shall have been forced into the Situation aforesaid by accident or other necessary cause the proof whereof to be on the party alleging such defence.

Penalty if Vessels found within the limits of the Pearl Banks.

Colombo 9th March 1811.

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

SCHEDULE REFERRED TO.

Vessels Navigating the inner or along shore passage are not to hover or anchor in deeper than four Fathoms Water—

Vessels Navigating the outer Passage are not to hover or anchor within twelve fathoms of Water.

REGULATION.

*(Repealed by Regulation No. 15 of 1813.)*

Regulation No. 4 of 1811.

**W**HEREAS by the Government Regulation (No. 2.) of the 18th day of January 1810—a Certain Batta or Goal allowance to Prisoners in Civil Cases to be paid in Money is set forth and Established.

And Whereas by Changes in the price of provisions the said allowance may at some times exceed and at other time fall short of the Quantity necessary for the maintenance of Prisoners which could not happen were the same to be given in Kind.

And Whereas it is reasonable to extend the benefit of a regular Allowance to Prisoners under Criminal Charges.

It is therefore enacted that so much of the said Regulation of the 18th day of January 1810 as relates to the Batta of Prisoners be and it hereby is repealed, except so far as relates to the Batta of Burghers and Europeans which is to remain as settled by that Regulation.

And it is further enacted that from and after the first day of April of the present year in the Districts of Matura, Galle, Caltura, Colombo, Chilaw, Manaar, the Wanny, Jaffna and from the 11th of the said Month, in the Districts of Trincomalee and Batticaloa, the Batta or Goal Allowance of Prisoners shall be in kind (with the exception of an allowance in money for Curry Stuff &c.) and according to the rates specified in the Schedule hereunto annexed.

And be it enacted that the Plaintiff at whose suit any Prisoner is detained shall pay into the hands of the Collector of the District the Sum of 5 Rd., for the maintenance of the Defendant for each Month, and such Defendant being a Prisoner shall be supported by Government for the term of one Month according to the Allowance aforesaid; and the said payment shall be and be taken as the whole payment to which such Plaintiff shall be liable to for and on account of the subsistence of such Defendant for one Month by and under the Regulation of the 2d day of January 1801, and the said Payment shall be paid on or before the first day of each Month and if not then paid the Prisoner shall be entitled to his discharge.

And it is further enacted that it may be lawful for the Collectors to issue Paddy instead of Rice for the subsistence of Prisoners, the same being delivered according to the Regulations and rates herein contained, and in the proportion of two Seers  $\frac{1}{2}$  of Paddy to one Seer of Rice.

Colombo, 12th March 1811.

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

SCHEDULE REFERRED TO.

Description of Prisoners	Seers of Rice		Seers of Salt per Month	Money per Day
	per Day	per Month		
Civil Prisoners .....	1 and $\frac{1}{2}$	33 and $\frac{1}{2}$	1 and $\frac{1}{2}$	Pice 3
Prisoners for Trial ...	1 and $\frac{1}{2}$	33 and $\frac{1}{2}$	1 and $\frac{1}{2}$	" 3
Prisoners at Hard Labour	1 and $\frac{1}{2}$	33 and $\frac{1}{2}$	1 and $\frac{1}{2}$	" 3 $\frac{1}{2}$
Prisoners under Sentence	$\frac{1}{2}$	22 and $\frac{1}{2}$	1	" 3
Renters in Arrear .....	$\frac{1}{2}$	22 and $\frac{1}{2}$	1	" 3

## REGULATION.

*(Repealed by Regulation No. 10 of 1813.)*

**W**HEREAS it has been represented to us that a practice prevails of exporting the Copper Coin of this Island whereby very considerable inconvenience and distress are occasioned to the internal trade of the British Settlements.

REGULATION No. 5 of 1811.

And whereas the Regulations at present in force have been found insufficient to restrain or prevent this Mischievous practice.

It is therefore enacted by His Honor The Lieutenant Governor in Council, that the exportation of Copper Coin from this Island be and it hereby is strictly prohibited.

And it is further enacted that any Copper Coin exported or attempted to be exported from this Island exceeding in value fifty fanams be, and it hereby is declared to be confiscated to His Majesty's use.

And for the better detection of every such attempt be it enacted and declared that the person who shall discover and seize or give such information as may cause to be discovered and seized on Board of any Vessel, Doney or Boat any quantity of the Copper Coin of this Island exceeding the value of fifty fanams shall be entitled to one-third of the quantity so discovered and seized, and shall receive the same immediately upon the condemnation thereof.

Colombo, 1st April 1811.

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Honor's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 19 of 1813.)*

*For Establishing certain Rules for the Business of the Port of Point de Galle, and Settling the Port Charges and rates of Labour at that Port.*

**W**HEREAS it is expedient that the Rules, Charges and Business of the Ports of Colombo and Galle should be as nearly on the same footing as local circumstances may permit. And whereas for that purpose certain orders have been framed, entitled "Orders for the Master Attendants Department at Point de Galle." And two Tables, one being for Port Charges, and the other for the Hire of Coolies and Artificers employed in the Business of the Port, all of this date, and signed by authority of Government.

Regulation No. 6 of 1811.

His Honor The Lieutenant Governor in Council is pleased to enact, that from the promulgation hereof the said Orders shall be strictly observed and obeyed. And that the charges and rates of labour at the said Port shall be exacted and paid according to the said respective Tables, and not otherwise.

All persons to whom the said Provisions relate are hereby peremptorily required to conform thereto. And all Courts and Magistrates, having Jurisdiction in that behalf, are enjoined to enforce the same.

Colombo, 22d June 1811.

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Honor's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## ORDERS

FOR THE

MASTER ATTENDANT'S DEPARTMENT AT POINT DE GALLE

FOR VESSELS &amp;c.

1. All Vessels lying outside the Harbour are to come to an Anchor within 16 Fathoms water, Flagstaff N. N. W. to N. N. E. beyond that depth they will be charged double Boat-hire.

*Master Attendant's Department at Point de Galle.*

2. All square rigged Vessels, S'oons and Schooners are to employ Government Boats only for the landing or Shipping of their Cargoes or any part thereof—no Country Boat to be allowed to ply to any of them, for such purpose without leave from the Master Attendant, who, when it may be deemed expedient by Government for the sake of dispatch, is to hire such Boats.

MASTER ATTENDANT'S DEPARTMENT AT POINT DE GALLE

3. Any Country Boat plying to a square rigged Vessel, Sloop or Schooner, for the purpose of landing or shipping any Merchandize without leave of the Master Attendant, in writing, to be liable to Confiscation.

4. Vessels, Donies and Boats of every description, having Customable Goods on Board, are, immediately after coming to an Anchor, to send a manifest of their Cargoes to the Custom House.

5. No Boats to be allowed to go alongside to receive any part of a Cargo, till such Manifest shall have been delivered in, and a Certificate thereof, signed by the Custom Master produced to the Master Attendant, or his Officers.

6. The Boatmen belonging to the Master Attendant's department are not to be employed on board any Vessels, by the Commanders or Officers of such Vessels.

7. No Boat to remain alongside of any Vessel after 5 o'Clock in the Evening, or to remain out all Night, under any pretence whatever.

8. The full hire of every Boat, to be paid for, every day it is employed either in receiving or discharging the Cargo.

9. The addition of half a trip to be charged for each Boat working on a Sunday, which addition is to be appropriated towards forming a fund for decayed and wounded Boatmen.

10. Boats going off after sunset to be charged double hire; of the Surplus Charge, one half to be divided amongst the Crew on Duty, and the other to be appropriated to the general fund to be distributed as a reward for good behaviour and punctual attendance.

11. Persons applying for Boats, and not using them, are to pay the full trip of the Boats

12. No Goods to be landed or shipped but at the wharf, under the penalty of Confiscation, without license in writing from the Custom Master.

13. All Vessels or Dhoneys laying alongside the Wharf for the purpose of loading or discharging Arrack thereat to pay at the rate of 6 Fanams the Leaguer and for a Cargo of other goods 20 Rds. to the Master Attendant for a License for such purpose.

MASTER ATTENDANT'S DUTY.

14. He is to take care that all Customable Goods are landed at the Wharf, and delivered, to the Custom House Officers, unless special permission be granted by the Custom Master to land elsewhere.

15. He is to keep regular accounts of all Boat-hire, and other Port Charges incurred by Vessels, and transmit the same duly attested to the Chief Secretary to Government and Commissioner of Revenue the beginning of every Month.

16. He is to pay the Receipts of his Dept. at the end of the Month to the Collector of the District.

17. He is to keep a regular list of all Arrivals and Departures, with their Passengers, Lading and Tonnage of the Vessels, and to send a daily Report thereof to the Chief Secretary to Government.

18. He is not to give any Credit for the fees and Charges of his Department, if he does, it is to be at his own risque.

19. He is not to Countersign the Port clearance granted by the Custom Master to any Vessel, until every demand has been settled in the Current Money of Ceylon, for Boat-hire and every other Port-charge.

OFFICERS AND SERVANTS UNDER THE MASTER ATTENDANT.

20. The Officers and Servants in the Master Attendant's Department are strictly enjoined not to take or receive directly or indirectly any fees or gratuity, if found offending herein, to be dismissed, and to be liable to Punishment.

21. One European to reside constantly at the Wharf, Day and Night, and a Boat's Crew to remain at Night, in case of any Vessels requiring immediate assistance.

22. The attendance of the Boatmen, Carpenters and other Servants belonging to the Department, to be from Six o'Clock in the Morning, till Six in the Evening.

23. The Officers and Servants of the Master Attendant's Department are strictly to obey such Orders concerning the Duty of their Department, as he shall from time to time give them, under a penalty of such punishment as he, in his capacity of Magistrate, may be authorized to inflict for such disobedience, or for any act of misconduct or dishonesty.

24. Any Complaints that may be made to the Master Attendant by Captains or Officers of Vessels against the Boatmen and people of the Department will be immediately attended to and if upon enquiry by the proper authority they shall be found culpable, they will receive due Correction; at the same time it is positively required and expected, that no ill Language or ill treatment be made use of to the Boatmen and people on any pretence whatsoever, while in the discharge of duty, either on shore or alongside of any Vessel.

25. Printed Copy of these Orders and of the Rates of Boat-hire and Port-charges, to be placed in the most conspicuous part of the Custom House, and Master Attendant's Office for the information of the Public.

Chief Secretary's Office, Colombo 22d June 1811.

JOHN RODNEY,  
Chief Sec. to Govt.



PORT CHARGES.

PILOTAGE ANCHORAGE.

MASTER ATTENDANT'S DEPARTMENT AT POINT DE GALLE

PILOTAGE AND ANCHORAGE.				Rds.	Fs.	P.			
Vessels 600 Tons and upwards	....	....	....	8	"	"			
400 — and under 600	....	....	....	60	"	"			
200 — and under 400	....	....	....	40	"	"			
100 — and under 200	....	....	....	30	"	"			
under 100	....	....	....	20	"	"			
				Harbour.			Roads		
				Rds.	Fs.	P.	Rds.	Fs.	P.
Gamel shipping or landing	....	....	per Trip	15	"	"	30	"	"
Weighing an Anchor	....	....	per day or Trip				30	"	"
Laberlot or Schuyt.				3	9	"	7	6	"
Shipping or landing	....	....	per Trip	7	6	"	15	"	"
If detained a whole day ..	....	....	.....						
Small Boat.				3	9	"	"	"	"
Carrying of Ballast	...	....	per Trip	3	9	"	7	6	"
Weighing an Anchor	...	....	per do.						
Country Boat Burthen 120 Bags)				5	"	"	10	"	"
Shipping or Landing	..	....	per Trip	5	"	"	"	"	"
Carrying of Ballast	..	....	per do.				"	"	"
Boats working on Sundays to be charged double Boat hire.									
Water by Government Boats	..	....	per Leaguer	2	"	"	4	"	"
By Ships own Boats	..	....	per do.	1	"	"	1	"	"
EXTRA CHARGES.									
Anchor and Cable	....	....	per day each	3	"	"	"	"	"
Grapple and Hawser.	....	....	per do. do.	1	6	"	"	"	"

HIRE OF COOLIES AND ARTIFICERS.

COOLIES UNLOADING.				Quantity.	Rds.	Fs.	P.			
Grain and Carrying to Government Godown or like Distance	....	....	....	per 100 Bags	5	"	"			
— and weighing on the Wharf	....	....	....	do.	2	"	"			
Iron or Iron Hoops				per Laberlot or in proportion.	4	"	"			
And lodging in the Custom House.....				do.	3	"	"			
Sundry Goods — do. — do. — do. ....				each	"	4	"			
do. — do. — do. Viz...				"	"	4	"			
Chest of Claret (smaller Box in proportion)...				"	"	2	"			
Pipe of Madeira	....	....	....	"	"	2	"			
Cask of Beer (smaller Box in proportion) ....				"	"	2	"			
Bag of Salt Petre				"	"	2	"			
Bag of Sugar				"	"	2	"			
Tub of Sugar				"	"	2	"			
Tutocoryn Bale (smaller Bale in proportion)....				"	"	2	"			
Leaguer of Arrack	....	....	....	"	"	2	"			
COOLIES LOADING— from Govt. Godown or like distance.				each	"	"	1			
Cinnamon Bales	....	....	....	"	"	2	"			
Leaguer of Arrack	....	....	....	"	"	1	"			
Cask of Salt Provision...	....	....	....	"	"	4	"			
Laberlot Ballast	....	....	....	"	"	4	"			
ANCHORS Cables and Cordage				per Candy of 500 Pounds	"	6	"			
Cable or Rope from Callowella into Boat	....	....	....	do.	"	3	"			
— from Custom House Do. ....				"	"	6	"			
Anchor from shore into Boat	....	....	....	per 20 Cwt. or in proportion	1	"	"			
— from Wharf do.	....	....	....	"	"	4	"			
Water filling and putting in Boat				per Leaguer	"	4	"			
At the Fort	....	....	....	do.	"	6	"			
At the watering place	....	....	....	per Gamel	7	6	"			
COOLIES hauling a Gamel	....	....	....							
				On board in the Harbour.	On Shore					
ARTIFICERS FROM 6 A. M. till 3 P. M.				Rds.	Fs.	P.	Rds.	Fs.	P.	
Carpenter	....	....	....	"	9	"	"	6	"	
Smith	....	....	....	"	9	"	"	6	"	
Caulker	....	....	....	"	6	"	"	3	3	
Painter	....	....	....	"	1	"	"	"	"	
Workmen under him	....	....	....	"	6	"	"	"	"	
Cooley	....	....	....	"	4	"	"	2	2	
Artificers &c. employed on Board a Vessel outside the Harbour, to receive double pay.										

## REGULATION

*(Annulled by Charter of 18th February 1833.)*

REGULATION No. 7 of 1811.

**W**HEREAS in and by His Majesty's Charter, Establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty Eighth Section thereof the following Power (among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or Petition shall be Personal, and of more amount in value than One Hundred Rix Dollars of Current money of Ceylon, and the Plaintiff by Affidavit, or being a Quaker, by affirmation in writing to be filed of Record, shall satisfy the said Supreme Court of Judicature, that the Defendant is justly and truly indebted to him, in a greater Sum than One Hundred Rix Dollars, or shall by like Affidavit or affirmation, to be filed as aforesaid, verify to the Satisfaction of the said Supreme Court; a case of such enormous Personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Court, to render such Security necessary for the purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon, shall, and is hereby authorized and empowered to award & issue, in lieu of the Citation aforesaid, a mandate of arrest, to be prepared in manner abovementioned and directed to the said Fiscal, Commanding him to arrest and seize the Body of such Defendant, and to have his said Body at a time and place in the said mandate to be specified, before the said Court, to answer the said Libel or Petition and to give sufficient Bail, to be approved of by the said Supreme Court, that he will stand to and perform the Sentence of the said Supreme Court upon the premises, and pay all such sum or sums of money as shall hereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, that such Defendant shall appear at the time and place mentioned in such mandate, and in all things perform and fulfil the Exigence thereof; and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison, to the custody of the said Fiscal, unless, or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and Pay all such sum or sums as shall be decreed thereby; which security we hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail." And Whereas there is no provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in lieu of the said ordinary process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Supreme Court annually, and whereas during such periods, while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the Substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial Justice, and, above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by virtue of the Powers vested in us by His Majesty, We do hereby enact that in the absence of the said Supreme Court from Colombo, during the circuit which is now about to be made, it shall and may be lawful for the Sitting Magistrate of Colombo for the time being, in the cases mentioned in the said in part recited Thirty Eighth Section of the said Charter (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any Suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs therein shall by Affidavit or otherwise to the satisfaction of the said Sitting Magistrate, furnish proof to shew that such Defendant or Defendants are so vehemently suspected for intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgement of the said Sitting Magistrate to render such arrest, and the Security consequent thereupon, under the provision of the said Charter, in the said Thirty Eighth Section thereof prescribed, necessary for the purposes of Justice. The Sitting Magistrate shall in all such cases report his proceedings to the Supreme Court within Twenty-four Hours after the said process of arrest shall have issued.

Colombo, 29th July 1811.

By Order of the Council,

JAMES GAY,  
Sec to the Council.

By His Honor's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## PROCLAMATION.

PROCLAMATION 12TH NOVEMBER 1811.

**W**HEREAS His Majesty by His Royal Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland dated at Westminster the Sixth day of August in the Fiftieth Year of His Majesty's Reign, hath been Graciously pleased to make certain alterations and further provisions for the more speedy and due administration of Justice in His Majesty's Settlements in the Island of Ceylon and the Territories and Dependencies thereof, and hath ordained that the said Letters Patent should be notified and made public as in and by the said Letters Patent is directed.

Now I The Honorable JOHN WILSON &c. do hereby notify and declare that the said Letters Patent were immediately upon their delivery to me to wit on the 8th day of November instant published and read with all due Solemnity, in the

presence of His Majesty's Civil and Military Servants and others of His Majesty's Subjects assembled for that purpose at Colombo.

PROCLAMATION 15TH NOVEMBER 1811.

And I do further Notify and Proclaim that by the said Letters Patent it is amongst other things ordained that the Supreme Court of the Island of Ceylon should from and after the publication thereof sit in two divisions—the first division thereof consisting of the Chief Justice to sit in Colombo and make circuits throughout the Provinces of Colombo, Chilaw, Negombo, Caltura, Point-de-Galle, Matura, Tangalle and Hambantotte, and the second consisting of the Puisne Justice to sit at Jaffnapatam, and make Circuits throughout the Provinces of Jaffnapatam, Mannaar, Putlam, Wannay, Trincomalie, and Batticaloa.

And I do further notify and proclaim that by the said Letters Patent the benefits of Trial by Jury in Criminal Cases are under certain modifications therein specified and set forth, extended to all His Majesty's Subjects in the British Settlements in the Island of Ceylon and its dependencies.

And Whereas by the said Letters Patent it is directed that the several Courts in this Island called Provincial Courts, should, after the publication of the said Letters Patent be abolished—and the Courts of Landraad re-established; I do hereby notify that the said Provincial Courts are and they here'y are declared to be abolished—and that I will forthwith cause the Courts of Landraad to be re-established under such modifications and with such Jurisdiction as by the Chief Justice shall be deemed expedient—and with such necessary rules of proceeding and tables of fees as the said Chief Justice shall with my concurrence direct and that such Courts of Landraad are to consist of such Members as I shall deem proper to appoint.

And I do hereby strictly charge and Command all Magistrates, Officers, and Ministers, Civil and Military, and all His Majesty's faithful and liege Subjects whatsoever, in and throughout the British Settlements in the Island of Ceylon with the Territories and Dependencies thereof, that in the Execution of the several Powers Jurisdictions and Authorities by the said Letters Patent erected and made or modified revised and enforced, they be aiding and assisting and obedient in all things as they will answer the contrary at their peril.

Colombo 12th November 1811.

By His Honor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

#### PROCLAMATION.

**H**IS Majesty's Charter having been received containing various important Provisions for the better Administration of Justice in these Settlements, especially the introduction of a Trial by Jury in Criminal Cases, and the re-establishment of the Courts called Landraads—The Lieutenant Governor cannot refrain from expressing His Congratulations to the Dutch and Native Inhabitants upon the gracious act of Royal munificence by which His Majesty has been pleased to admit them to a participation of privileges with His natural Subjects.

Proclamation 23d November 1811.

The Dutch Inhabitants and Native Headmen will receive with gratitude their admission to be Members of the Landraads, and will no doubt, zealously endeavour to render themselves worthy of that privilege, by a diligent application of that knowledge of the ancient Laws and Customs affecting Natives, especially in respect of Landed Titles, which peculiarly qualifies them for the Situations to which they are thus rendered eligible—and as it is in the nature of a Jury that while every person admitted into that Body exercises to a certain extent the Office of a Judge over his fellow subjects, each in his turn is subjected to the impartial Judgment of his neighbours and equals, His Honor hopes that all Classes of Inhabitants will on the one hand set a due value upon a Trial so universally celebrated and on the other be sensible of the important functions they are called upon to fulfil, and aspire to the respectability which may entitle them to so great a Trust.

Correct Returns having been completed for Colombo, the Collectors at Outstations are hereby directed forthwith to prepare Lists of all persons resident in their Districts, who by their Character and Condition may be deemed qualified to sit upon Juries, distinguishing them into their respective Classes and Casts; and return such Lists with all practicable expedition to the Chief Justice of the Supreme Court.

And it is hereby further ordered, that each Collector do Cause this Proclamation to be published throughout his District as generally as possible.

Colombo, 23rd November 1811.

By His Honor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## CHARTER.

30TH OCTOBER 1811.

*(Repealed by Charter of 18th February 1833.)*

CHARTER 30TH OCTOBER 1811.

**G**EORGE the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; to all to whom these Presents shall come, Greeting.

WHEREAS by Our Letters Patent, bearing date at *Westminster*, the Sixth Day of August, in the Fiftieth Year of Our Reign, reciting that by Our Charter and Letters Patent bearing date at *Westminster*, the Eighteenth Day of April, in the Forty-first Year of Our Reign, We had Established a Supreme Court of Judicature in Our Island of Ceylon, and make Provision for the due Administration of Justice in Our Settlements in the said Island with the Territories and Dependencies thereof, subject to such Alterations and Provisions as We might hereafter think fit to make or as circumstances might require. We did make certain alterations and further Provisions for the more speedy and due Administration of Justice in Our Settlements in the said Island and the Territories and Dependencies thereof, subject to such further alterations or Provisions as We might hereafter think fit to make—AND WHEREAS for certain Causes since appearing to Us We deem it expedient to make certain Alterations and further Provisions touching the matters contained in Our said Letters Patent bearing date the Sixth Day of August in the Fiftieth Year of Our Reign. AND WHEREAS the Jurisdiction of the Supreme Court of Judicature in Our said Island is extended by Our said last mentioned Letters Patent beyond the limits thereof established by Our said Charter and Letters Patent granted by Us as aforesaid in the Forty first Year of Our Reign. Now KNOW YE that We upon full consideration of the Premises and of Our certain knowledge and mere motion have thought fit to revoke and annul, and do hereby revoke and annul so much of Our said Letters Patent granted in the Fiftieth Year of Our Reign, as extended the Jurisdiction of Our said Supreme Court beyond its said former limits, and hereby ordain and direct that from and after the publication of these presents, the Jurisdiction of Our said Court be again restrained within the said Limits, and confined to such Persons and Matters as are in that behalf mentioned and described in and by Our said Charter granted in the Forty first Year of Our Reign—PROVIDED ALWAYS that no Sentence, Judgement, Decree or Order of Our said Supreme Court given or made before the Publication of these presents shall be thereby avoided. AND WHEREAS it is ordained and appointed by Our said Letters Patent granted in the Fiftieth Year of Our Reign, that Our said Supreme Court should annually sit in Two Divisions, and that Our Chief Justice should form the First, and that Our Puisne Judge the Second of the said Divisions, and that they should make separate Circuits through the several Districts of the said Island in that behalf therein mentioned. AND WHEREAS it hath been represented to Us that such Divisions of Our said Court may be found unnecessary and inconvenient. WE HEREBY DIRECT & ORDAIN that it shall be lawful for Our Governor, or in His absence from the said Island for Our Lieutenant Governor, or for the Person executing the Office of Governor for the time being, to put an end to the said Division of the said Court, if after communication had by Him thereon with Our said Justices he shall deem it fit and Expedient and shall resolve so to do. AND WE DO HEREBY DIRECT & ORDAIN that from and after publication made in Our Island of such His resolution thereon, Our said Supreme Court shall no longer sit in Two Divisions, nor shall Our Chief Justice and Puisne Judge make separate Circuits, but shall proceed together as they were used to do before the granting of Our said Letters Patent, made in the said Fiftieth Year of Our Reign. AND WHEREAS it is directed and ordained by Our said Letters Patent granted in the Fiftieth Year of Our Reign, that Persons qualified in such manner as shall be regulated by Rules or Orders established by Our Chief Justice, shall be summoned to serve as Jurors for the Trial of Offenders therein mentioned, WE HEREBY ORDAIN AND DIRECT that such Rules or Orders for Regulating the Qualifications of Jurors, shall be made and Established by Our Chief Justice and Puisne Judge, or if they shall not agree thereon, that then they shall draw up a Statement in writing of the different Rules and Orders proposed and approved by each of them, together with their respective reasons for such approbation, and shall both Sign the said Statement, and lay the same before Our Governor, or in His absence from the said Island Our Lieutenant Governor, or the Person executing the Office of Governor for the time being, who shall thereupon take the same into his Consideration, and shall confirm, reject or alter any of the said Rules and Orders, or substitute others in their stead as he shall see fit, and shall return the same to Our said Justices so finally confirmed and Signed by Him, which said Rules and Regulations shall henceforth be in force. AND WHEREAS it is provided by Our said Letters Patent granted in the Fiftieth Year of Our Reign, that it shall be lawful for Our said Supreme Court of Judicature, or Our Chief or Puisne Justice sitting in their respective Divisions, in any case in which it shall appear necessary or expedient for insuring a more Impartial Trial of any Offenders, to order and direct that the Jurors shall consist of British or Europeans or Natives, or of any such description of Europeans or Natives as shall be specified in any order made for that purpose, and that the Fiscal should in every such case summon Jurors of the description of Persons specified in such order, WE HEREBY CONFIRM the said last mentioned Provision subject only to this further order and direction. And We do hereby further ordain and direct that from and after the Publication of these Our Letters Patent, Juries for the Trial of Europeans and of Persons born of European Parents, shall in all cases consist wholly of Europeans. AND WHEREAS it is ordered and directed by Our said Letters Patent granted in the Fiftieth Year of Our Reign, that the Salaries of Our Chief Justice and Puisne Judge shall be paid at Madras in the manner therein mentioned. WE HEREBY REVOKE AND ANNUL the said Order and direction as far as the same regards the place of payment, and do hereby Order and direct that the said Salaries be paid at the same place as the Salaries of Our Chief Justice and Puisne Judge were payable by and under Our said Charter and Letters Patent of the Forty first Year of Our Reign. AND WHEREAS by Our said Letters Patent granted in the Fiftieth Year of Our Reign, after reciting that the Division of Our Supreme Court by those Our Letters Patent and making Circuits as is therein aforesaid, would render the several Courts called Provincial Courts in the British Settlements in Ceylon unnecessary, and that we deemed it expedient to re-establish the Ancient Courts called Landraads in certain Districts and under certain modifications, We did Ordain and direct that from and after the Publication of those Letters Patent the aforesaid Provincial Courts should be abolished, and that the Governor of the said Settlements, or in His absence from the said Island, the Person or Persons executing the Office of Governor for the time being, should forthwith re-establish the Courts of Landraad in such Districts of the said Settlements and under such Modifications as the Chief Justice might deem expedient, and that the said Courts should have in such Districts as aforesaid, such Jurisdiction as the Chief Justice might from time to time fix, and

CHARTER 30TH OCTOBER 1811.

that Our said Chief Justice with the Concurrence of Our said Governor, or in his absence from the said Island of the Person or Persons executing the office of Governor for the time being, should make such Rules of proceeding and such Tables of Fees, and appoint such Secretaries and other officers for the said Courts of Landraad as might from time to time appear to him to be necessary: **WE HEREBY REVOKE AND ANNUL** Our said last mentioned direction and ordinance, **AND DO HEREBY DIRECT AND ORDAIN** that from and after the Publication of these Presents the said Provincial Courts which existed in the said Island before and at the Publication of Our said Letters Patent granted in the Forty first Year of Our Reign be revived and restored, and that it be left as heretofore to the direction of Our Governor, or in His absence from the Island to Our Lieutenant Governor, or the Person exercising the office of Governor for the time being, according to the Powers and Instructions given or to be given to him in that behalf, to re-establish the said Courts of Landraad or such of them as he shall see fit, and to Direct Order and Regulate the said Provincial Courts and Courts of Landraad and the Proceedings thereof in such manner as to him may seem most expedient for the Public Service, and the Wellbeing of the Inhabitants of Our said Island. **AND WHEREAS** it is also Directed and Ordered by Our said Letters Patent granted in the Fiftieth Year of Our Reign, that in certain Cases of doubt or difficulty occurring in Our said Settlements, Our Chief Justice should draw up a Statement of every such Case and lay such Statement before Our Governor, or in His absence from the said Island, before the Person or Persons executing the Office of Governor for the time being of Our said Settlements and Territories on the said Island of Ceylon, who should thereupon take the same into consideration, and provide for the same by Regulation or otherwise by his or their authority as he or they should deem expedient, which said Regulation or Provision should in every such Case be as Good, Valid and Effectual, and as binding and conclusive upon all Persons and over all authorities within Our said Settlements until Our Will and Pleasure should be made Known thereon, as if the same had been Contained in Our former or those Our said Letters Patent, and that no such Regulation or Provision should be made by Our Governor, or in His absence from the said Island by the Person or Persons executing the Office of Governor for the time being, unless the necessity thereof should be stated by Our Chief Justice. **AND WHEREAS** it is expedient that the Power of providing for such Cases in the manner above mentioned should be vested solely in Our Governor, or in His absence in Our Lieutenant Governor or the Person executing the Office of Governor for the time being free from the Controul of any other Person, **WE DO HEREBY REVOKE & ANNUL** the said last mentioned Order and direction as far as the same regards Our said Chief Justice, **AND DO HEREBY DIRECT & ORDAIN** that the said Power be vested in and exercised by Our Governor, or in His absence from the said Island in and by Our Lieutenant Governor, or in and by the Person executing the Office of Governor for the time being, free from any Controul whatever. **AND WE DO HEREBY DIRECT & REQUIRE** that these Our Letters Patent shall as soon after their delivery to the Governor of Our said Settlement, or in His absence from the said Island to Our Lieutenant Governor, or to the Person executing the Office of Governor of Our said Settlements for the time being, as can conveniently be done, be Published in Our said Island.—**AND WE DO HEREBY STRICTLY CHARGE AND COMMAND** all Our Governors, Lieutenant Governors, Magistrates, Officers and Ministers, Civil and Military, and all Our faithful and liege Subjects whatsoever in and throughout the said Settlements in the said Island of Ceylon with the Territories and Dependencies thereof, that in the execution of the several Powers, Jurisdictions and Authorities hereby created and made or modified, revised and enforced may be aiding and assisting and Obedient in all things, as they will answer the Contrary at their Peril, **PROVIDED ALWAYS** that nothing in these Presents contained or any Act which shall be done under the Authority thereof as shall extend or be deemed or Construed to extend to prevent us, Our heirs and successors from making such further or other Provision for the Administration of Justice throughout the said Settlements and Territories in the Island of Ceylon with their Dependencies at Our and their will and pleasure and as Circumstances may require—We meaning and intending fully and absolutely and to all intents and purposes whatsoever to reserve to Ourselves, Our heirs and Successors such and the same Rights and Powers in and over the said Settlements, Territories and Dependencies and every part thereof, and especially touching the Administration of Justice therein, and all other Matters and things in and by these presents provided for, as if these Presents had not been made, any thing in these Presents contained or any Law, Custom, usage, matter or thing whatsoever to the contrary in any wise notwithstanding.

In Witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at *Westminster* the Thirtieth Day of *October* in the Fifty Second Year of Our Reign.

BY WRIT OF PRIVY SEAL,

(Signed) BATHURST and BATHURST,

## REGULATION.

(Expired.)

*A Regulation for Authorizing the Collector of the District of Galle, the Sitting Magistrate of the Matura District, and the Sitting Magistrate of the Belligam Corle and Gangebadde Pattoo, to make Circuits throughout their respective Jurisdictions.*

**WHEREAS** it has been represented unto us that the Districts of Galle and Matura are at present infested with numerous and daring Gangs of Robbers and that it is necessary to issue an Extraordinary Commission for the more effectual and speedy suppression of such Gangs.

Regulation No. 1 of 1812.

Now We The Lieutenant Governor in Council with the view to affording immediate protection to the peaceable Inhabitants resident in such Districts by the speedy apprehension of the said Robbers, do enact as follows.

1st. The Collector of the District of Galle shall forthwith proceed on a Circuit thro' the several Villages in the District of Galle—The Sitting Magistrate of the Matura District shall at the same period make a Circuit thro' the Morroa, Kandebadde Wellebadde and Girreway Patoos and the four Bayzams of the Province of Matura, and the Sitting Magistrate of Belligam shall in like manner and at such period make a Circuit thro' the Belligam Corle and Gangebadde Pattoo of the Matura District.

REGULATION No. 1 of 1812.

2d. That during such Circuits the said Magistrates shall exercise the following Criminal Jurisdiction Vizt.

A Criminal Jurisdiction over all inferior offences breaches of the Peace and disorders against the Police with Power of inflicting Punishment by fine not exceeding 100 Rix Dollars, by Imprisonment at Hard Labour not exceeding Six Months, and by Whipping not exceeding One Hundred Lashes.

3rd. That the said Magistrates do moreover execute the directions contained in the 12th Regulation of Government A. D. 806 with regard to Vagrants or suspected Persons lurking in their respective Jurisdictions without any visible means of support.

4th. That they be authorized to pursue after and arrest in the adjoining District all such Persons against whom they may issue their Warrants and who may make their escape from out of the Jurisdiction of the Magistrate by whom the Warrant is issued pending such Circuit without waiting for the endorsement of the Magistrate of such District on the back of such Warrant.

5th. That the Criminal Jurisdiction vested in the said Magistrates by this Regulation shall cease so soon as they have concluded their Circuits.

Colombo 1st February 1812.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

(Expired.)

REGULATION No. 2 of 1812.

WHEREAS it is necessary that the Circuit directed by the Regulation No. 1 of the present Year to be made by certain Magistrates therein mentioned should be postponed until further Order.—It is hereby enacted that the same shall be postponed accordingly, and shall take place at such time as may hereafter be appointed by His Honor The Lieutenant Governor in Council.—And that the several Powers and Authorities directed to the said Magistrates and all other the provisions of the said Regulation shall take Effect according to such appointment.

Colombo, 17th February 1812.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Honor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

### PROCLAMATION.

PROCLAMATION 13th March 1812.

HIS EXCELLENCY THE GOVERNOR feels the greatest satisfaction in communicating to the Gentlemen of the Civil Establishment, and to the European Officers and Soldiers of His Majesty's Military Service, that in consequence of representations made to His Majesty's Ministers by His Predecessor The Right Hon'ble Lieutenant General MAITLAND since his arrival in England, His Royal Highness the PRINCE REGENT in the name and on behalf of His Majesty has been graciously pleased to grant a material relief to both services in the rate of exchange between the Rix Dollar of this Island and the pound Sterling.

The Rix Dollar as hitherto current in the colony under His Majesty's Government appearing to have been originally valued with reference to the Star Pagoda and at a rate considerably higher than its intrinsic worth, His Royal Highness has determined to correct the difference between the real and nominal value of that coin by reducing the nominal value, and consequently making a proportionate increase to those Salaries and Allowances which were originally computed in England in pounds Sterling, and which are now paid in this Island in Rix Dollars at their present nominal value.

In determining the rate at which the Rixdollars shall hereafter be issued in those cases, His Royal Highness has been guided by His Majesty's Regulation which directs that His Troops when engaged in foreign service out of Europe shall be paid in Spanish dollars at the rate of 4s. 8d. each Dollar; and as the relative value of the Ceylon Rix Dollar to the Spanish Dollar reckoning the latter at 4s. 8d. is very near 1s. 9d. or at the rate of 2 & two-third Rixdollars or one Spanish Dollar, it has been thought most conformable to the Spirit of the above mentioned Regulation, that the Subsistence, Staff pay, and Field allowances of the European Officer and Soldier serving in Ceylon, should be paid in Rixdollars at the fixed rate of 1s. 9d.

A new value of the Rixdollar being thus established in the Payment of European Officers and Soldiers, His Royal Highness has deemed it advisable that the Salaries of the Civil Servants should be paid at the same fixed rate, instead of the present one of Rds.  $9\frac{2}{3}$  to the Pound Sterling.

PROCLAMATION 13TH MARCH  
1812.

His Excellency the Governor is therefore pleased to direct and establish that from the first day of the present month inclusive the Rix Dollars be issued at the above specified rate of 1s. 9d. in the payment of such Salaries in the Civil Service as have been fixed by His Majesty's Government at Home, and of the subsistence of the European Troops (Officers and men) and of all Staff pay and field allowances which they are entitled to receive under His Majesty's Regulations—and it has further pleased His Royal Highness to order that all stoppages for rations or otherwise which are now made on a different principle, are from the above date to be made in strict conformity to His Majesty's Warrant of the 6th January 1799 declaring His Royal Pleasure "that there shall be taken from the full pay of every Serjeant, Corporal, Trumpeter, Drummer Fifer, and Private man when serving out of Great Britain on stations at which provisions are supplied by the public a deduction of Six pence a day"—Which deduction is to be calculated in Rix Dollars at the rate above specified.

It is distinctly to be understood as the pleasure of His Royal Highness, that the benefit afforded by this arrangement is in lieu of all advantages hitherto derived from the issue of Debentures or accommodation Bills, or from permission to land Wine or any other Articles free from Duty at the Custom House.

Colombo, 13th March 1812.

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

(Repealed by Ordinance No. 6 of 1836.)

*For Regulating the Franking of Letters.*

Regulation No. 3 of 1812.

**T**HE Regulations enacted by General MAITLAND for the transmission of public Letters free of Postage having from some changes in Departments and other circumstances been departed from in several instances, His Excellency the Governor has taken into consideration the necessity of promulgating new Rules on that subject, and is therefore pleased to establish, order and direct as follows.

1st. No Public Letters shall pass free of Postage from the seat of Government or Head Quarters of the army to out-stations unless superscribed "On His Majesty's Service" with the name of the place from whence dispatched, the date of the Month *in words* at length, the year in figures, and the department from which they are dispatched, & unless franked by the following authorities vizt.

Letters from the Supreme Court by the Honble the Chief Justice.—Letters from Civil & Judicial Departments (except the Supreme Court and the Office of the Commissioner of Revenue) by the Chief Secretary to Government or Deputy Secretaries in their respective Branches.

Letters from the Office of Commissioner of Revenue by the Commissioner for the time being.

Letters from the Heads of Military Departments and Commanding Officers of Corps by the Military Secretary.

And the Persons hereby authorized to frank Letters will on no account delegate that power to any person whomsoever, nor frank any Letters unless left open for inspection, as they will be accountable that the contents of all such Letters relate exclusively to public Business.

2ndly. No Letters from outstations to the seat of Government or the Head Quarters of the Army shall pass free of Postage unless addressed as follows vizt.

Letters on the Business of the Supreme Court to the Honble the Chief Justice.

Civil and Judicial letters (with the above exceptions) to the Chief Secretary to Government.

Letters for the Revenue Office, to the Commissioner of Revenue.

Military Letters on His Majesty's Service to the Military Secretary.

All which letters shall be superscribed with the signature, rank or stations of the persons writing them, and it is distinctly to be understood that the signature of an Officer of Government, Civil or Military, will be considered as his attestation on Honour that the letter is on the public service.

3rdly. The liberty of franking letters heretofore allowed to Commanding Officers within their Commands, and to Agents of Revenue within their Districts, is withdrawn and will cease from the publication of this order.

4thly. All public letters not exempted from Postage by Articles No. 1. and 2 must in the first instance be paid for, but are to be superscribed "on service bearing postage" and the

REGULATION No. 3 of 1812. amount of such charges will be reimbursed by Government after the expiration of each month, on a proper application accompanied by a list of the Letters particularising their date, address and subject, and a receipt for the same by the person in charge of the Post Office from which they may have been dispatched.

5thly. The Correspondence of the Governments of India and of His Majesty's Navy will be subject to the following Rules.

All Letters bearing the Signature of the Governor General, the Governors or Acting Governors of His Majesty's and the Honble Company's Government in India, are free.

All Letters bearing the Signature of the Officer Commanding His Majesty's Navy in the Indian Seas, or of the Commissioners of His Majesty's Navy at Madras and Bombay, and written upon His Majesty's service, are free of Postage.—And all Letters from Officers Commanding His Majesty's Ships of War, to the Commander in Chief in India, or to the Commissioners of His Majesty's Navy, if written at the Ports of Point de Galle or Colombo, and put under cover to the Chief Secretary of Government, will be forwarded to their Address free of Postage, and those written at Trincomalie if given in charge to His Majesty's Collector stationed at that place, will be also forwarded free of Postage.

6thly. The Privilege enjoyed by the Honble the Members of His Majesty's Council, of franking Private Letters is not intended to be affected by the foregoing Regulations, but they are required to conform to that part of the 1st Article, which directs, the name of the place from whence the Letter is despatched, the date of the Month in words at length, the Year in figures, and the Name of the Individual franking, to be written by himself on the Superscription.

Colombo, 28th March 1812.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by Charter of 18th February 1833.)

Regulation No. 4 of 1812

WHEREAS in and by His Majesty's Charter, establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty eighth Section thereof the following Power (among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or Petition shall be Personal, and of more amount in value than One Hundred Rix Dollars of Current money of Ceylon, and the Plaintiff by Affidavit, or being a Quaker, by Affirmation in writing to be filed of Record, shall satisfy the said Supreme Court of Judicature, that the Defendant is justly and truly indebted to him, in a greater sum than one Hundred Rix Dollars, or shall by like Affidavit or affirmation, to be filed as aforesaid, verify to the satisfaction of the said Supreme Court, a case of such enormous Personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Court, to render such Security necessary for the purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon, shall, and is hereby authorized and empowered to award and issue, in lieu of the Citation aforesaid, a mandate of arrest to be prepared in manner abovementioned and directed to the said Fiscal, Commanding him to arrest and seize the body of such Defendant, and to have his said body at a time and place in the said mandate, to be specified, before the said Court, to answer the said Libel or Petition and to give sufficient Bail, to be approved of by the said Supreme Court, that he will stand to and perform the Sentence of the said Supreme Court upon the premises, and Pay all such sum or sums of money as shall hereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, that such Defendant shall appear at the time and place mentioned in such mandate, and in all things perform and fulfil the Exigence thereof; and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison, to the custody of the said Fiscal, unless, or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and Pay all such sum or sums as shall be decreed thereby; which Security we hereby empower the said Court to take and thereupon, to deliver the Body of the said Defendant upon Bail" And Whereas there is no provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest in lieu of the said ordinary process, while the said Supreme Court is absent from Colombo, during the Circuits in the said Charter directed to be made or taken by the said Supreme Court annually, and whereas during such periods while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the Substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial justice, and, above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by virtue of the Powers vested in us by His Majesty. We do hereby enact that in the absence of the said Supreme Court from Colombo, during the Circuit which is now about to be made, it shall and may be lawful for the Sitting Magistrate of Colombo for the time being, in the cases mentioned in the said in part recited Thirty eighth Section of the said Charter (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any Suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs therein shall by Affidavit or otherwise to the satisfaction of the said Sitting Magistrate, furnish proof to shew that such Defendant or Defendants are so vehemently suspected



for intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Sitting Magistrate to render such arrest, and the Security consequent thereupon, under the provision of the said Charter, in the said Thirty eighth Section thereof prescribed, necessary for the purposes of Justice. The Sitting Magistrate shall in all such cases report his proceedings to the Supreme Court within Twenty-four hours after the said process of arrest shall have issued.

REGULATION No. 4 of 1812.

Colombo 28th March 1812.

By Order of the Council

JAMES GAY,  
Sec. to the Council.

Published by His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by the Charter of 18th February 1833.)

*Authorizing the Provincial Courts to proceed in all cases left undecided by the late Courts of Landraad.*

**W**HEREAS by His Majesty's Charter or Letters Patent for making further alterations in the Supreme Court of Judicature in the Island of Ceylon, and in the mode of administering Justice in the said Settlements, bearing date the 30th day of October in the Fifty Second Year of His Majesty's Reign, so much of His Majesty's Charter passed in the Fiftieth Year of His Majesty's Reign as re-established the Court of Landraad is Revoked and Annulled, and it is directed and ordained that the Provincial Courts which existed in the said Island at the publication of the said Charter of the said Fiftieth Year of His Majesty's Reign should be Revived and Restored—and it is left to the discretion of the Governor or in his absence the Lieutenant Governor or the person executing the Office of Governor, to direct, order and regulate the said Provincial Courts and Courts of Landraad and the proceedings thereof, in such manner as to him may seem most expedient for the public service and the well being of the inhabitants of the said Island.

REGULATION No. 5 of 1812.

And whereas we are of opinion that it would be expedient for the public service and the well being of the Inhabitants of this Island, and tend to prevent unnecessary expense and delay, if suitors and parties in Cases commenced in the Courts of Landraad since their re-establishment, were to be placed upon the same footing in the Provincial Courts of their respective Districts as they were in the said Courts of Landraads, and if suits commenced in the Courts of Landraad could be continued and terminated in the said Provincial Courts as effectually as if they had been commenced therein.

Now we do in pursuance of the power vested in us enact and declare that it shall be lawful for all persons who had commenced any suit or process in the Courts of Landraad which have been suppressed, to carry on the same in the Provincial Courts of the Districts, and to continue the same from the period at which the suit or Process had arrived on the suppression of the Landraad Court, without being put to any expense on account of any previous proceeding—and the Provincial Courts are hereby authorized to entertain such suits and to continue the same by all necessary process and to hear, discuss and decide thereon as effectually as if the same had been regularly commenced in the said Provincial Courts, and where a decree has been pronounced by the Court of Landraad but execution has not issued thereon, the same shall be enforced by the process of the said Provincial Court.

Given at Colombo, the 25th day of April 1812:

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 10 of 1813.)

*For remedying the Mischiefs occasioned by speculations in the Export of Tobacco from Jaffnapatam.*

**W**HEREAS many mischiefs have been occasioned as well to the industrious Cultivator as to His Majesty's Revenue in this Island, by the ill directed speculations of individuals exporting Tobacco from the District of Jaffnapatam to foreign markets—His Excellency The Governor in order to obviate the like mischiefs in future has determined that the exclusive right of purchasing and manufacturing that commodity for Exportation from the District of Jaffnapatam shall in future rest with Government—and for that purpose has appointed an Agent there to purchase Tobacco from the Inhabitants according to a Tariff to be fixed annually and published by authority of Government on the principle of allowing the Cultivators a reasonable advantage upon such Tariff—And the Tobacco so purchased is to be made up in the usual manner for Exportation under the Superintendance of the Agent, and then sold by him either by Contract or public Sale at the Port of Jaffnapatam or Point Pedro.

REGULATION No. 6 of 1812.

It is therefore hereby enacted by authority of His Excellency The Governor in Council.

## REGULATION No. 6 of 1812.

1st. That henceforward no Tobacco whatever (except in the form of Churoots) shall be Exported from any Port in the District of Jaffnapatam which has not been purchased from the Agent of Government—and unless a Certificate to that effect be produced at the Custom House when the same is shipped.

2nd. That all Tobacco so purchased and certified shall be free of any Export duty whatever.

3rd. And whereas Persons having in their possession Tobacco of the last Season may be desirous to Export the same. It is enacted that if such person on or before the 20th day of June next shall lodge such Tobacco in a prepared state at the Custom House of Jaffnapatam or Point Pedro, and shall pay the usual Export duty thereon, such Tobacco may be exported as heretofore, but that from and after that day no Tobacco whatever shall be permitted to be exported but under the terms and provisions of the present Regulation.

4th. And for the better enforcing this Regulation it is enacted that all breaches thereof shall be subject to the Penalties and operations of the 8th 9th and 10th clauses of the Regulation No. 3 of 1810, and of the 4th clause of the Regulation No. 4 of the same Year.

Colombo, 18th May 1812.

By Order of the Council

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command

JOHN RODNEY,  
*Chief Sec. to Govt.*

---

### PROCLAMATION.

(Expired.)

*For the discharge of certain Prisoners from the several Gaols on this Island on the 4th of June next, being the anniversary of His Majesty's Birth Day.*

Proclamation 23d May 1812

**W**HEREAS several persons are detained in the Gaols of this Island on account of their inability to pay fines to which they have been sentenced.

We do therefore in all cases where the terms of imprisonment, or the Corporal punishment to which such persons have been sentenced, have been ended and suffered—remit and pardon all such fines where they do not exceed the sum of One Hundred Six Dollars.

And in the like cases where the fine exceeds One Hundred Six Dollars, we do hereby suspend the payment of the same until His Majesty's pleasure be known, and we do direct all such prisoners to be discharged from Gaol on the 4th of June next ensuing, being the anniversary of His Majesty's Birth Day.

And Whereas divers persons are in like manner detained in prison after having fulfilled the other terms of their sentence, until they shall have given security for their future good behaviour.

Be it enacted that every prisoner detained for want of security only be discharged in like manner on the 4th of June next.

Provided that nothing herein shall extend to persons committed under the 12th Regulation of Government of the year 1806.

Colombo, 23d May 1812.

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

---

### REGULATION.

(Expired.)

Regulation No. 7 of 1812.

**W**HEREAS by the Government Regulation No. 2, of the year 1811, it was enacted that where prisoners at the suit of Government made application for their discharge under that Regulation, if a Warrant under the hand and seal of the Governor or Lieutenant Governor of this Island, excluding such prisoners from the benefit thereof were produced and filed, they should be remanded to their former custody.

And whereas such Warrants were in several instances produced and filed, and prisoners at the suit of Government were remanded accordingly.

And whereas upon further enquiry it hath appeared fitting to His Excellency to revoke and annul many of the said warrants, and it is expedient that such prisoners at the suit of Government who were so excluded, should now be admitted to claim the benefit of the said Regulation.

It is therefore enacted that any debtor who was on the 9th day of March 1811 in custody at the suit of Government, may notwithstanding his having been before remanded in consequence of the production of such an excluding warrant, apply again to the Court or Magistrate by whom or by whose authority such prisoner was committed to Prison, and may claim the benefit of the said Regulation, and may become entitled to his discharge upon performing the several requisites of the said Regulation in like manner as if no such warrant had been filed.

Colombo, 23d May 1812.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 5 of 1835.)**For the better Regulation of Prisoners and Concerning Security for good Behaviour.*

REGULATION No. 8 of 1812.

**W**HEREAS Prisoners sentenced to Hard Labour are usually transmitted to Hambantotte and other places of Confinement at a distance from their ordinary abodes, to fulfil such Sentence by being employed in the public works.

And Whereas cases of hardship may arise, where such Prisoners having served out their term of imprisonment, are further detained at a distance from their friends & Connections on account of their inability to pay fines and give security for their future good behaviour.

It is hereby enacted that every such person shall forthwith upon the terms of imprisonment mentioned in the Sentence being completed, be remitted to the Gaol of the District in which such person Committed the Crime of which he or she had been Convicted, there to remain until the further terms of the Sentence shall have been fulfilled or satisfied.

And Whereas it is necessary to regulate the Powers of the Provincial Judges and other inferior Magistrates in requiring securities for good behaviour.

It is therefore enacted that no such Judge or Magistrate shall have power by sentence or otherwise, to demand Securities for a longer term than twelve Months and every such Sentence or order shall be specially entered in the Diary of the Magistrate for the information of the Supreme Court, which is hereby authorized to annul such Sentence or order, or vary the same as to the said Supreme Court shall appear fitting.

Colombo, 23rd May 1812,

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by Instructions to Governor.)*

**I**T is hereby declared by the authority of His Excellency the Governor in Council that with the view of enabling His Majesty's Civil and Military Servants in Ceylon to employ their savings of salary in a productive manner, Debentures of Government bearing Interest at 5 per Cent per Annum will be issued Monthly, until His Excellency the Governor shall otherwise determine, to all Civil and Military Servants applying for the same in lieu of Salary, but not to exceed in any Month the amount of one half the personal Pay and Allowances of the person receiving them, nor to be for any smaller Sum than 100 Rds. The issue of Debentures to commence in the ensuing Month for the Salary of the Month now current, and in even Sums of 100, 150, 250, 500, 750, 1000, 2000, 3000, 4000, & 5000, payable in Ceylon Currency at the General Treasury vizt. The principal Money at Twelve Months or (at the option of Government) two Years after date, and the Interest at the Expiration of each Year.

Regulation No. 9 of 1812.

Colombo 21st July 1812.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For regulating the Custody and the employment of Prisoners sentenced to labour by the Supreme Court of Judicature, and by Magistrates having Criminal Jurisdiction.*

1st. It is hereby declared by the authority of His Excellency the Governor in Council that all Prisoners sentenced to hard labour whether by the Supreme Court of Judicature or by Magistrates having Criminal Jurisdiction, shall be in the sole charge and custody of the Fiscal of the Province in which they shall be imprisoned.

Regulation No. 10 of 1812.

2d. The employment of such Prisoners shall be regulated by the orders of His Excellency the Governor to be signified in writing to the Fiscal.

3d. If it shall at any time happen that any of such Prisoners are not occupied in any specific labour so assigned by His Excellency's orders, the Fiscal is to employ such Prisoners in the public Roads of the Province as he shall deem most for the public advantage, but in no case are they to be employed in any but public labour.

Regulation No. 10 of 1812.

4th. It is to be fully understood that no Officer Civil or Military has a right to require from the Fiscal the labour or assistance of any such Prisoner without the express authority in writing of His Excellency the Governor—and Fiscals are hereby prohibited from complying with any such requisition unless so authorized.

5th. For the greater regularity in the employment of such Prisoners each Fiscal shall keep a Book wherein is to be entered in proper columns according to the annexed form an account of the daily employment of each Prisoner—the authority under which such employment was directed, and other particulars in the said form specified—and a transcript of such entries shall be forwarded weekly to the Chief Secretary of Government for the information of His Excellency.

Given at Colombo this 17th August 1812.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

---

### REGULATION.

*For Varying in certain Cases the Provisions of Regulation No. 3 of 1810 respecting Sea Customs and making certain additions thereto.*

(Repealed by Regulation No. 10 of 1813.)

Regulation No. 11 of 1812.

[The repealed Enactments relating to the Customs are not published at length.]

---

### REGULATION.

(Repealed by Regulation No. 10 of 1813.)

*For the prevention of Merchant Ships and Vessels sailing clandestinely and for regulating the charge of Anchorage.*

Regulation No. 12 of 1812.

**I**N order the more effectually to prevent the practice of Merchant Ships and Vessels sailing from Ports clandestinely, by which the Laws established for the protection of His Majesty's Revenue are set at nought, It is hereby enacted, that the Commander or Principal person on board and in charge of any Ship or Vessel, which after the publication hereof shall depart from any Port in this Island without a Port clearance, shall be deemed guilty of a misdemeanour, and be punishable by Fine and Imprisonment on conviction before any Sitting Magistrate in whose Jurisdiction such Person shall be found.

The authorized Charges of Anchorage applicable to the different Classes of Merchant Ship and Vessels anchoring in the Ports of this Island, are published for general information in the annexed Table A. and it is declared and enacted that the Port clearance shall be the proper and the sole sufficient Voucher to authenticate the payment of the said dues.

Given at Colombo this 17th August 1812.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

---

#### Table A. of Anchorage dues payable by Merchant Ships and Vessels.

Vessels of 400 Tons or upwards	Rds. 30	„
Do. of 200 and under 400	„ 20	„
Do. of 100 and under 200	„ 16	„
Do. ————— under 100	„ 8	„
Donies with two masts	„ 6	„
Do. with one mast	„ 5	„
Cattamarans	„ 1	„
Canoes	„ 6	„

By Order of the Council,

JAMES GAY,  
Sec. to the Council,

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Annulled by Charter of 18th February 1833.)**For establishing a Commissioners Court at Trincomalie.*

REGULATION No. 13 of 1812.

WHEREAS since the abolition of the Provincial Court of Trincomalie various causes of action have arisen between the Inhabitants of the said Town and the District thereof exceeding in amount the Power of the Sitting Magistrate and not subject to the Cognizance of the Supreme Court of Judicature.

And whereas providing a Jurisdiction for the decision of the said Causes, and such others as might from time to time arise a Commission was issued by His Honor the late Lieutenant Governor bearing date the 22d day of June 1811, directed to GEORGE LUSIGNAN Esq. HENRY A. MARSHALL Esq. and JOHN DOWNING Esq. or any two of them, under which Commission divers Causes were commenced and proceeded in, but several of the same & others since arisen remain undecided, the said Commission having subsequently been declared by the said Lieutenant Governor to have ceased.

And whereas as a temporary Provision for the administration of Justice in such Cases as aforesaid, it has been resolved to revive the Jurisdiction granted by the said Commission under certain modifications herein after mentioned.

It is hereby enacted and declared that there shall be established at Trincomalie and for the Town and District thereof a Court of Civil Jurisdiction to be called the Commissioners Court, which Jurisdiction shall be exercised by such person or persons to whom His Excellency the Governor shall from time to time issue a Commission or Commissions for that purpose, and the said Court shall have and exercise all the Powers and authorities of a Provincial Court within and throughout the Town and District of Trincomalie, and shall be subject to the like right of parties deeming themselves aggrieved to appeal to the High Court of Appeal under the Rules and Conditions established in that behalf by His Majesty's Charter, and subject also to the Rules, Orders and Control of the said High Court of Appeal in like manner as the Provincial Courts are subject thereto—and with appeal also to the Minor Court of Appeal according to the Regulation in that behalf.—Provided also that it shall be lawful for any party to commence a Suit or Suits in the said Commissioner's Court in all matters competent thereto by virtue of this Regulation, in such manner as suits are and may be commenced in Provincial Courts anything in the said former Commission to the contrary notwithstanding.

*Given at Colombo this 22nd day of August 1812.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Annulled by Charter of 18th February 1833.)**A Regulation for establishing a Provincial Court at Calpentyne.*

REGULATION No. 14 of 1812.

1. There shall be a Court at Calpentyne styled the Provincial Court of Calpentyne, which shall exercise a Civil and Criminal Jurisdiction in and throughout a district bounded as follows. On the south by a line including Chilaw and drawn from the sea to the Candian limits. On the East by the Candian limits. On the North East by the Northern boundaries of the Manar district to the boundaries of the Wanny.

2. This Court shall have the following Jurisdiction.

## CIVIL JURISDICTION.

Over all cases not exceeding 100 Rds. between Europeans or wherein an European is Defendant, and over all cases of whatever nature and amount between Natives or wherein a Native is Defendant.

## CRIMINAL JURISDICTION.

Over all inferior offences, breaches of the peace, and disorders against the police, with a power of inflicting punishment, by fine not exceeding 100 Rds. by imprisonment at hard labour not exceeding a period of three months, and by whipping not exceeding 100 Lashes.

3. The said Court shall four times in every year make a circuit through the said district, for the exercise of its Civil and Criminal Jurisdiction.

4. Sitings of the said Court shall be held in the course of the said circuits at Chilaw, Putlam, Aripo, Manotte and Manar.

5. The circuits to commence on the first days of January, April, July and October in each year, not being Sundays, and in case the first falls on a Sunday then upon the Second day of the Month.

6. All causes shall be tried and decided in whatever part of the district the parties concerned shall find it most convenient to bring them before the Court.

And whereas it may happen that cases which have arisen between persons residing within the district hereby allotted to the Provincial Court of Calpentyne, are now depending in the Provincial Court of Colombo, or before the Sitting Magistrate of Manar, in all such cases the proceedings shall be immediately upon the publication of this Regulation transferred to the Provincial Court of Calpentyne, and shall there be continued and carried on as if they had originally been commenced in the Provincial Court of Calpentyne—and the Provincial Court of

**REGULATION No. 14 of 1812.** Calpentyn is hereby enabled to grant execution upon judgments had either before the said Sitting Magistrate, or in the Provincial Court of Colombo, in suits commenced and carried on against persons residing in the District of the Provincial Court of Calpentyn.

*Given at Colombo this 28th day of November 1812.*

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Regulation No. 13 of 1825.)*

*A Regulation for encreasing the Civil and Criminal Jurisdiction of the Sitting Magistrate of Batticaloa.*

**Regulation No. 15 of 1812.**

THE Sitting Magistrate of Batticaloa shall exercise the following.  
CIVIL JURISDICTION.

Over all cases of whatever nature (excepting suits relating to the Revenue) not exceeding 300 Rix Dollars.

#### CRIMINAL JURISDICTION.

Over all inferior offences, breaches of the peace, and disorders against the Police. With a power of punishing by fine not exceeding 100 Rix Dollars, by imprisonment at hard labour not exceeding three months, and by whipping not exceeding 100 Lashes.

*Given at Colombo this 28th day of November 1812.*

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*For repealing the Regulation No. 5 of the Year 1810 entitled a Regulation for the prevention of Smuggling and for other purposes.*

*(Repealed by Regulation No. 10 of 1813.)*

**Regulation No. 16 of 1812.**

[The repealed Enactments relating to the Customs are not published at length.]

### REGULATION.

*For the better prevention of offences against the Regulations concerning the Customs.*

*(Repealed by Regulation No. 10 of 1813.)*

**Regulation No. 17 of 1812.**

[The repealed Enactments relating to the Customs are not published at length.]

### REGULATION.

*(Repealed in part by Ordinance No. 5 of 1835.)*

*For the encouragement of Agriculture by exempting Seed Paddy, Tools and Implements used in Husbandry from being Sold under Writs of Execution.*

**Regulation No. 18 of 1812.**

**W**HEREAS the Policy of the different Nations of Europe has inculcated the principle of protecting the means of Agriculture from being seized and sold to satisfy debts under writs of Execution.

For preventing the injurious effects of a practice whereby the Husbandman is ruined, and the Ground left untilld, to the prejudice of the Community at large and of the improvement in Agriculture.—It is enacted by His Excellency in Council that from and after the date hereof, it shall not be lawful to seize or sell under any writ of Execution, any Cattle really employed in the purposes of Agriculture, or any Tools or Implements actually in use for those purposes, or any Seed Paddy provided by the possessor (being a Cultivator) for the use of his Lands.

Provided that nothing herein shall be taken to affect any Claim or right of Government in any manner whatever.

*Given at Colombo, this 12th day of December, 1812.*

By Order of the Council  
JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,  
In the absence of the Chief Secretary to Government  
JAMES GAY,  
*Dep. Sec. to Govt.*

## REGULATION.

*(Annulled by Charter of 18th February 1833.)**For declaring the powers and Jurisdiction of the Revenue Courts of this Island.*

**W**HEREAS the nature of the Powers and Jurisdiction granted to Magistrates for the trial of Revenue Causes has been in some instances misunderstood. REGULATION No. 1 of 1813.

It is hereby declared, that in conformity to the provisions established by His Majesty's Charter constituting the Supreme Court, no suit can be instituted before any Magistrate appointed for the trial of Revenue Causes, but by the Officers of the Crown in behalf of His Majesty's Revenue, nor concerning any act done in the Collection of such Revenue, according to the usage and practice of the country or the Regulations of His Excellency the Governor.

*Given at Colombo this 5th day of January 1813.*

By Order of the Council,

JAMES GAY  
*Sec. to Council.*

By His Excellency's Command,

In the absence of the Chief Secretary to Government,

JAMES GAY  
*Dep. Sec. to Govt.*

## REGULATION.

*(Expired.)**For the relief of Insolvent Prisoners for Debt.*

**W**HEREAS many persons are imprisoned in the several Gaols of this Island for Debts which they are unable to discharge although willing to surrender to their Creditors all the property they possess. Regulation No. 2 of 1813.

And whereas it is the wish of His Excellency to relieve the unfortunate who have not been guilty of fraud or breach of trust.

It is therefore enacted that any person who was on the thirty first day of December last in custody for any debt, shall be discharged from custody upon and subject to the following conditions and Regulations.

1st. The person so in custody shall cause to be made out a full and perfect statement of all such property moveable and immoveable as he or she shall be possessed of or entitled to, or which any person in trust for him or her shall be so possessed of and entitled to of which statement one copy shall be delivered to each and every creditor at whose suit such person is detained at least six days before application for the discharge of such prisoner, and another copy shall be delivered to the Judge or Magistrate by whom or by whose authority such prisoner stands committed, who shall thereupon appoint a day not earlier than six or later than ten from the receipt thereof for the prisoner to be brought before him to apply for his discharge.

2nd. If upon the prisoner being brought before the Judge or Magistrate on such day, any Creditor or Person on behalf of a Creditor shall be able to prove to the satisfaction of the Judge or Magistrate by legal evidence either.

That Six days notice has not been given together with such a statement as is hereby required.

That the debt was contracted by means of fraud practised by the prisoner, or by breach of any trust reposed in him.

Or that the prisoner has concealed or omitted in his statement any property of any kind whatever, save necessary wearing apparel and the Instruments of his or her trade or occupation. Then and in any of these cases; the prisoner shall not be entitled to any benefit from this Regulation.

3rd. But if on the contrary no such charge is either made or proved, and the prisoner shall swear to the truth of the statement so delivered to the Creditor and Judge or Magistrate, and shall in the presence of such Judge or Magistrate make and execute an assignment of all the property contained in such statement (excepting only his or her necessary wearing apparel and the instruments of his or her trade or occupation) to his or her Creditor if there be only one, and if more than one to a person to be named by the said Judge or Magistrate as a Trustee for his or her Creditors, such prisoner shall be immediately discharged and shall be no more liable to arrest for the debt for which he or she shall have been so in Custody.

Provided always and it is hereby enacted that in the case of prisoners at the suit of Government the statement required by the first clause of this Regulation shall be delivered to the Collector of the District in which such Prisoner is confined and the day to be appointed to the Judge for bringing such prisoner before him shall not be later than Thirty days after the delivery thereof.

And if upon such day the Collector shall suggest to the Court (by a suggestion in writing to be then received and filed) that there is good cause for excluding the prisoner from the benefit of this Regulation—further proceedings shall be thereupon stayed, and the prisoner shall be remanded to custody for a term not exceeding two Calendar Months in the Districts of Trincomalie and Batticaloa, and in any other District not exceeding one Calendar Month, at the end of which time he or she shall be again brought before the Judge, and unless a Warrant under the hand and Seal of the Governor or Lieutenant Governor of this Island including and excepting such prisoner from the benefit of this Regulation shall be then produced and filed—the Judge shall proceed as is hereby directed in the case of other prisoners.

But if such warrant shall be so produced and filed the prisoner shall be remanded to his former Custody.

Provided nevertheless that if it shall appear expedient to the Judge to postpone the hearing of any prisoner from the first appointed, he may appoint any further day or days at an

REGULATION No. 2 of 1813.

interval of not more than twenty from the first day of hearing, before the expiration of which last period he shall proceed as is herein before directed.

But it is hereby declared and enacted that the future property of every person so discharged shall be and continue liable to such debts until the same shall be fully satisfied.

And the following is directed to be the form of the assignment to be executed by the Prisoners.

I do hereby assign and make over to all the property moveable or immoveable contained in a statement by me delivered upon oath to the Judge (or Magistrate) of this day in pursuance of the Regulation of the Twentieth day of February 1813, excepting my necessary wearing apparel and the Instruments of my trade or occupation.

And it is further declared and enacted that such assignment shall not be subject to stamp duty—and that this Regulation be forthwith translated as usual, and that one Copy in each language be posted and set up within the limits of every Gaol in this Island.

Given at Colombo this 20th day of February 1813.

By Order of the Council

JAMES GAY  
Sec. to the Council.

By His Excellency's Command

JOHN RODNEY  
Chief Sec. to Govt.

## REGULATION.

For calling in the Outstanding Government Notes for One and Two Rix Dollars of a date previous to the 12th of June 1809.

REGULATION No. 3 of 1813.

**W**HEREAS by a Regulation dated the 12th day of June 1809 it was directed that all the Government Notes then current in this Island should be called in and new Notes issued in their stead.

And whereas it was thought fitting afterwards to permit such of the said Notes as did not exceed in value two Rix Dollars to continue in Circulation—and they having continued to circulate since that period have become much worn and defaced.

His Excellency the Governor in Council is pleased hereby to enact.

That all Government Notes of the Value of One and Two Rix Dollars of a date prior to the said 12th day of June 1809, shall on being presented at the General Treasury or any of the Cutcheries of the Collectors of this Island be taken in payment or exchanged for new Notes of the same value at any time before the first day of July next—and the holders of such Notes are hereby required to present them accordingly.

That Notes of this description not presented accordingly before the said first day of July shall not be current or in any way received in payment.

Provided that upon a special representation to be made to His Excellency in Council setting forth the causes which have prevented the holder from complying with this Regulation.—His Excellency will (should the statement appear to him satisfactory) give directions to have such Notes accepted or exchanged although they have not been presented before the said first day of July next.

Given at Colombo this 20th day of March 1813.

By order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

In the absence of the Chief Secretary to Govt.

JAMES GAY,  
Dep. Sec. to Govt.

## REGULATION.

To prohibit persons holding Offices of Trust under the Government of these Settlements and their Dependancies, from being engaged in Trade.

REGULATION No. 4 of 1813.

**W**HEREAS it is in general highly objectionable that Persons holding offices of trust from His Majesty's Government of Ceylon should be engaged in trade. It is hereby enacted that from and after the 30th day of June now next ensuing, no Person holding any such Office unless expressly authorized by a License under the Hand and Seal of the Governor of this Island, shall be directly or indirectly engaged in trade as Principal, Partner, Agent or Factor.



And the better to enforce this prohibition it is further enacted that the following Oath be taken by each and every such person on his entering into office, or whenever he shall be thereunto required by authority of the Governor.

I do swear that I will faithfully, impartially and honestly execute the powers and trusts reposed in me as without favour or affection, prejudice or malice, and that while I continue to hold and exercise the said office of I will not directly or indirectly be concerned in any trade as Principal, Partner, Agent or Factor unless I shall be licensed by Government so to do.

So help me God.

Which Oath may be administered and attested by any Court of Justice or Magistrate throughout these Settlements, and shall be signed by the party taking the same, and shall by such Court or Magistrate be transmitted to the Chief Secretary of Government in whose office the same shall be recorded.

Colombo, 8th May 1813.

By order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

(*The first 39 Clauses repealed by Ordinance No. 17 of 1844.*)

*Regulation for the better Police of the Town Fort of Trincomalie and its Gravets.*

Regulation No. 5 of 1813.

1st. The said Town and Gravets shall be divided according to the Schedule hereunto annexed for the purposes of this Regulation.

2d. There shall be for each of the said divisions within the Pettah and Fort of Trincomalie a Constable to be appointed by the Sitting Magistrate, and for each division within the Gravets a Police Vidahn to be appointed by the Collector.

3d. Each Constable or Police Vidahn shall have the power of taking up any suspicious persons who may appear in his division after sunset, and shall send such persons either to the Guard at the Goal or at the Custom House in Back Bay, which shall have the necessary orders for receiving such persons, and in like manner, the Constable or Police Vidahn shall be empowered to seize all persons troubling the public repose in any manner whatsoever either by day or by night.

4th. He shall have power after sunset to search suspected houses, upon complaint made to him and to take up persons against whom a complaint is made, and in case of urgency shall afford assistance to any body in his division either by day or by night.

5th. He shall have the power of demanding and enforcing entrance at any time into any house of his division upon information of disorderly persons being there or improper conduct going forward.

6th. He shall keep a list of all the inhabitants of his division, in which shall be included all the persons composing the family and servants of each house, and any person removing from one division to another or from one house to another of the same division shall within twenty four hours, inform the Constable or Police Vidahn of the division from which, and to which he moves, of his removal, any increase, diminution or change in the number of persons of his household shall also be reported to the Constable or Police Vidahn of the division.

7th. The Constable or Police Vidahn shall take up all Vagrants in his division, and take care that no beggars inest the streets, nor be allowed to beg without certificate of the Constable, Police Vidahn and Headmen of his division.

8th. He shall report to the Magistrate all disorderly houses and disorderly persons.

9th. He shall be overseer of the Parole of his division who are bound to obey him.

10th. Two or three divisions may be joined together if more convenient, to form a patrol every night from 9 o'clock till 5 in the Morning.

N. B.—The arrangements of the different patrols may be made by the Constables and Police Vidahn subject however to the approval of the Magistrate.

11th. The patrol shall allow no person whatsoever to pass along the streets after 9 o'clock without a light, much less permit people to sleep in the streets.

12th. No person shall harbour a stranger without giving notice of it to the Constable or Police Vidahn of his division, to whom he shall report his departure.

13th. When a Thief is discovered, or in any other pressing emergency, the Constable or Police Vidahn may call upon his neighbours and the neighbouring Constable or Police Vidahn to assist him, who shall obey his summons or attend at the sound of the Rattle, with which the Constables and Police Vidahns shall be furnished for the purpose of alarm.

14th. Each Constable and Police Vidahn shall appear before the Provincial Judge or Sitting Magistrate on the first day of each Month, and make a report in writing of all material occurrences—but where none such shall have taken place, he shall be allowed to send his report—this is not meant to preclude any Constable or Police Vidahn from having more frequent communication with the Magistrate, if necessary.

15th. Any Constable or Police Vidahn who shall annoy vexatiously without reason, any person, under a pretence of zeal for the police, shall be liable to punishment by the Provincial Judge, Sitting Magistrate or Justice of the Peace.

16th. No person shall give or receive in pawn any articles whatsoever, without shewing the same to the Constable or Police Vidahn of his division.

17th. Any person who shall discover and bring to conviction any one having received goods

## REGULATION No. 5 of 1913.

in pawn, who had not shewn the same to the Constable or Police Vidahn of his division, shall have 5 per Cent on the amount of the said property.

18th. All Gold, Silver and Copper goods, which are bought, shall be shewn by the purchaser to the Constable or Police Vidahn of the division, with the exception of those bought at public auction—It is prohibited to purchase any goods whatsoever after sunset from persons who offer them for sale at the doors.

19th. Silver Smiths, Gold Smiths and Brass founders are to give security for their good behaviour to the Provincial Judge or Sitting Magistrate, and shall not melt down any wrought gold, silver or brass, without having shewn the same to the Constable or Police Vidahn of their divisions.

20th. All Gambling places, not licensed, to be abolished, and no person of whatever description, shall be allowed to Gamble either in the Streets or under the Varandas or Piazzas of houses in any manner whatsoever.

21st. The Constable or Police Vidahn shall be entitled to 10 per cent on all property whatsoever which he may discover and recover, and in like manner five per cent shall be given to persons who shall be the means of recovering and restoring to the owner his stolen property.

22d. All persons receiving goods to keep for others shall give immediate notice to the Vidahn of their division.

23d. All houses and Garden shall be encompassed with Walls or good hedges, and be cleared of Brush and underwood within, in order to prevent the concealment of thieves—this to be completed in three Months.

24th. All Pigs found straying within the Gravets shall be forfeited and may be seized and killed by any person whatever.

25th. Every person killing a Pig under the authority of the above clause shall give immediate notice to the Constable or Police Vidahn of the Division, who shall thereupon cause the carcase to be sold by public Auction.

26th. Out of the produce of such Sale the Constable or Police Vidahn shall pay to the person killing each Pig two Fanams, and shall pay over the remainder into the Office to the Sitting Magistrate who is to account for the same to Government.

27th. That the owner of any Pig found straying within the said limits shall be liable to a fine of One Rix Dollar to be recovered before the Sitting Magistrate, and in case of such fine not being paid to One Weeks imprisonment.

28th. Any person laying down dirt rubbish or filth of any sort in the public streets or roads, or in view of the public streets, or roads—shall upon proof thereof upon oath before the Sitting Magistrate be fined two Rix Dollars, or in default of payment thereof suffer fourteen days imprisonment.

29th. All dirt, rubbish and filth shall be deposited in places to be pointed out by the Constable or Police Vidahn of each district under the orders of the Sitting Magistrate.

30th. Every householder is bound to remove all filth, rubbish and dirt from before his or her house to such place as shall be pointed out by the Constable or Police Vidahn of the District.

31st. If any householder shall, after notice given by the Constable or Police Vidahn of his division, neglect for one hour to remove such filth, rubbish and dirt from before his house, he or she shall be fined two Rix Dollars, or in default of payment shall suffer fourteen days imprisonment, and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt, and having proved before the Sitting Magistrate the amount of the Cost of so doing, he shall be entitled to levy the same by sale of the offenders goods under the Warrant of the Sitting Magistrate.

32d. Persons incidently exposing themselves within sight of the public streets or roads, shall upon proof made before the Magistrate by one credible witness be fined two Rix Dollars (half thereof to be paid to the person giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

33d. The Magistrate shall be aiding and assisting the Constables and Police Vidahns in the execution of their functions against all persons whomsoever, who shall resist their authority.

34th. They shall inform themselves in what manner the inhabitants of their respective divisions provide for their subsistence, in order to be able to inform the Magistrates thereof on enquiry.

35th. The discharging of Fire arms in the Pettah is strictly prohibited; as also the setting off of fireworks without a special permission of the Sitting Magistrate in writing.

36th. In case of fire, the Constables and Police Vidahns shall use their utmost endeavours to cause the same to be extinguished, the first who shall have notice thereof shall give the alarm, which shall be re-repeated by all the other Constables and Police Vidahns, when the Inhabitants shall come out of their houses and under the direction of the Constables and Police Vidahns afford the necessary assistance both by themselves and by sending their male servants and slaves where the fire is.

37th. The Constables and Police Vidahns shall pay great attention that the Butchers keep the places where they kill Cattle always clean, and that the offal be removed so as to not to infect the air.

38th. That they shall also see whenever any buildings are erected that the Roads or Streets be not encroached upon, and if any encroachment is attempted shall report the same to the Sitting Magistrate.

39th. All persons finding any property shall forthwith bring it to the Constables or Police Vidahns, who are required to report the circumstance to the Magistrate, and such finder, if no fraud appear on his part, shall receive from the owner of the property one tenth of the Value, and if no claim be made for 6 months, one third.

40th. Every Dhoney whether used for the purposes of fishing, conveying firewood, or water Carriage of any description, shall be numbered and registered at the office of the Sitting Magistrate, in the name of the person or persons to whom it belongs; this register to specify the number of persons she is capable of employing.

41st. All persons whether of the Fisher cast or otherwise who follow the occupation of fishermen, shall register their names and places of abode in the Sitting Magistrate's Office; if proprietors of Dhoneys either solely or jointly they shall register the number of the Dhoney and the proportion of their respective share in it.

42d. No Boat shall be allowed to put to sea before sunrise in the morning without a special permission in writing from the Sitting Magistrate jointly with the

Deputy Comptroller of Customs, or in his absence the Custom Master—and no Boat shall land from sea after sunset (unless licensed to return as above) except the same shall have been detained by stress of weather, in which case her arrival must be reported by the owner forthwith to the Police Vidahn of the Division where he lands.

REGULATION No. 5 of 1813.

43d. All Boats used for any of the above purposes on passing Fort Ostenburg either to or from Trincomalie shall submit themselves to be examined by the Guard at Fort Ostenburg, and on being challenged shall not presume to pass without complying with this order, and no Boat or Dhoney of the above description shall pass or repass thro' French cove.

44th. All Boat of the above description belonging to Trincomalie shall be kept at the regular landing place near the Cutcherry, that is within a space extending along the Southern shore of the Inner Harbour to the distance of two hundred yards from the Cutcherry—and in Back Bay without a space extending one hundred yards on the North and South sides of the new Custom House.

45th. That all offenders against the Provisions of this Regulation shall be on conviction before the Sitting Magistrate or any other Justice of the Peace for the Town and Fort of Trincomalie liable to punishment as for a misdemeanour.

Colombo 8th May 1813.

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec to Govt.*

*Schedule referred to in the Regulation No. 5 A. D. 1813.*

No. of Division.	Limits of Divisions.
1.	Bounded on the North by the Esplanade. on the East by the Goal Street. on the South by the Inner harbour. on the West by the Small Pox Hospital.
2.	Ditto on the North by the Esplanade. on the East by the Street leading by the house formerly Mr. Auberts. on the South by the Inner harbour. on the West by the Street passing the Roman Catholic Church.
3.	Ditto on the North by the Dutch Bay. on the East by the Hills. on the South by the Malay lines. on the West by Mr. Auberts house.
4.	Ditto on the North by the Shroff Cassinadas Street. on the East by Morgappen olegies Street. on the South by Tamerecolom. on the West by the Moorish church.
5.	Ditto on the North by Wettiveelas Poene. on the East by the Esplanade. on the South by the Inner harbour. on the West by Doctor Antonys house.
6.	Ditto on the North by Rasapandida Mod. Street. on the East by Morrigan Street. on the South by Sillepulle Modrs. Garden. on the West by Tambapulle Modrs. Street.
7.	Ditto on the North by the small Bazar Street. on the East by the Oil Mills. on the South by Santiagapulle Street. on the West by Madate Walevoe.
8.	Ditto on the North by Maylat's Odear Street. on the East by Catigase Odears Garden. on the South by Chingavane. on the West by the Marianne church.
9.	Ditto on the North by Supoddear Street. on the East by Welapens House. on the South by the Inner harbour. on the West by the Singapore Tank.
10.	The street where the Cattamaran men & other Fishermen live on the N. W. of the Fort.
11.	Beyond the Pettah on the road to the Saltwater Lake. Bounded on the North by the Sea Beach. on the East by Caderwe'la Modrs. Garden. on the South by Motoowelly.
12.	Ditto on the West by Moosetycolom. on the North by the Sea Beach. on the East by Capitar Torom. on the South by the Road to Tamblegam. on the West by Tambapulle Modrs. Garden.

JAMES GAY,

*Sec. to Council.*

## REGULATION.

*(Repealed by Ordinance No. 17 of 1844.)*

*Regulation for the better Police of the Towns and Forts of Jaffnapatam and Point de Galle and their Gravets.*

REGULATION No. 6 of 1813.

1st. **T**HE said Forts, Towns, and Gravets shall be divided for the purposes of this Regulation into such divisions as shall be agreed upon by the Collector and Provincial Judges of Jaffnapatam and Point de Galle respectively.

2d. There shall be for each of the said divisions within the Pettah and Forts a Constable to be appointed by the Sitting Magistrate, and for each division within the Gravets, a Police Vidahn to be appointed by the Collector.

3d. Each Constable or Police Vidahn shall have the power of taking up any suspicious persons who may appear in his division after sunset, and shall send such persons to the nearest military guard, which shall have the necessary orders for receiving such persons; and in like manner the Constable or Police Vidahn shall be empowered to seize all persons troubling the public repose in any manner whatsoever either by day or by night.

4th. He shall have power after sun set to search suspected houses, upon complaint made to him, and to take up persons against whom a complaint is made, and in case of urgency shall afford assistance to any body in his division either by day or by night.

5th. He shall have the power of demanding and enforcing entrance at any time into any house of his division upon information of disorderly persons being there or improper conduct going forward.

6th. He shall keep a list of all the inhabitants of each house, and any person removing from all the persons composing the family and servants of each house, and any person removing from one division to another and from one house to another of the same division shall, within twenty four hours, inform the Constable or Police Vidahn of the division from which, and to which he removes, of his removal—Any increase diminution or change in the number of persons of his household shall also be reported to the Constable or Police Vidahn of the division.

7th. The Constable or Police Vidahn shall take up all Vagrants in his division, and take care that no beggars infest the streets, nor be allowed to beg without certificate of the Constable or Police Vidahn of his division and the headmen of his Village.

8th. He shall report to the Magistrate all disorderly houses and disorderly persons.

9th. He shall be overseer of the patrole of his division who are bound to obey him.

10th. Two or three division may be joined together if more convenient, to form a patrole every night from 9 o'clock till 5 in the morning.

N. B.—The arrangements of the different patroles may be made by the Constables and Police Vidahns subject however to the approval of the Magistrate.

11th. The Patrole shall allow no person whatsoever to pass along the streets after 9 o'clock without a light, much less permit people to sleep in the streets.

12th. No person shall harbour a stranger without giving notice of it to the Constable or Police Vidahn of his division to whom he shall also report his departure.

13th. When a Thief is discovered, or in any other pressing emergency, the Constable or Police Vidahn may call upon his neighbours and neighbouring Constables or Police Vidahns to assist him, who shall obey his summons or attend at the sound of the Rattle, with which the Constables and Police Vidahns shall be furnished for the purpose of alarm.

14th. Each Constable and Police Vidahn shall appear before the Provincial Judge or Sitting Magistrate on the first day of each month, and make a report in writing of all material occurrences—but where none shall have taken place, he shall be allowed to send his report, this is not meant to preclude any Constable or Police Vidahn from having more frequent communication with the Magistrate if necessary.

15th. Any Constable or Police Vidahn who shall annoy vexatiously without reason, any person under a pretence of zeal for the police shall be liable to punishment by the Provincial Judge, Sitting Magistrate or Justice of the Peace.

16th. No person shall give or receive in pawn any articles whatsoever without shewing the same to the Constable or Police Vidahn of his division.

17th. Any person who shall discover and bring to conviction, any one having received goods in pawn, who had not shewn the same to the Constable or Police Vidahn of his division, shall have 5 per Cent on the amount of the said property.

18th. All Gold, Silver and Copper goods, which are bought, shall be shewn by the purchaser to the Constable or Police Vidahn of the division, with the exception of those bought at public Auction.—It is prohibited to purchase any goods whatsoever after sunset from persons who offer them for sale at the doors.

19th. Silver Smiths, Gold Smiths and Brass founders are to give security for their good behaviour to the Provincial Judge or Sitting Magistrate, and shall not melt down any wrought gold, silver or brass, without having shewn the same to the Constable or Police Vidahn of their divisions.

20th. All Gambling places, not licensed to be abolished, and no person of whatever description, shall be allowed to Gamble either in the streets or under the Verandas or Piazzas of the houses in any manner whatsoever.

21st. The Constable or Police Vidahn shall be entitled to 10 per Cent on all property whatsoever which he may discover and recover, and in like manner five per cent shall be given to persons who shall be the means of recovering and restoring to the owner his stolen property.

22d. All persons receiving goods to keep for others shall give immediate notice to the Vidahn of their division.

23d. All Houses and Gardens shall be encompassed with walls or good hedges and be cleared of brush and underwood within, in order to prevent the concealment of thieves, this to be completed in three months.

24th. All Pigs found straying within the said Forts, Towns and Gravets shall be forfeited and may be seized and killed by any person whatever.

25th. Every person killing a Pig under the authority of the above clause shall give immediate notice to the Constable or Police Vidahn of the division, who shall thereupon cause the carcass to be sold by public auction.

26th. Out of the produce of such sale the Constable or Police Vidahn shall pay to the person killing each Pig two fanams, and shall pay over the remainder into the Office of the Provincial Judge or Sitting Magistrate who shall account for the same to Government.

27th. That the owner of any Pig found straying within the said limits shall be liable to a fine of One Rixdollar to be recovered before the Provincial Judge or Sitting Magistrate—and in case of such fine not being paid to one weeks imprisonment.

28th. Any person laying down dirt, rubbish or filth of any sort in the public streets or roads or in view of the public streets or roads, shall upon proof thereof upon oath before the Provincial Judge or Sitting Magistrate be fined two Rix Dollars, or in default of payment thereof suffer fourteen days imprisonment.

29th. All dirt, rubbish and filth shall be deposited in places to be pointed out by the Constable or Police Vidahn of each district under the orders of the Provincial Judge or Sitting Magistrate.

30th. Every householder is bound to remove all filth, rubbish and dirt from before his or her house to such place as shall be so pointed out by the Constable or Police Vidahn of the District.

31st. If any householder shall after notice given by the Constable or Police Vidahn of his division neglect for one hour to remove such filth, rubbish and dirt from before his or her house, he or she shall be fined two Rix Dollars, or in default of payment shall suffer fourteen days imprisonment, and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt and having proved before the Sitting Magistrate the amount of the Cost of so doing, he shall be entitled to levy the same by sale of the offenders goods under the Warrant of the Provincial Judge or Sitting Magistrate.

32d. Persons indecently exposing themselves within sight of the public streets or roads, shall upon proof made before the Provincial Judge or Sitting Magistrate by one credible witness, be fined two Rix Dollars (half thereof to be paid to the Persons giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

33d. The Provincial Judge and other Magistrates shall be aiding and assisting the Constables and Police Vidahns in the execution of their functions against all persons whatsoever, who shall resist their authority.

34th. The Constables and Police Vidahns shall inform themselves in what manner the inhabitants of their respective divisions provide for their subsistence, in order to be able to inform the Provincial Judge or Sitting Magistrate thereof on enquiry.

35th. The discharging of Fire arms in the streets and roads is strictly prohibited, as also the setting off of fireworks without a special permission of the Provincial Judge or Sitting Magistrate in writing.

36th. In case of fire, the Constables and Police Vidahns shall use their utmost endeavours to cause the same to be extinguished, the first who shall have notice thereof shall give the alarm, which shall be repeated by all the other Constables and Police Vidahns, when the Inhabitants shall come out of their houses and under the direction of the Constables and Police Vidahns afford the necessary assistance both by themselves, and by sending their male Servants or Slaves where the fire is.

37th. The Constables and Police Vidahns shall pay great attention that the Butchers keep the places where they kill Cattle always clean, and that the offal be removed so as not to infect the air.

38th. That they shall also see whenever any buildings are erected, that the Roads or Streets be not encroached upon, and if any encroachment is attempted shall report the same to the Provincial Judge or Sitting Magistrate.

39th. All persons finding any property shall forthwith bring it to the Constable or Police Vidahn, who is required to report the circumstance to the Provincial Judge or Sitting Magistrate—and such finder, if no fraud appear on his part, shall receive from the Owner of the property One Tenth of the Value, and if no claim be made for 6 Months, One Third.

Colombo, 8th May 1813.

By Order of the Council,

JAMES GAY,  
Sec to Council,

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 3 of 1834.)

*Regulation for Enforcing Cleanliness in the Fort and Town of Colombo and the Four Gravets Thereof.*

1st. ALL Pigs found straying within the said Fort Town or Gravets shall be forfeited and may be seized and killed by any person whatever.

Regulation No. 7 of 1816.

2d. Every person killing a Pig under the authority of the above clause shall give immediate notice to the Constable of the division, who shall thereupon cause the carcass to be sold by public auction.

3d. Out of the produce of such sale the Constable shall pay to the person killing each Pig two fanams, and shall pay over the remainder into the office of the Sitting Magistrate, who is to account for the same to Government.

REGULATION No. 7 of 1813.

4th. That the Owner of any Pig, found straying within the said limits shall be liable to a fine of one Rixdollar, to be recovered before the Sitting Magistrate—and in case of such fine not being paid to one weeks imprisonment.

5th. Any person laying down dirt, rubbish or filth of any sort in the public Streets or roads or in view of the public Streets or roads shall upon proof thereof upon oath before the Sitting Magistrate, be fined Two Rix Dollars, or in default of payment thereof suffer fourteen days imprisonment.

6th. All rubbish and filth shall be deposited in places to be pointed out by the Constable of each district under the orders of the Sitting Magistrate.

7th. Every Householder is bound to remove all filth, rubbish and dirt from before his or her House to such place as shall be so pointed out by the Constable of the District.

8th. If any Householder shall after notice given by the Constable of his Division neglect for one hour to remove such filth, rubbish and dirt from before his or her House, he or she shall be fined two Rixdollars, or in default of payment shall suffer fourteen days imprisonment, and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt, and having proved before the Sitting Magistrate the amount of the Cost of so doing, he shall be entitled to levy the same by sale of the offenders goods under the Warrant of the Sitting Magistrate.

9th. Persons indecently exposing themselves within sight of the public Streets or Roads shall upon proof made before the Sitting Magistrate by one credible Witness be fined two Rix Dollars (half thereof to be paid to the persons giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

Colombo 8th May 1813.

By order of the Council,  
JAMES GAY,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 17 of 1820.)

Regulation Concerning Auctioneers.

Regulation No. 8 of 1813.

1. NO person whatever within these Settlements shall act as an Auctioneer unless authorized thereto by a License under the hand and seal of the Governor.

2. Every such license shall specify the district within which such person shall be authorized to act as an Auctioneer—it shall be in force for twelve months and shall be subject to a stamp duty of one Hundred Rix Dollars.

3. Before any person shall proceed to act under such license he shall take the following oath.

I having obtained the license of His Excellency the Governor to exercise the functions of an Auctioneer within do hereby promise and swear that I will faithfully and diligently execute the same as prescribed by the Government Regulation No. and that I will duly account for the proceeds of all sales held by me as well as for the duties accruing therefrom to His Majesty's Government of Ceylon.

So help me God,

4. Every such Auctioneer shall within two months after each sale account for the net proceeds of all moveables sold there at - and shall account for the net proceeds of immoveable property so sold according to such conditions as shall have been declared at the time of sale.

5. He shall deduct from the proceeds of moveable property six per cent of which he shall account for and pay over as a duty to Government one half—or three per cent the remaining three per cent to be in full discharge of his fees as Auctioneer.

6. In like manner he shall deduct from the proceeds of immoveable property four per cent two of which he shall account for and pay over as a duty to Government the remainder to be in full discharge of his fees as Auctioneer.

7. He shall on the first day of each month make a return to the Commissioner of Revenue of such sales as shall have held by him in the course of the month preceding stating the proceeds thereof and specifying the amount of the duties arising to Government therefrom—which amount he shall at the same time pay into the Cutcherry.

8. And the better to enable Auctioneers to obey the injunctions of this Regulation—and to secure them against the risk and hazard of insolvency in bidders—Auctioneers are hereby permitted to accept or refuse such offers as shall be made at Auction as they shall think fit.

9. And to aid such Auctioneers in the recovery of sums due for property sold at Auction—It is enacted that they may at the end of one month after the sale in the case of moveable and of such time as shall have been previously declared in the case of immoveable property sue for the amount thereof by way of parate execution—and the Court or Magistrate before which such suit shall be brought is hereby authorised and required to grant parate execution upon the plaint and affidavit of such Auctioneer—without farther pleading or process.

10. And for the further security of Auctioneers it is enacted that the persons employed by them in their business of Auctioneer shall take the following oath.

I employed by Mr. Auctioneer do hereby promise and swear that I will faithfully and diligently execute the duties of my situation and will faithfully account for the proceeds of all sales and the disposal of such property as shall be entrusted to my care.

11. The oaths herein required to be taken shall be administered by the Sitting Magistrate or Provincial Judge of the district in which such Auctioneer shall reside and shall be signed by the persons taking the same.

Colombo 8th May 1813.

By Order of the Council,  
JAMES GAY,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

**W**HEREAS there is reason to believe that the cultivation of Paddy within the Peninsula of Trincomalie, requiring that a collection of stagnant water should be retained there during the hot season, is highly detrimental to the health of the Inhabitants of that District.

REGULATION No. 9 of 1812.

Preamble.

It is hereby enacted, that, from and after the publication of this Regulation, it shall not be lawful to cultivate Paddy in any part of the said Peninsula to the Southward of the Hill called Orr's Hill.

Paddy cultivation where unlawful.

And whereas it may be necessary for the further securing the health of the said Inhabitants, to drain certain low and marshy grounds and tanks lying within the said District.

It is hereby enacted, that such person or persons as His Excellency the Governor shall authorize and direct, shall immediately proceed to execute the draining of such Land, marshy grounds and tanks lying within the said Peninsula, as to His Excellency shall appear fitting, and that a Commission shall be forthwith issued to hear and enquire what injury may be suffered by any Individual in consequence of the prohibition of cultivating Paddy and of such draining, and to report the truth thereupon to His Excellency to the end that all persons suffering damage may be duly compensated.

Certain lands to be drained.

*Given at Colombo this 19th day of June 1813.*

By order of the Council,

JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*A Regulation to consolidate the several Regulations for collecting Export and Import Duties levied in the Island of Ceylon.*

*(Repealed by Regulation No. 9 of 1815.)*

[The repealed Enactments relating to the Customs are not published at length.]

Regulation No. 10 of 1812.

## REGULATION.

*(Nullified by subsequent Instructions to the Governor.)*

*A Regulation for reducing into one uniform Code, all Regulations which may hereafter be enacted for the internal Government of His Majesty's Dominions in the Island of Ceylon and its dependencies.*

Regulation No. 11 of 1813.

Sec. 1st. **H**IS Excellency the Governor in Council considering that the plan established by the late MARQUIS CORNWALLIS when Governor General of India in the year 1793, for the formation of a Code of Laws, in so far as it is applicable to this Island, is highly worthy of imitation, and that it is essential to the future prosperity of the British Territories in Ceylon, that all Regulations which may be passed by the Government, affecting in any respect the Rights, Persons, or Property of their Subjects, should be formed into a regular Code, and printed with Translations in the Cingalese and Tamul Languages, that the grounds on which each Regulation may be enacted should be prefixed to it, and that the Courts of Justice should be bound to regulate their decisions by the rules and ordinances which those Regulations may contain.—A Code of Regulations framed upon the above principles will enable Individuals to render themselves acquainted with the Laws upon which the security of the many inestimable Privileges and Immunities granted to them by the British Government depends, and the mode of obtaining speedy redress against every infringement of them; The Courts of Justice will be able to apply the Regulations according to their true Intent and Import; future administrations will have the means of Judging how far Regulations have been productive of the desired effect, and when necessary to modify or alter them as from experience may be found advisable; new Regulations not to be made, nor those which may exist be repealed without due deliberation, and the causes of the future decline and prosperity of this Colony will always be traceable in the Code to their source. His Excellency the Governor in Council enacts as follows.

Sec. 2d. Every Regulation that may be passed by the Governor in Council regarding the administration of Justice, the imposition or levying of Taxes or of Duties on Commerce, the Collection of the Public Revenue assessed upon the Lands, the rights & tenures of the Proprietors and Cultivators of the soil, the manufacture of Salt, and generally all Regulations of Government affecting in any respect the Rights, Persons or Property of any Individual within the British Territories in this Island, shall be framed, printed and published as hereafter directed.

Sec. 3d. Each Regulation shall be numbered and dated.—The number to commence with the first Regulation enacted in each year, and to be continued in the order of enactment to the end of the year.—The number of the Regulation and date of the year to be marked at the head of each page as in this Regulation.

## REGULATION No. 11 of 1813.

- Sec. 4th. Each Regulation shall have a Title concisely stating its object.  
 Sec. 5th. Each Regulation shall have a Preamble stating the reasons for enacting it.  
 Sec. 6th. A Regulation repealing a former one shall contain in the preamble the reasons for such repeal.  
 Sec. 7th. Every Regulation shall be divided into Sections, each of which shall be numbered.—The preamble being numbered as the first.  
 Sec. 8th. Every subsequent Regulation having occasion to refer to a former one shall make the reference by the number and Section of the Regulation, and the date of the year, as in referring to this Section, the 8th Section of the 11th Regulation of the year 1813.  
 Sec. 9th. The substance of each Clause shall be inserted in a short Marginal note opposite to it.  
 Sec. 10th. Every Regulation shall be printed uniformly on paper of the same size.  
 Sec. 11th. At the end of each year a copious Index to the Regulations of that year shall be prepared and printed on paper of an uniform size to be bound up with them.  
 Sec. 12th. One hundred Copies of each Regulation shall be printed, of which two shall remain as record in the Secretary's Office, two shall be sent to each Division of the Supreme Court, one to each Member of Council, one to His Majesty's Advocate Fiscal, one to the Advocate Fiscal for the 2d Division, one to each Collector, and one to each Provincial Judge and Sitting Magistrate, and the remainder shall be disposed of as His Excellency the Governor shall direct.

Sec. 13th. Such Copies as shall remain undisposed of at the end of the year shall be bound up in sets with the Index.

Sec. 14th. Every Regulation shall be published in the Ceylon Government Gazette, & shall operate as a law from the date of its publication in the several Districts or Provinces.

Sec. 15th. In the English drafts of Regulations the same designation and terms are to be applied to the same descriptions of persons and things in order that Rights, Property, Tenures, Privileges, Deeds, Courts Process, Offices, Officers, and generally all Persons and things may be uniformly described by the same designations and terms throughout the Judicial Code.

Sec. 16th. Every Regulation with the marginal notes shall be translated into the Cingalese and Tamul Languages as soon as possible after it has been passed by the Governor in Council—the number of the Regulation, and the year in which it may be passed, and the number of the Sections and Clauses, shall be inserted in the Translations in the same manner as in the English Drafts of the Regulations.

Sec. 17th. The Translator is to be particularly careful to preserve in the Translations the same uniformity in the designations and terms applied to Persons and Things as is directed with regard to the English Code in Section 15.—Whenever he shall have occasion to insert the designation of name of any Person or thing that he may have reason to believe may not be intelligible to the natives in general, and which may not have been used and explained in the Translations of any former Regulations, he shall in the first passage in which such word or term may occur, subjoin an explanation of it, that upon its recurring no doubt may be entertained as to its true meaning and import.

Sec. 18th. The Translator is to translate the Regulations into plain and easy Language, and in all possible cases, to reject words not in common use. As far as may be consistent with the preservation of the true meaning and Spirit of the Regulations, he shall adopt the Idiom of the Native Languages, instead of giving a close verbal Translation of the English drafts, which must necessarily render the Translations obscure and often unintelligible to the natives.

Sec. 19th. Every Collector of a Province shall as soon as he receive a Regulation cause the substance of it to be published and explained by beat of Tom Tom to the Inhabitants in every district of his Province and the said Regulation shall take effect in his Province from that day.

*Given at Colombo this 26th day of June 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Annulled by Charter of 18th February 1833.)*

*Regulation for enlarging the Civil Jurisdiction of the Sitting Magistrate of Moletivoe.*

## Regulation No. 12 of 1813.

- Sec. 1st. **W**HEREAS it is expedient to enable the Sitting Magistrate of Moletivoe to try Civil Cases of an higher amount than he is at present empowered to do.  
 Sec. 2d. It is therefore enacted that the Sitting Magistrate of Moletivoe shall exercise a Civil Jurisdiction over all cases of whatever nature (excepting Suits relating to the Revenue) not exceeding 300 Rix Dollars.

*Given at Colombo this 26th day of June 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*



## REGULATION.

*(Nullified by Charter of 18th February 1833.)**For restoring the Sitting Magistrate of Colombo the Jurisdiction of Civil and Criminal Cases arising within the Fort.*

WHEREAS it is expedient that the Jurisdiction of Civil and Criminal Cases within the Fort of Colombo transferred by the Regulation No. 1 1810 should be restored to the Sitting Magistrate of Colombo.

REGULATION No. 13 of 1813.

It is therefore enacted that the said Regulation of 1810 No. 1 be and it hereby is repealed.

That the Sitting Magistrate of Colombo do henceforth exercise within the Fort of Colombo the same Jurisdiction over Criminal and Civil Cases as he possesses in other parts of his District—and that he do also exercise all such powers and duties within the said Fort as by any Regulation made since the said Regulation of 1810 of No. 1 have been assigned to be exercised by the Sitting Magistrate of the Fort.

Provided that nothing herein contained shall be construed to deprive the Sitting Magistrate of the Port of the several powers committed to him for the preservation of the Police of the said Port by the Regulation of 1806 No. 10.

That whenever the Sitting Magistrate of Colombo or the Sitting Magistrate of the Port shall direct any process in Civil or Criminal Cases against persons or property to be executed within the Limits assigned to the other, such process shall be valid without any reference of the one Magistrate to the other.

*Given at Colombo this 31st day of July 1813,*

By Order of the Council,

JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 3 of 1834.)**For the Police of the Fort of Colombo.*

WHEREAS it is necessary to make further provision for the Police and good order of the Fort of Colombo by restraining the practice of Gambling and preventing Strollers and Vagrants from Harbours therein and by prohibiting such clandestine traffic as may give encouragement to theft

REGULATION No. 14 of 1813.

1. It is therefore enacted that every person convicted of any kind of Gambling within the Fort of Colombo shall be punished with fine and imprisonment not exceeding one Hundred Rixdollars and three months.

2. That no persons whatever be permitted to stroll about the streets of the Fort of Colombo or to sleep in any Veranda, yard or enclosure between the hours of eight at night and five in the morning.

3. That persons offending in this particular and convicted thereof before the Sitting Magistrate, shall be decreed and taken to be Vagrants and liable to the provisions of the 12th Regulation of the year 1806.

4. That no native whatever be allowed to purchase from any Servant within the Fort any article whatever, unless with the knowledge and consent of his or her Master, under a penalty upon conviction for each offence, of such fine, imprisonment or corporal punishment as the Sitting Magistrate may think fit.

5. That no goods whatever (save food and drink) shall be bought or sold by Hawkers within the Fort between the hours of six o'clock in the evening and six in the morning under a penalty on conviction for each offence of such fine, imprisonment or corporal punishment as the Sitting Magistrate may think fit.

6. That no person within the Fort excepting regular Shop Keepers shall Sell nor shall any person whatever pawn any article of Gold, Silver, Brass, Iron or lead without giving notice to the Constable of the Fort under the penalty on conviction of such fine, imprisonment and corporal punishment as the Sitting Magistrate may think fit.

Provided that nothing herein contained shall be construed to extend the powers of the Sitting Magistrate in according punishment, beyond three months imprisonment, one Hundred lashes and one Hundred Rix Dollars fine.

*Given at Colombo this 31st day of July 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 1 of 1814.)**For repealing the Regulation No. 4 A. D. 1811.*

Regulation No. 15 of 1813.

**W**HEREAS it is found that the said Regulation whereby the Batta or Gaol allowance of prisoners is directed to be furnished in kind, creates troublesome and unnecessary details in the Public Departments.

It is hereby enacted that the said Regulation and every part thereof be repealed, and that the Batta or Gaol allowance do stand upon the footing upon which it was placed by the Regulation No. 2 A. D. 1810. And that the provisions of the said last mentioned Regulation be restored and re-enacted.

*Given at Colombo this 31st day of July 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 2 of 1818.)**For preventing the illegal Manufacturing of Salt in the Districts of Chilaw, Putlam and Calpentyn.*

Regulation No. 16 of 1813.

**W**HEREAS it is necessary for the prevention of smuggling and other frauds to limit the manufacture of Salt in the Districts of Chilaw, Putlam and Calpentyn to particular situations to be appointed by the authority of Government.

1st. It is hereby enacted that it shall not be lawful to manufacture Salt in any place or pan within the said Districts save and except such as shall have been named and appointed by an Advertisement published by the authority of Government.

2d. That all Salt manufactured in any place or pan within the said Districts not so named and appointed shall be confiscated to the use of Government—and the person or persons manufacturing the same shall be liable to fine and imprisonment (upon conviction before the Sitting Magistrate or Provincial Judge) not exceeding Fifty Rix Dollars or two months for each offence.

*Given at Colombo this 31st day of July 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council,*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 6 of 1820.)**For repealing the Tax called the Bazar Tax—and substituting an increased Custom Duty.*

Regulation No. 17 of 1813.

**W**HEREAS the tax on the retail of goods, commonly called the Bazar tax, is found to be irregular and vexatious in operation, difficult in Collection, injurious to the interests of Commerce, and liable to constant fraud and evasion.

It is hereby enacted, that from and after the 12th day of August next, the said tax being two per Cent upon the value of Grain, and three per Cent upon the value of other goods sold, together with all commutations levied instead thereof, be, and they hereby are repealed and abolished.

That from and after the said date, all restrictions relating to the place and manner of selling goods and Merchandize be, and they hereby are, repealed—and that it shall be lawful thenceforth to sell goods of all kinds imported or native, in such place as the Owner shall think fit.

And whereas it is necessary to compensate for the repeal of the said tax by an increased Custom duty.

It is enacted, that all goods imported, excepting Grain, shall, from and after the repeal of the said tax, pay an additional Custom duty of three per Cent upon their value, that Grain shall pay an additional Custom duty of two per cent on its value.

Subject however to such relaxation of the duty last mentioned, in times of Scarcity or enhanced price, as shall from time to time be notified in public Advertisements by the authority of His Excellency the Governor.

*Given at Colombo this 31st day of July 1813.*

By Order of the Council

JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 5 of 1835.)**For Establishing a Regular mode of keeping Diaries and taking informations in Criminal Cases by Provincial Judges and Justices of the Peace.*

Regulation No. 18 of 1812.

1. **W**HEREAS it must conduce to the due administration of Justice that the proceedings had before Judges and Magistrates in Criminal Cases should be more fully and explicitly recorded.

2. It is enacted that the Diaries of Provincial Judges and Justices of the Peace—as well Sitting Magistrates as others, shall be kept in one regular and uniform manner to wit.

3. The Diary or Journal of each day shall contain an exact statement of all complaints and reports made on that day to the Judge or Magistrate.

4. It shall contain an exact Copy of all orders made on that day—and shall particularly specify every Summons, Warrant or Committal—Signed on that day by the Judge or Magistrate.

5. It shall contain a Statement of the evidence given by each Witness sworn before the Judge or Magistrate and of such defence as shall be offered by Persons accused.

6. The Diary of each day shall be signed by the Judge or Magistrate, his Interpreters and Secretary.

7. And it is hereby enacted that in all such Cases as are returned for trial to the Supreme Court—the evidence given by each Witness shall after it has been interpreted and written in English be carefully read over and explained to the Witness in the presence of the Judge or Magistrate and shall then and there be signed by such Witness and the Interpreter and shall be attested by the Judge or Magistrate and his Secretary—and a true Copy thereof with the like signatures and attestations shall be also entered in the Diary.

8. That whenever in such cases a Judge or Magistrate shall have occasion to take the Confession of a person accused—the like forms of signature and attestation shall be used—and a similar entry made in the Diary.

9. That the Defence offered by a person accused before a Judge or Magistrate in such cases shall be recorded, signed, attested and entered, in a like manner.

*Given at Colombo this 5th day of August 1813.*

By order of the Council,

JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 13 of 1824.)**For establishing Certain Rules for the business of the Ports and Harbours of Colombo, Point de Galle and Trincomalie and settling the rate of Port Charges and Prices of labour in the said Ports and Harbour.*

**W**HEREAS it is become necessary to establish certain rules and to settle the rate of Port Charges and the Prices of labour in the Ports and Harbours of Colombo, Point de Galle and Trincomalie.

Regulation No. 19 of 1812.

His Excellency the Governor is pleased to enact and declare, that the rules, rates and Charges set forth in three Schedules hereunto annexed be observed in the said Ports and Harbours respectively, and all persons concerned are hereby directed to Conform themselves, and be obedient thereto, and the several Courts of Justice and Magistrates and all other His Majesty's subjects in and throughout His Majesty's settlements in the Island of Ceylon are hereby strictly charged and Commanded to observe and enforce the same

Every former Proclamation or order, which contradicts this Regulation is hereby repealed.

*Given at Colombo this 5th day of August 1813.*

By Order of the Council,

JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## RULES &amp; ORDERS.

*for the Business of the Port of Colombo*

## FOR VESSELS &amp;c.

1st. All square rigged Vessels, Sloops & Schooners must employ the Boats attached to the Master Attendants Department for the landing or shipping of their Cargoes or any part thereof and no other.

## REGULATION No. 19 of 1813.

2d. As the Government Boats will not be sufficient for such purpose, The Master Attendant is to licence a certain Number of Country Boats (called Battels) to ply to & from Vessels &c. for landing and shipping their Cargoes, these Boats are to be numbered and registered and the Crews thereof subject to the Orders of the Master Attendant—Two-thirds the hire chargeable for such Boats shall go to the Owners for themselves and Crew and the remaining one-third to Government.

3d. Any Country Boat not licensed as above described, plying to a square rigged Vessel, Sloop or Schooner for the purpose of landing or shipping any Merchandize, shall immediately be seized and on due conviction thereof for the first offence the whole Boat hire chargeable for the use of such Boat by the Port Rates shall become forfeited to Government, and for every subsequent offence three times that amount.

4th. Coast Dhoneys may land and ship their Cargoes without using the Boats attached to the Master Attendants Department, paying for a License for that purpose at the rate of One Rix Dollar the Garce.

5th. Cingalese Dhonies with Out Riggers commonly called Coolah Dhonies may land and ship their Cargoes at the established places free of all charge. No Dhonies however can be permitted to lay along side the wharf for the purpose of loading or discharging Cargo without a Permit in writing from the Master Attendant for which they are to pay in the instance of Arrack at the rate of six fanams the Leaguer and for other Goods Twenty Rix Dollars the Cargo.

6th. The full hire of each Boat is to be paid for every day it is employed either in receiving or discharging Cargo.

7th. No Boats are to be employed in the lading or unlading of Vessels on Sundays, Christmas-day and Good Friday except in cases of emergency, when double hire is to be charged for the Boats so employed.

8th. Boats going off after sun set to be charged half more than the usual hire.

9th. Persons applying for Boats and not using them are to pay half the hire of such Boats.

10th. The Boatmen belonging to the Master Attendant's Department are not to be employed on board any Vessels by the Commanders or Officers of such Vessels.

11th. No goods are to be landed or shipped but at the wharf without a License from the Custom Master under Penalty of Confiscation.

12th. No Ballast to be thrown overboard but landed and deposited in a place to be pointed out by the Master Attendant.

## MASTER ATTENDANT'S DUTY.

1st. He is on the application of Masters or Supercargoes of Vessels to provide them with Boats for the landing or shipping of their Merchandize with the least possible delay.

2d. He is to take care that all Goods liable to Custom House Duties are landed at the wharf unless special permission be granted by the Custom Master for their being landed elsewhere.

3d. He is daily to give Certificates to the Owners or Tindals of the Licensed Batels or Country Boats of their service during each day and upon their production of those Certificates every Saturday at his Office he is to settle with them for their share of Boat hire respectively.

4th. He is at the same time to settle with the Pilots for their share of the Pilotage.

5th. He is not to give any Credit for the Port Fees and Charges, if he does it is at his own risk.

6th. He is not to countersign the Port Clearance granted by the Custom Master to any Vessels, until every Demand has been settled in the current money of Ceylon, for Boat Hire and every other Port charge.

7th. He is to keep regular Accompts of the sums he receive during each Month for Pilotage of Merchant Vessels, Boat Hire, and other Port Charges, and transmit the same attested to the Collector of the District on the 1st of the succeeding Month.

8th. He is to pay the Receipts of his Department on the 28th of each Month to the Collector of the District taking that Officers acknowledgment in duplicate, for the amount and for warding the original to the Commissioner of Revenue.

9th. He is to keep a regular List of all Vessels arriving and departing with their Passengers. Lading and Tonnage according to a prescribed form, he is to send a Report of arrivals and departures as they occur to His Excellency The Governor, The Chief Secretary to Government, The Comptroller General of Customs and the Commandant of the Garrison.

## OFFICERS AND SERVANTS OF THE MASTER ATTENDANT'S DEPARTMENT.

1st The Boatmen and other Servants attached to the Master Attendant's Department must obey the legal orders of their Superior relative to the discharge of their duties on pain of punishment to be inflicted on them on conviction before the Magistrate of the Port, not exceeding two months imprisonment, 100 Rix Dollars fine and 50 lashes.

They are not to take or receive directly or indirectly any Fees or gratuity, if found offending herein to be dismissed and liable to Punishment as aforesaid. The Pilots however in addition to their Pay are to be allowed one half the specified rate of Pilotage for each Vessel they Pilot into the Roads or Harbour.

The attendance of Boatmen and other servants, belonging to the Department to be from six o'clock in the morning till six in the evening.

A Head Boatman however is to remain constantly at the Beach House, day and night, and a Boat's Crew to be on Duty at night, in case of any vessel requiring immediate assistance.

A Printed Copy of these Rules and orders, and of the fixed Rates of Boat Hire and Port Charges, is to be placed in the most conspicuous part of the Custom House and Master Attendant's Office for the Information of the Public.

REGULATION No. 19 of 1812.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

RATES OF PORT CHARGES FOR VESSELS ARRIVING AT AND SAILING FROM THE  
PORT OF COLOMBO.

	Rds.	F.	P.
For pilotage of all square Rigged Vessels, Sloops and Schooners ..	20	"	"
For a Laberlot or rowing Boat to and from Vessels lying in the outer roads, with sundries; per trip .....	7	6	"
For do. do. in the Inner Roads .....	5	"	"
For a Leaguer of water filled from outside the Fort and carried along side .....	3	"	"
For a do. do. from the Beach and do. ....	2	"	"
For a do. where filled and carried alongside by the Boats and Crew of the Vessels with permission of the Master Attendant .....	1	"	"
For a Leaguer of Arrack convey'd from the Wharf alongside a Vessel or vice versa .....	1	"	"
For a Laberlot load of Ballast .....	8	"	"
For a do. employed in warping a Vessel out or in .....	12	"	"
For a do. carrying out, or weighing an Anchor .....	7	6	"
For a do. clearing a Cable .....	5	"	"
For a Boat employed in shipping or landing Rice, Wheat, Gram, Sugar, Paddy &c. per each complete Bag of 164 Pounds English....	"	1	"
For a Ton of Ballast per Country Boat .....	1	8	"
For a Battal or Large Country Boat (of 150 Bags of Rice burthen and upwards,) employed in shipping or landing pipes of Wine, Casks of Beer, Bales, Chests, Boxes, Arreka nuts &c. &c. per trip .....	10	"	"
For a small Country Boat of about 50 Bags of Rice burthen employed in carrying sundries or as a passage Boat, per trip .....	2	6	"
When Boats of this last description are employed in landing or shipping Articles particularly enumerated above, they are to be paid for as laid down for such Articles.			
For a Battel or large Country Boat ordered but not employed, half hire or .....	5	"	"
For a Laberlot do. do. do. ....	2	6	"
For a small Country Boat do. do. do. ....	1	3	"
Dhories landing or carrying off their Cargoes in their own Boats are to pay per Garce. Chingalese Dhories with out Riggers (called Coollah Dhories) are exempted.	1	"	"
When a Country Boat is permitted to land Grain at the Bank-hall an additional Charge of one Rix Dollar per 100 complete Bags is to be paid to the Boat Owners.	1	"	"
For the use of an Anchor, per day .....	3	"	"
For do. of a Grapnell do. ....	1	6	"

Charges of Cooly Hire, for Landing or Shipping of Goods at or from the Port  
of Colombo.

For unloading a Laberlot with Iron and carrying the same to the Custom House or putting into Carts .....	5	6	"
For unloading a Laberlot of Sundries do. do. ....	5	"	"
For unloading a Battel or Country Boat (of 150 Bags of Rice burden or upwards) with Iron do. do. ....	11	"	"
For unloading a do. do. with Sundries do. do. ....	10	"	"
For unloading Rice, Wheat, or Grain and weighing the same on the Beach per 100 Bags....	5	"	"
For taking up from the scales and loading in Carts, Rice, Wheat or Gram per 100 Bags..	2	6	"
For unloading or loading a Chest of Claret or Box of that size .....	"	6	"
For do. do. a half Chest or Box of that size .....	"	3	"
For do. do. a Pipe of Madeira, Port or other wine .....	"	6	"
For do. do. a half Pipe of Madeira .....	"	3	"
For do. do. a Leaguer of Arrack.. .....	"	4	"
For do. do. a half do. or Cask of Beer .....	"	2	"
For do. do. a Cask of Rum or Brandy .....	"	2	"
For do. do. a Case of Gin or Box of that size .....	"	1	"
For do. do. a Bag of Saltpetre or Sugar .....	"	1	"
For do. do. a Tub of Sugar Candy .....	"	2	"
For do. do. a Cask of Salt Provisions .....	"	1	2
For do. do. a Bale of Cloth .....	"	4	"
For unloading or loading a half Bale of Cloth .....	"	2	"
For Shipping off a Coir Cable, from the Custom House or Master Attendant's Store, per 500 pounds .....	1	"	"
For do. an Anchor do. do. ....	1	"	"

HIRE OF ARTIFICERS.

▲ Carpenter working on board Ship from sunrise to sunset .....	1	6	"
▲ Carpenter working on shore per diem .....	1	"	"
▲ Caulker working on board ship per do....	1	"	"
▲ do. on shore do....	"	9	"
▲ Cooly working on board ship do....	"	9	"

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## RULES AND ORDERS

*for the Business of the Port of Trincomalie.*

## FOR VESSELS &amp;c.

REGULATION No. 19 of 1813.

1st. All Vessels lying in Backbay are to come to an Anchor within 7 fathoms water, without that depth double boat hire will be charged.

2d. Square rigged Vessels, Sloops and Schooners must employ the Boats attached to the Master Attendant's Department for the landing or shipping of their Cargoes or any part thereof and no other.

3d. As the Government Boats will not be sufficient for such purpose, the Master Attendant is to license a certain number of Country Boats (called Battels) to ply to and from Vessels &c. for landing and shipping their Cargoes, these Boats are to be numbered and registered and the Crews thereof subject to the Orders of the Master Attendant. Two thirds the hire chargeable for such Boats shall go to the Owners for themselves and Crews and the remainder one third to Government.

4th. Any Country Boat not licensed as above described, plying to a square rigged Vessel, Sloop or Schooner for the purpose of landing or shipping any Merchandize, shall immediately be seized and on due conviction thereof for the first offence the whole Boat hire chargeable for the use of such Boat by the Port Rates shall become forfeited to Government, and for every subsequent offence three times the amount.

5th. Coast Dhoneys may land and ship their Cargoes without using the Boats attached to the Master Attendant's Department, paying for a License for that purpose at the rate of One Rix Dollar per Garce.

6th. Cingalese Dhonies with Out Riggers commonly called Coollah Dhonies may land and ship their Cargoes at the established places free of all charges.

The full hire of each Boat to be paid for every day it is employed either in receiving or discharging the Cargo.

7th. No Boats are to be employed in the lading or unlading of Vessels on Sundays, Christmas day and Good Friday except in cases of emergency, when double hire is to be charged for the Boats so employed.

Boats going off after sunset to be charged half more than the usual hire.

Persons applying for Boats but not using them are to pay half the hire of such Boats.

The Boatmen belonging to the Master Attendant's Department are not to be employed on board any Vessels by the Commanders or Officers of such Vessels.

No goods are to be landed or shipped but near Mr. Neill's House in the Inner Harbour at present occupied as the Cutcherry of the District and the Custom House in Backbay; without License in writing from the Custom Master under the penalty of Confiscation.

12th. Vessels are only permitted to land Cargoes in Backbay between the first of April and the 25th of October in each Year, during the North East Monsoon they must land their Cargoes in the Inner Harbour at the place above pointed out.

No Ballast to be thrown overboard but landed and deposited in a place to be pointed out by the Master Attendant.

## MASTER ATTENDANT'S DUTY.

1st. He is on the application of Masters or Supercargoes of Vessels to provide them with Boats for the landing or shipping of their Merchandize with the least possible delay.

2d. He is to take care that all Goods liable to Custom House Duties are landed at the places before mentioned unless special permission be granted by the Custom Master for their being landed elsewhere.

3d. He is daily to give Certificates to the Owners or Tindals of the licensed Battels or Country Boats of their service during each day and upon their production of those Certificates every Saturday at his Office is to settle with them for their share of the Boat hire.

4th. He is at the same time to settle with the Pilots for their share of the Pilotage.

5th. He is not to give any Credit for the Port Fees and Charges, if he does it is at his own risk.

6th. He is not to countersign the Port Clearance granted by the Custom Master to any Vessel, until every Demand has been settled in the current money of Ceylon, for Boat Hire and every other Port charge.

7th. He is to keep regular Accompts of the sums he receives during each Month for Pilotage of Merchant Vessels, Boat Hire, and other Port Charges, and transmit the same attested to the Collector of the District on the 1st of the succeeding Month.

8th. He is to pay the Receipts of his Department on the 28th of each Month to the Collector of the District, taking that Officers acknowledgement in duplicate, for the amount and forwarding the original to the Commissioner of Revenue.

Lastly He is to keep a regular List of all Vessels arriving and departing with their Passengers, Lading and Tonnage according to a prescribed form, and to send a daily Report thereof to His Excellency The Governor, the Admiral or Officer Commanding His Majesty's Navy at the Port, The Chief Secretary to Government, The Commandant at Trincomalie and the Collector of the District.

## OFFICERS AND SERVANTS OF THE MASTER ATTENDANT'S DEPARTMENT.

The Boatmen and other Servants attached to the Master Attendant's Department must obey.

the legal orders of their Superior relative to the discharge of their duties on pain of punishment to be inflicted on them on conviction before the Magistrate of the District not exceeding two months imprisonment, 100 Rix Dollars fine and 50 lashes.

REGULATION No. 19 of 1813.

They are not to take or receive directly or indirectly any Fees or gratuity, if found offending herein to be dismissed, and liable to Punishment, as aforesaid, the Pilots however in addition to their Pay are to be allowed one half the specified rate of Pilotage for each Vessel they Pilot into the Roads or Harbour. The attendance of the Boatmen and the servants, belonging to the Department to be from six o'Clock in the morning till six in the Evening.

A Head Boatman however is to remain constantly at the Beach House, day and night, and a Boat's Crew to be on Duty in case of any vessel requiring immediate assistance.

A Printed Copy of these Rules and orders, and of the fixed Rates of Boat Hire and Port Charges, is to be placed in the most conspicuous part of the Custom House and Master Attendant's Office for the Information of the Public.

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy to Govt.*

## RATES OF PORT CHARGES AND BOAT HIRE AT TRINCOMALIE.

## PILOTAGE.

			* Backbay Rds.	Inner Bay Rds.
Merchant Vessels 600 Tons and upwards	....	....	50	100
400 and under 600	....	....	40	80
200 and under 400	....	....	27	54
100 and under 200	....	....	15	30

\* If a Pilot is required by a Vessel.

## BOAT HIRE

## IN BACKBAY.

		Rds.	F.	P.
For every Boat landing or carrying off Rice, Wheat or Gram per Bag	....	1	..	..
And if employed landing or carrying off other goods at the rate of Tonnage of the Boat in that proportion.				
For every Leaguer of Arrack carried alongside or landed from a Vessel	....	1	..	..
For every Leaguer of Water carried alongside	....	2	..	..
For do. where filled and carried along-side by Ships own Boats and crews with permission of the Master Attendant	....	1	..	..
For a Ton of Ballast carried alongside	....	2	..	..
The same rates of Boat hire are fixed for Vessels lying in the Inner Harbour if they lie in the anchorage near the Town of Trincomalie or if near Osterburg or in Clappenburg, French or Nickollson's cove, double the above rates are to be charged.				
If Boats are detained the whole day in shipping or landing cargo so as to be able to make but one trip they are to be paid double hire according to the rates of their burthen in Rice.				
For a Boat employed in warping a Vessel out or in	....	12	..	..
For a Boat employed in carrying out or weighing an anchor	....	7	6	..
For a Boat employed in clearing a cable	....	5	..	..
Dhories landing or carrying off their cargoes without using the Boat attached to the Master Attendant's Department, for cargo of any kind to pay per Garce	....	1	..	..
Cingalese Dhories with outriggers are exempted.				

## EXTRA CHARGES.

Hire of an anchor per day	....	3	..	..
Do. Grapnel do.	....	1	6	..

## HIRE OF COOLIES AND ARTIFICERS.

## COOLIES UNLOADING.

	Quantity	Rds.	F.	P.
Unloading Grain, and carrying it from Back or Dutch Bay to Godowns in the little Bazar	.... per 100 Bags	2	9	..
Do. do. do. to Godowns in the Town	....	4	6	..
Do. do. from the Inner Harbour to Godowns on the Beach	....	2	..	..
Do. do. do. to Godowns in the Town	....	2	9	..
Weighing Rice Gram or Wheat on the Beach	....	2	9	..
Unloading Iron or Iron Hoops per boat load of 70 bags Rice				
From Back bay or Dutch bay	....	4	6	..
Inner Harbour	....	2	9	..
Unloading other Goods per Boat Load from Back bay and Dutch bay	....	4	..	..
From Inner Harbour	....	2	6	..
Unloading Sundries as under.				
Chest of Claret	.... each	..	8	..
$\frac{1}{2}$ & $\frac{1}{4}$ Chest in proportion.	.... each	..	8	..
Pipes of Madeira	.... each	..	5	..
$\frac{1}{2}$ & $\frac{1}{4}$ Pipes in proportion.	.... each	..	1	..
Casks of Beer	.... each	..	1	..
Bags of Salt Petre	.... each	..	1	..
Do. Sugar	.... each	..	1	..
Tubs of Sugar Candy	.... each	..	2	..
Bales of Cloth large	.... per bale	..	4	..
Leaguers of Arrack	.... each	..	6	..

REGULATION No. 19 of 1813.

Artificers from 6 A. M. till 3 P. M.				On Shore			On Board		
				Rds.	F.	P.	Rds.	F.	P.
Carpenter	....	....	....	....	10	..	1	..	..
Smith	....	....	....	....	10	..	1	..	..
Caulker	....	....	....	....	8	..	10	..	..
Painter	....	....	....	....	..	..	1	9	..
Workmen under him	....	....	....	....	..	..	10	..	..
Coolies	....	....	....	....	..	..	6	..	..

JOHN RODNEY  
Chief Sec. to Govt.

### RULES AND ORDERS.

*For the business of the Port of Point de Galle.*

#### FOR VESSELS &c.

1st. All vessels lying outside the Harbour are to come to an Anchor within 16 fathoms water Flagstaff N. N. W. to N. N. E. beyond that depth they will be charged double Boat Hire.

2d. Square rigged Vessels, Sloops or Schooners must employ the Boats attached to the Master Attendant's Department, for the landing or shipping of their Cargoes or any part thereof, and no other.

3rd. As the Government Boats will not be sufficient for such purpose, The Master Attendant is to license a certain Number of Country Boats (called Battel-) to ply to and from Vessels &c. for landing and shipping their Cargoes,—these Boats are to be numbered and registered, and the Crews thereof subject to the Orders of the Master Attendant. Two thirds the hire chargeable for such Boats shall go to the Owners, for themselves and Crews and the remaining one third to Government.

4th. Any Country Boat not licensed as above described. plying to a square rigged Vessel, Sloop or Schooner, for the purpose of landing or shipping any Merchandize. shall immediately be seized; and on due conviction thereof, for the first offence the whole Boat hire chargeable for the use of such Boat by the Port Rates, shall become forfeited to Government; and for every subsequent offence three times that amount.

5th. Coast Dhoneys may land and ship their Cargoes without using the Boats attached to the Master Attendant's Department, paying for a License for that purpose at the rate of One Rix Dollar the Garce.

6th. Cingalese Dhonies with out Riggers commonly called Coollah Dhonies, may land and ship their Cargoes at the established places free of all charges.

7th. Vessels or Dhonies laying alongside the wharf, and loading or discharging Arrack or other Cargo thereat; are to pay for a License for that purpose at the rate of six fanams the Leaguer of Arrack, and Twenty Rix Dollars for a Cargo of other Goods but no Vessels or Dhonies can lay alongside the wharf for any purpose, without the permission of the Master Attendant.

8th. The full hire of each Boat is to be paid for every day it is employed either in receiving or discharging Cargo.

9th. No Boats are to be employed in the lading or unlading of Vessels on Sundays, Christmas day and Good Friday, except in cases of emergency, when double hire is to be charged for the Boats so employed.

10th. Boats going off after sun set, to be charged half more than the usual hire.

11th. Persons applying for Boats and not using them, are to pay half the hire of such Boats.

12th. The Boatmen belonging to the Master Attendant's Department, are not to be employed on board any Vessels, by the Commanders or Officers of such Vessels.

13th. No goods are to be landed or shipped but at the wharf without a License from the Custom Master, under Penalty of Confiscation.

14th. No Ballast to be thrown overboard; but landed and deposited in a place to be pointed out by the Master Attendant.

#### MASTER ATTENDANT'S DUTY.

1st. He is on the application of Masters or Supercargoes of Vessels, to provide them with Boats for the landing or shipping of their Merchandize with the least possible delay.

2nd. He is to take care that all Goods liable to Custom House Duties, are landed at the wharf; unless special permission be granted by the Custom Master for their being landed elsewhere.

3rd. He is daily to give Certificates to the Owners or Tindals of the licensed Battels or Country Boats of their service during each day, and upon their production of those Certificates every Saturday at his Office, is to settle with them for their share of the Boat hire.

4th. He is at the same time to settle with the Pilots for their share of the Pilotage.

5th. He is not to give any Credit for the Port Fees and Charges, if he does, it is at his own risk.

6th. He is not to countersign the Port Clearance granted by the Custom Master to any Vessel, until every demand has been settled in the current money of Ceylon, for Boat Hire and every other Port charge.



7th. He is to keep regular Accounts of the sums he receives during each Month for Pilotage of Merchant Vessels, Boat Hire, and other Port Charges; and transmit the same attested, to the Collector of the District on the 1st of the succeeding Month.

8th. He is to pay the Receipts of His Department on the 28th of each Month, to the Collector of the District; taking that Officers acknowledgment in duplicate, for the amount and forwarding the original to the Commissioner of Revenue.

Lastly. He is to keep a regular List of all Vessels arriving and departing with their Passengers, Lading and Tonnage according to a prescribed form, and to send a daily Report thereof to His Excellency The Governor, the Chief Secretary to Government, The Comptroller General of Customs, The Commandant of the Garrison and the Collector of the District.

#### OFFICERS AND SERVANTS OF THE MASTER ATTENDANT'S DEPARTMENT.

The Boatmen and other Servants attached to the Master Attendant's Department must obey the legal orders of their Superior relative to the discharge of their duties, on pain of punishment to be inflicted on them on conviction before the Provincial Judge, not exceeding two months imprisonment, 100 Rixdollars fine and 50 lashes.

They are not to take or receive directly or indirectly any Fees or gratuity, if found offending herein to be dismissed, and liable to Punishment, as aforesaid: The Pilots however in addition to their Pay are to be allowed one half the specified rate of Pilotage for each Vessel they Pilot into the Roads or Harbour—The attendance of the Boatmen and other Servants belonging to the Department, to be from six o'clock in the morning, till six in the evening.

A Head Boatman however is to remain constantly at the Beach House, day and night, and a Boat's Crew to be on Duty at night in case of any vessel requiring immediate assistance.

A Printed Copy of these Rules and orders, and Port Charges, is to be placed in the most conspicuous part of the Custom House and Master Attendant's Office, for the information of the Public.

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

#### PORT CHARGES.

PILOTAGE AND ANCHORAGE		Rds.	F.	P.
Vessels 600 Tons and upwards	....	80	"	"
400 and under 600	....	60	"	"
200 and under 400	....	40	"	"
100 and under 200	....	30	"	"
under 100	....	20	"	"

	Harbour			Roads		
	Rds.	F.	P.	Rds.	F.	P.
General shipping or landing Per Trip	....	15	"	30	"	"
Weighing an Anchor per day or Trip	....	"	"	30	"	"
Laberlot or Schuyt						
Shipping or landing per Trip	....	"	"	3	9	"
If detained a whole day	....	7	6	15	"	"
Small Boat						
Carrying of Ballast per Trip	....	3	9	"	"	"
Weighing an Anchor per—do.	....	3	9	7	6	"
Country Boat (Burthen of 120 Bags of Rice)						
Shipping or landing per Trip	....	5	"	10	"	"
Carrying of Ballast per—do.	....	5	"	"	"	"
Water by Government Boats, per Leaguer	....	2	"	4	"	"
By Ships own Boats per—do.	....	1	"	1	"	"
EXTRA CHARGES.						
Anchors and Cable per day each	....	3	"	"	"	"
Grapnel and Hawser per do. do.	....	1	6	"	"	"

#### HIRE OF COOLIES AND ARTIFICERS.

COOLIES UNLOADING.		Quantity	Rds.	F.	P.
Grain and Carrying, to Govt. Godown or like Distance	....	per 100 Bags	5	"	"
—and Weighing on the Wharf	....	do.	2	"	"
Iron or Iron Hoops.		} per Laberlot or in proportion do.	4	"	"
And lodging in the Custom House	....		3	"	"
Sundry Goods do. do. do.	....	do.	3	"	"
do. do. do, Viz.					
Chest of Claret (smaller Box in proportion)	....	each	"	4	"
Pipe of Madeira	....	"	"	4	"
Cask of Beer (smaller cask in proportion)	....	"	"	2	"
Bag of Salt Petre	....	"	"	1	"
Bag of Sugar	....	"	"	2	"
Tub of Sugar	....	"	"	2	"
Tutucoryn bale of cloth (smaller do, in proportion)	....	"	"	4	"
Leaguer of Arrack	....	"	"	4	"
COOLIES LOADING—from Govt. Godown or like distance					
Cinnamon Bales	....	"	"	1	"
Leaguer of Arrack	....	"	"	4	"
Cask of Salt Provisions	....	"	"	1	"
Laberlot with Ballast	....	"	"	4	"

REGULATION No. 19 of 1813.

			Rds.	F.	P.
Anchors Cables and Cordage					
Cable or Rope from Callawella into Boat	} per Candy of 500 pounds			6	"
----- from Custom House ditto		do		3	"
Anchor from shore into Boat	} per 20 Cwt. or in proportion	....		6	"
----- from Wharf do.				1	"
Water filling and putting in Boat					
At the Fort	....	....	pr. Leaguer	4	"
At the watering place	....	....	do.	6	"
Coolies hauling a Gamel	....	....	per Gamel	7	6
ARTIFICERS from 6 A. M. till 6 P. M.			On board in the harbour.		On shore.
			Rds.	F.	P.
Carpenter	....	....	9	"	6
Smith	....	....	9	"	6
Cauker	....	....	6	"	3
Painter	....	....	1	"	"
----- Workman under him	....	....	6	"	"
Cooley	....	....	4	"	"

Artificers &c. employed on Board a Vessel outside the Harbour, to receive double pay.

JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

(Repealed by Ordinance No. 8 of 1836.)

For Establishing new rates of Postage for Letters in the British Settlements in the Island of Ceylon.

Regulation No. 20 of 1813.

WHEREAS the present rates of Postage for Letters are found to be disproportioned and inconvenient.

1st. It is enacted that from and after the 1st day of September next the rates contained in the annexed Schedules and no other, shall be the rates of Postage for single Letters within the British Settlements in the Island.

2nd. That double, treble and quadruple Letters be charged proportionably according to the rates in the said Schedules, Letters weighing one Rupee to be accounted single, from thence to one Rupee and an half double, from thence to two Rupees treble, from thence to two and an half, quadruple.

3rd. That letters weighing above two Rupees and an half and not exceeding three be rated as packets and subject to five fold the single postage—and for each half ounce above three Rupees shall be chargeable in addition with postage as a treble letter.

Given at Colombo this 5th day of August 1813.

By Order of the Council

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command

JOHN RODNEY,  
Chief Sec. to Govt.

Schedule of Rates of Postage for conveying Letters by the Southern Route.

	Intermediate Stations.			Collectors Stations.	
	Fs.	P.	....	Fs.	P.
From Colombo to Pantura	0	2	....	0	0
Pantura to Caltura	0	2	....	0	0
From Colombo to Caltura	0	0	....	1	0
Caltura to Barberyn or Bentotte	0	1	....	0	0
Barberyn or Bentotte to Ambelangodde	0	2	....	0	0
Ambelangodde to Galle	0	3	....	0	0
From Colombo to Galle	0	0	....	2	2
Galle to Belligam	0	2	....	0	0
Belligam to Matura	0	2	....	0	0
From Colombo to Matura	0	0	....	3	2
Matura to Tangalle	0	2	....	0	0
Tangalle to Hambangtotte	0	2	....	0	0
From Colombo to Hambangtotte	0	0	....	4	2
Hambangtotte to Batticaloa	2	2	....	0	0
From Galle to Batticaloa	0	0	....	4	2
From Colombo to Batticaloa	0	0	....	7	0
Batticaloa to Trincomalie	0	0	....	1	2

The same charges will apply to the above specified stages in the opposite direction.

## Schedule of Rates of Postage for conveying Letters by the Northern Route.

REGULATION No. 20 of 1812.

	Intermediate Stations.			Collectors Stations.		
	Fs.	P.		Fs.	P.	
From Colombo to Jaille	0	2	0	0	0	0
Jaille to Negombo	0	2	0	0	0	0
Negombo to Chilaw	1	0	0	0	0	0
Chilaw to Putlam	0	2	0	0	0	0
From Colombo to Putlam	0	0	0	2	2	0
Putlam to Calpenty (by Post)	0	2	0	0	0	0
Putlam to Arippe, or Calpenty to Arippe	1	2	0	0	0	0
Arippe to Manar or Mantotte	0	2	0	0	0	0
From Putlam to Manar	0	0	0	2	0	0
From Colombo to Manar	0	0	0	4	2	0
Manar to Ipecarwe, or Mantotte to Ipecarwe	0	2	0	0	0	0
Ipecarwe to Poneryn	0	2	0	0	0	0
Poneryn to Jaffna	0	2	0	0	0	0
From Manar to Jaffna	0	0	0	1	0	0
From Colombo to Jaffna	0	0	0	6	0	0
From Jaffna to Bell Island or Point Pedro	0	2	0	0	0	0
Jaffna to Moeltivo	1	0	0	0	0	0
Moeltivo to Trincomalie	1	0	0	2	0	0
From Jaffna to Trincomalie	0	0	0	2	2	0
From Colombo to Trincomalie	0	0	0	8	0	0

The same charges will apply to the above specified stages in the opposite direction.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 3 of 1836.)

To prevent the Stealing of Government Salt.

**W**HEREAS it is necessary to restrain the practice of stealing the Salt belonging to His Majesty's Government from the Leways in which it is manufactured, by giving every encouragement to persons giving information so as to detect the Offenders.

Regulation No. 21 of 1812.

It is therefore enacted that all cattle and carriages employed in stealing or conveying stolen Salt, shall be forfeited to His Majesty's use.

That a reward at the rate of one Fanam the Parah of the Salt actually recovered—and one half of the value of all such Cattle and Carriages as shall be detected in stealing or carrying stolen Salt shall be given to the person or persons furnishing the information by which they shall have been so detected.

And whereas it is not sufficiently understood that all persons engaging in the stealing of Salt are liable to punishment. It is hereby declared and enacted that every person whatever whether a British subject or other who shall steal or convey or assist in stealing or conveying stolen Salt is guilty of a criminal offence and liable to such fine, imprisonment or corporal punishment as may be competent to the Court; by which he shall be tried, to inflict.

Given at Colombo, this 30th day of October 1813.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by Charter of 15th February 1833.)

To explain and amend the 14th Regulation of the Year 1812 entitled a Regulation for establishing a Provincial Court at Calpenty.

**W**HEREAS a doubt has arisen whether the powers of the Sitting Magistrate of Manaar are affected by the establishment of a Provincial Court at Calpenty.

Regulation No. 22 of 1813

It is hereby enacted that the Sitting Magistrate of Manaar shall continue to exercise the several powers vested in him as fully as before the establishment of the said Provincial Court at Calpenty.

And whereas by the third and fifth Clauses of the said Regulation it is enacted that the said Court shall make four Circuits in each year—to take place in January, April, July and October.

And whereas the nature of the Country and the usual course of the Seasons render those periods of Circuit extremely inconvenient.

Regulation No. 23 of 1813.

It is hereby enacted that the said third and fifth Clauses of the said Regulation be repealed—and that there shall be but two Circuits of the said Provincial Court in each year, to commence on the first Monday in March and the first Monday in August respectively.

Given at Colombo, this 30th day of October 1813.

By Order of the Council,

JAMES GAY,  
Sec. to the Council

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Repealed by Regulation No. 3 of 1819.)

For repealing the Regulation No. 15 of 1813 and re-establishing the Gaol allowances in kind as provided by the Regulation No. 4 of 1811.

Regulation No. 1 of 1814.

WHEREAS considerable inconvenience has been found to result from the repeal of the Regulation No. 4 of 1811 whereby the batta or Gaol allowance to prisoners was directed to be distributed in kind, and it is expedient to re-establish the mode of distribution directed by that Regulation.

Be it enacted that the Regulation No. 15 of 1813, be and it hereby is repealed and annulled, and that the said Regulation No. 4 of 1811 be and it hereby is re-enacted and declared to be of full force and effect.

Given at Galle this 17th January 1814.

By Order of the Council,

JAMES SUTHERLAND,  
Act. Sec. to the Council,

Published By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Annulled by Charter of 18th February 1813.)

For establishing a Provincial Court at Trincomalie.

Regulation No. 2 of 1814.

WHEREAS by the Regulation No. 13 of 1812 a Commissioner's Court was established for the said Town and District—and it has on the day of the date hereof been determined by His Excellency The Governor in Council that the same shall from henceforth be called the Provincial Court at Trincomalie.

It is hereby declared and enacted that the said Commissioner's Court be, and it hereby is erected and established as the Provincial Court of the District of Trincomalie and that the Judge thereof be called the Provincial Judge and that the said Court, do henceforth hold exercise and enjoy all the rights, powers, jurisdiction and privileges of a Provincial Court and be subject to the several Regulations and Instructions now in force with respect to Provincial Courts.

Given at Colombo this 6th day of January 1814.

By Order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### PROCLAMATION.

(Expired.)

For putting an end to the present Division of Supreme Court of Judicature in the Island of Ceylon.

Proclamation 1st February 1814.

WHEREAS His Majesty by His Royal Charter and Letters Patent tested at Westminster on the sixth day of August in the Fiftieth year of His Reign did ordain and appoint, that from and after the publication of the said Letters Patent in the Island of Ceylon. His Majesty's Supreme Court of Judicature in the said Island should usually sit in two Divisions.

And whereas His Majesty by His Charter and Letters Patent tested at Westminster on the 30th day of October in the Fifty second year of His Reign did, after reciting the said ordinance and appointment, direct and ordain, that it should be lawful for his Governor, or in his absence from the said Island, his Lieutenant Governor, or for the person executing the office of Governor for the time being, to put an end to the said Division of the said Court, if after communication had by him thereon with His Majesty's Justices, he should deem it fit and expedient, and should resolve so to do.

PROCLAMATION 1ST FEBRUARY  
1814.

And whereas by the sixteenth Clause of the said first in part recited Charter, and by the tenth Clause of the said last in part recited Charter full power is given to the Governor or Lieutenant Governor, or person exercising the Office of Governor, to provide in cases of doubt or difficulty, arising out of the construction of the several Charters granted to His Majesty for the Regulation of his said Supreme Court of Judicature.

And whereas The Honorable The Justice having obtained the leave of His Royal Highness The Prince Regent to return to England upon His private affairs, and having, under that leave, sailed from Fort de Galle on the 11th of last month there remains in this Island only one Judge of the said Supreme Court.

Now we the Honorable ROBERT BROWNIGG & Co. having duly considered the premises and having had communication with His Majesty's Justices of the said Supreme Court, have thought it fit and convenient to put an end to the Division of the said Supreme Court and have resolved so to do.

We do therefore hereby publish and declare such our resolution, and the said Division of the said Supreme Court is hereby declared to be at an end.

Given at Colombo the First day of February 1814.

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

(Repealed by Ordinance No. 4 of 1836.)

To prevent the Stealing and privately killing of Cattle.

**W**HEREAS the practice of Stealing and privately killing Cattle has become very prevalent throughout the British Settlements in Ceylon to the great loss of individuals and injury of husbandry, and whereas the rewards offered by Government for convicting persons offending in the manner have had but a partial effect.

Regulation No. 3 of 1814.

It is enacted that from and after the publication of this Regulation to the several Collectors in their Districts no rewards shall be payable upon any such conviction.

And for the more effectually restraining this destructive practice—It is further enacted that from and after such publication as aforesaid any person who shall without the four Gravets of Colombo, Galle, Matura, Trincomalie, and Jaffnapatam kill any Cattle whatever, unless notice of his, or her intention shall have been given in writing at least forty eight hours before to the nearest Sitting Magistrate, to the place in which the Cattle are intended to be killed—such notice to contain a description of the age, size, colour and particular marks of such Cattle and to be signed by the owner thereof and some creditable person of the neighbourhood—shall be liable for every beast killed without such notice to imprisonment at hard labour for a term not exceeding two months.

And it is further enacted that the Magistrate shall upon receiving such notice direct the Police Vidahn of the District to repair to the place where such Cattle intended to be killed are kept and to compare the marks and descriptions contained in such notice with the Cattle—and having ascertained the truth of such description to return the said notice with his Signature to the Magistrate who may then permit the killing of such Cattle by a License under his hand and Seal.

And it is further enacted that if any beef be found in the possession of any person who cannot prove that it was killed upon notice duly given, the finding of such beef shall be taken to be evidence of the same having been stolen, unless it shall be clearly proved to the satisfaction of the Magistrate, that it was innocently and honestly come by, and the person in whose possession such beef shall have been found shall be liable to the punishment usually inflicted for such theft even though no owner should appear to prosecute or claim the same as his property.

And it is further enacted that within the Gravets of Colombo, Galle, Matura, Trincomalie and Jaffnapatam no person whatever shall slaughter Cattles without a license to be renewed annually from the Sitting Magistrate of the place, to carry on the trade of a Butcher—under a penalty not exceeding 50 Rix Dollars for each and every beast slaughtered without such license and that every such licensed Butcher shall on every Monday register in the office of the said Sitting Magistrate a true and accurate description of the age, size, marks and colour of all Cattle slaughtered by him in the week preceding, together with the names and places of abode of the persons from whom such Cattle were purchased or obtained, under a penalty for every beast slaughtered which shall not be so registered, not exceeding 50 Rix Dollars.

Provided always that no prosecution shall take place for any offence against any of the provisions in this Regulation contained, unless information shall have been given to the nearest Magistrate within three months from and after the Commission of any such offence.

And in order more effectually to prevent the practice of receiving stolen Cattle.

It is enacted that from and after the publication of this Regulation the punishment of knowingly receiving stolen Cattle shall upon conviction thereof before a Provincial Judge, or Sitting Magistrate be imprisoned for a term not exceeding two months.

And it is further enacted that every person or persons having in his or her possession any stolen Cattle shall be deemed and taken to have such Cattle knowing them to be stolen unless he or she shall produce a note signed by the person from whom such Cattle were received or purchased describing the name and place of abode of such person and attested by the Police Vidahn of the Village, from which such Cattle were brought.

Given at Colombo this 5th day of February 1814.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For explaining and amending certain Clauses in the Regulation No. 10 of 1813 entitled a Regulation to consolidate the several Regulations for Collecting Export and Import Duties levied in the Island of Ceylon.*

(*Repealed by Regulation No. 9 of 1815.*)

REGULATION No. 4 of 1814.

[The repealed Enactments relating to the Customs are not published at length.]

## REGULATION.

(*Expired.*)

*For protecting persons resorting to the Pearl Fishery, from Arrest in Civil cases.*

Regulation No. 5 of 1814.

WHEREAS it has been heretofore found expedient in order to encourage the attendance of Merchants and others at the Pearl Fishery on the Coasts of this Island—to protect persons resorting thereto from arrest or process in Civil Cases during the continuance of the Fishery.

It is therefore enacted that during the continuance of the Fishery about to be held at Arippo—No person resorting thither shall be liable either in person or property, to any arrest or process of Law in Civil Cases arising out of claims or transactions not connected with the business of the Fishery.

Provided always that nothing in this Regulation contained shall be construed to effect any process of the Supreme Court of Judicature—or any process of a Criminal nature—or any process founded upon transactions occurring at the Fishery.

Given at Colombo this 5th day of February 1814.

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

(*Annulled by Charter of 18th February 1833.*)

Regulation No. 6 of 1814.

WHEREAS in and by His Majesty's Charter, Establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty-eighth Section thereof, the following power (among others) is given to the said Supreme Court (that is to say) "And, if the cause of action contained in any such Libel or Petition shall be personal and of more amount in value than One Hundred Rix Dollars of Current money of Ceylon, and the Plaintiff by Affidavit, or being a Quaker by Affirmation in writing to be filed on Record, shall satisfy the said Supreme Court of Judicature, that the defendant is justly and truly indebted to him, in a greater sum than One Hundred Rix Dollars, or shall by like Affidavit or Affirmation, to be filed as aforesaid, verify to the satisfaction of the said Supreme Court, a case of such enormous personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Court, to render such Security necessary for the purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon, shall, and is hereby authorized and empowered to award and issue in lieu of the Citation aforesaid, a mandate of arrest, to be prepared in manner abovementioned and directed to the said Fiscal, commanding him to arrest and seize the body of such Defendant, and to have his said body at a time and place in the said mandate to be specified before the said Court, to answer the said Libel or Petition and give sufficient Bail, to be approved of by the said Supreme Court, that he will stand to and perform the sentence of the said Supreme Court upon the premises, and pay all such sum or sums of money as shall hereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal, to deliver the body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, and such Defendant shall appear at the time and place mentioned in such mandate and in all things perform and fulfil the exigence thereof; and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to prison, to the custody of the said Fiscal unless, or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and pay at such sum or sums as shall be decreed thereby; which security we hereby empower the said Court to take, and thereupon to deliver the body of the said defendant upon Bail." And whereas there is no provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in lieu of the said ordinary process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Supreme Court annually, and whereas during such periods, while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial justice, and; above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by Virtue of the powers vested in us by His Majesty. We do hereby enact that in the absence of the said Supreme Court from Colombo, during the Circuit which is now about to be made it shall and may be lawful for the Provincial Judge of Colombo for the time being, in the cases mentioned in the said in part recited Thirty-eighth Section of the said Charter, and he is hereby ordered and directed so

to do upon application made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court to issue Process of arrest against any Defendant or Defendants, in any suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs, therein shall by Affidavit or otherwise to the satisfaction of the said Provincial Judge, furnish proof to shew that such Defendant or Defendants are so vehemently suspected of intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court, as in the Judgment of the said Provincial Judge to render such arrest, and the security consequent thereupon, under the provision of the said Charter, in the said Thirty-eighth Section thereof prescribed necessary for the purposes of Justice—And the Provincial Judge shall in all such cases report his proceedings to the Supreme Court within Twenty-four hours after the said process of arrest shall have issued.

REGULATION No. 6 of 1814.

*Given at Colombo this 2d day of March 1814.*

By Order of the Governor in Council,

JAMES GAY,  
*Sec. to the Council.*

Published By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Regulation No. 13 of 1825.)*

*For Establishing a Commissioners Court at Batticaloa.*

**W**HEREAS various Causes of action have arisen between the Inhabitants of the Town and District of Batticaloa exceeding in amount the Powers of the Sitting Magistrate and not subject to the Cognizance of the Supreme Court of Judicature. REGULATION No. 7 of 1814.

It is hereby enacted and declared that there shall be established at Batticaloa and for the Town and District thereof a Court of Civil Jurisdiction to be called the Commissioners Court which Jurisdiction shall be exercised by such per-son or persons to whom His Excellency the Governor shall from time to time issue a Commission or Commissions for that purpose and the said Court shall have and exercise all the powers and authorities of a Provincial Court, except in the instance of suits relating to the Revenue, within and throughout the Town and District of Batticaloa and shall be subject to the like right of parties deeming themselves aggrieved to appeal to the High Court of Appeal under the rules and conditions established in that behalf by His Majesty's Charter, and subject also to the rules, orders and controul of the said High Court of Appeal in like manner as the Provincial Courts are subject thereto—and with appeal also to the Minor Court of Appeal according to the Regulation in that behalf.

*Given at Colombo this 6th day of August 1814.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

*For preventing the introduction of Arrack & Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon*

**W**HEREAS great excesses and disorder have been excited amongst the Troops in the Garrison of Colombo by the clandestine and illegal introduction of Arrack and Toddy into the Fort by the lower Classes of Natives. REGULATION No. 8 of 1814.

And Whereas the only penalties which at present attach to the commission of such an offence have, owing to the description of Persons by whom it is in general committed, been found wholly ineffectual to prevent its recurrence.

And Whereas it appears upon the Report of those Officers of Government and inferior Magistrates whose immediate Duty it is to ascertain the most effectual means of preventing the commission of such an offence, that the vesting of a limited Power in Magistrates to inflict in such a case a sentence either of fine or of hard labour or of corporal punishment, as the Character and other circumstances of the offender may require, is the only measure of efficacy applicable to the Class of offenders concerned.

And Whereas it is most highly important and absolutely necessary for the preservation of Military discipline and good order in His Majesty's Principal Garrisons throughout this Island, that further restrictions of Police should be provided for that purpose. It is enacted as follows.

1st. That from and after the publication hereof no Arrack or Toddy unless in quantities amounting to at least two Gallons shall on any pretence be brought within or to the posts of the outermost Sentries at any of the following Forts and Fortresses in this Island viz. Colombo, Caltura, Galle, Matura, Batticaloa, Trincomalie, Jallna:atam, Manaar, Calpentyn, and Negombo, without a written License for that purpose from the Officer Commanding such Fort or Fortresses.

2d. That all Arrack and Toddy so brought without the license hereby required shall be confiscated.

REGULATION No. 8 of 1814.

3d. That any Person detected in bringing any Arrack or Toddy in a less quantity than before mentioned, within or to the Posts of the outermost Sentries at any of the said Forts or Fortresses without such written License as before mentioned, shall, on conviction before any Sitting Magistrate having local jurisdiction, be liable to be sentenced by such Magistrate to Pay a fine not exceeding 25 Rix Dollars, or to imprisonment at hard labour for a period not exceeding 2 Months, or to Corporal Punishment by Lashes not exceeding Fifty in number.

Provided always that in the case of any Female being convicted of the offence herein before mentioned, the Magistrate shall not inflict corporal punishment on such Female but shall have the power to sentence her to Pay a fine not exceeding 25 Rix Dollars, or to be imprisoned for a term not exceeding 2 Calendar Months.

*Given at Colombo, this 9th day of August 1814.*

By Order of the Governor in Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Annulled by Charter of 18th February 1833.)*

*For taking away the right of Appeal to the Minor Courts of Appeal in certain Cases.*

Regulation No. 9 of 1814.

**W**HEREAS it is found by experience that the right of appealing to the Minor Courts of Appeal from the decision of the Provincial Judges and Sitting Magistrates in cases of trifling value serves only to encourage petty litigation.

It is therefore enacted that so much of the 5th Regulation of the year 1809 as gives a right of appeal from the Provincial Courts to the Minor Courts of Appeal shall be and it is hereby repealed with respect to all Cases where the Sum or Value appealed for does not exceed Two Hundred Rix Dollars.

And it is further enacted that so much of the said Regulation as gives a right of Appeal from any other Courts of interior Jurisdiction or Magistrates to the said Minor Court of Appeal shall be and it hereby is repealed with respect to all cases where the sum or value appealed for does not exceed 25 Rix Dollars.

Provided always that the remedy of Appeal granted by the said recited Regulation shall not be affected in any case wherein the Title to or Possession of landed property shall directly or indirectly be in question and such cases shall remain subject to Appeal whatever may be their amount.

Provided also that nothing herein contained shall prejudice the right of parties entitled to an Appeal under the said Regulation in any case decided before the promulgation hereof and wherein proceedings in Appeal have actually taken place or may be competent according to the Provisions of the said Regulation.

And as some doubt has arisen whether under the Regulation No. 5 of 1809 the Minor Courts of Appeal may retain a Suit in Appeal before themselves and order direct and receive such additional proof therein as they may think expedient for attaining the ends of Justice, it is further enacted that the said Minor Courts of Appeal may order, direct and receive such additional proof in any case which is brought before them in Appeal as may enable them to decide the same according to Justice and right.

*Given at Colombo this 13th day of August 1814.*

By Order of the Council,

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Expired.)*

*For the relief of Insolvent Prisoners for Debt.*

Regulation No. 10 of 1814.

**W**HEREAS Regulations have from time to time been enacted by authority of His Excellency the Governor in Council for releasing from Gaol persons imprisoned for Debts which they are unable to discharge.

And whereas two years having elapsed since the last insolvent act was passed, it is deemed expedient to pass a Regulation for that purpose, be it therefore enacted and it is hereby enacted by authority of His Excellency the Governor in Council that all such persons who on the 31st of December next shall have been confined in Gaol for any Debt during the period of One year or upwards, shall be discharged from the Custody upon and subject to the following conditions and limitations.

1st. The person so in Custody shall cause to be made out a full and perfect statement of all such Property Moveable and Immoveable as he, or she shall be possessed of or entitled to, or which any person in trust for him or her shall be so possessed of or entitled to, of



1814.]

which statement one copy shall be delivered to each and every Creditor at whose suit such person is detained, at least six days before application for the discharge of such Prisoner, and another Copy shall be delivered to the Judge or Magistrate by whom or by whose authority such Prisoner stands committed, who shall thereupon appoint a day not earlier than six or later than ten from the receipt thereof for the Prisoner to be brought before him to apply for his discharge.

2d. If upon the Prisoner being brought before the Judge or Magistrate on such day, any Creditor or person in behalf of a Creditor shall be able to prove to the satisfaction of the Judge or Magistrate by legal evidence either.

That six days Notice has not been given together with such a statement as is hereby required.

That the Debt was contracted either by means of fraud practised by the Prisoner or by breach of any trust reposed in him or that the Prisoner has concealed or omitted in the statement any property of any kind whatever, save necessary wearing apparel and the instruments of his or her trade or occupation, then and in any of these cases the Prisoner shall not be entitled to any benefit from this Regulation.

3d. But if on the contrary no such Charge is either made or proved, and the Prisoner shall swear to the truth of the statement so delivered to the Creditor and Judge or Magistrate, and shall in the presence of such Judge or Magistrate make and execute an assignment of all the Property contained in such statement (excepting only his or her necessary wearing apparel and the Instruments of his or her Trade or occupation) to his or her Creditor if there be only one, and if more than one to a person to be named by the said Judge or Magistrate as a Trustee for his or her Creditors such Prisoner shall be immediately discharged and shall be no more liable to arrest for the debt for which he or she shall have been so in Custody.

Provided always and be it further enacted that in the case of Prisoners at the suit of Government the statement required by the first clause of this Regulation shall be delivered to the Collector of the District in which such Prisoner is confined, and the day to be appointed by the Judge or Magistrate for bringing such Prisoner before him shall not be later than 30 days after the delivery thereof.

And if upon such day the Collector shall suggest to the Court, by a suggestion in writing to be then received and filed, that there is good cause for excluding the Prisoner from the benefit of this Regulation, further Proceedings shall thereupon be stayed and the Prisoner shall be remanded to Custody for a term not exceeding Two Calendar months in the Districts of Trincomalee and Batticaloa, and in any other District not exceeding one Calendar month, at the end of which time he or she shall be again brought before the Judge or Magistrate and unless a Warrant under the hand and seal of the Governor or Lieutenant Governor of the Island excluding such Prisoner from the benefit of this Regulation shall then be produced and filed the Judge or Magistrate shall proceed as is hereby directed in the case of other Prisoners.

But if such warrant shall be so produced and filed the Prisoner shall be remanded to his former Custody.

Provided nevertheless that if it shall appear expedient to the Judge or Magistrate to postpone the hearing of any Prisoner from the day first appointed he may appoint any further day or days at an interval of not more than twenty from the first day of hearing, before the expiration of which last period he shall proceed as is herein before directed.

But it is hereby declared and enacted, that the future property of every person so discharged shall be and continue liable to such debts until the same shall be fully satisfied, and the following is directed to be the form of the assignment so to be executed by the Prisoner.

"I do hereby assign and make over to \_\_\_\_\_ all the Property moveable or immovable contained in a statement by me delivered upon Oath to the Judge (or Magistrate) of \_\_\_\_\_ this day in pursuance of the Regulation of the 10th day of December 1814, excepting my necessary wearing apparel and the Instruments of my trade or occupation."

And be it further declared and enacted, that such assignment shall not be subject to Stamp Duty, and that this Regulation be forthwith translated as usual, and that one copy in each language be posted and set up within the limits of every Gaol in the Island.

*Given at Colombo, this 10th day of December, 1814.*

By Order of the Council

JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 1 of 1831.)*

*To prevent the fraudulent purchasing of Soldiers Necessaries, Arms & Equipments.*

WHEREAS the fraudulent practice of purchasing from Soldiers their Clothing and other Equipments has of late been very prevalent and the penalties of such Offences enacted by the mutiny Act are not generally or sufficiently known.

*Regulation No. 11 of 1814.*

It is hereby declared and enacted, in pursuance and furtherance of the provisions of the said Act, that if any person shall knowingly detain, buy or exchange or otherwise receive from any Soldier or Deserter or any other person whatever, any Arms, Clothes, Caps or other Furniture belonging to the King, or any such Articles belonging to any Soldier or Deserter, as are generally deemed Regimental Necessaries according to the Custom of the Army being provided for the Soldier and paid for by deduction of his pay, shall on conviction before any Magistrate having local Jurisdiction, be liable to be sentenced by such Magistrate to pay a fine not exceeding 25 Rix Dollars, or to imprisonment at hard labour for a period not exceeding 2 months, or to Corporal Punishment by lashes not exceeding fifty in number.

Regulation No. 11 of 1814.

Provided always that in case of any Female being convicted of the offence herein before mentioned, the Magistrate shall not inflict corporal punishment on such Female but shall have the power to sentence her to pay a fine not exceeding 25 Rix Dollars or to be imprisoned for a term not exceeding Two Calendar months.

Given at Colombo this 10th day of December 1814.

By Order of the Council,

JAMES GAY,  
Sec to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

*For the preventing the Counterfeiting of Coin current in the British Settlements in the Island of Ceylon.*

Regulation No 12 of 1814.

Various Coins Current.

Counterfeiting them prevalent.

Penalty on Counterfeiting such Coins.

Penalty on uttering Counterfeit Coins.

Persons with whom Instruments for Counterfeiting are found.

Liable to a penalty not exceeding Rds. 500 or one year's Imprisonment.

**W**HEREAS a great variety of Monies of Gold Silver and Copper as well those coined in other parts of India as those coined and circulated by the Authority of the British Government are current within these Settlements.

And Whereas the practice of counterfeiting such Current Coins has of late prevailed to a great extent.

It is therefore hereby enacted that the penalty of Counterfeiting Pagodas—Ruppes—Fanams—Fanam-tokens or any Coin whatever usually current in these Settlements, whether issued by the British Government or otherwise, upon conviction thereof before a Court of competent Jurisdiction shall be Transportation for a period not exceeding Seven years.

And it is further enacted that the penalty of uttering or putting into circulation any such counterfeit Coin knowing it to be such, shall be, upon a like conviction, Transportation for a period not exceeding Seven years.

And the better to restrain the practice of counterfeiting such Coin, it is enacted, that if any Punch, Die, Stamp, Matrix or other Instrument or device for counterfeiting any such Coin shall be found in the possession of any person save the Officers employed by Government in the Mint—such person shall upon conviction before a Court of competent Jurisdiction be liable to pay a fine not exceeding Five Hundred Rix Dollars, or to be imprisoned at Hard Labour in Chains, for a term not exceeding one year.

Given at Colombo this 10th day of December 1814.

By order of the Council,

JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

*(Repealed by Regulation No. 12 of 1819.)*

*To prohibit the entertaining of Suits before any Courts of Judicature within the British Settlements in Ceylon on causes of action which have arisen or may hereafter arise in parts of the Island not comprehended within the limits of the British Territories.*

Regulation No. 13 of 1814.

**W**HEREAS Suits have been lately instituted in the Provincial Courts upon causes of action alledged to have arisen in parts of the Island of Ceylon not within the British Settlements—and in which on account of the difficulty of procuring the attendance of Witnesses from such places—justice cannot be duly administered between the parties.

For remedy thereof it is hereby enacted, that no suit shall be entertained in any Court of Judicature within the British Settlements where the cause of action has already arisen or may hereafter arise in any part of Ceylon not within the British Territories.

Given at Colombo this 10th day of December 1814.

By Order of the Council

JAMES GAY  
Sec. to the Council.

By His Excellency's Command

JOHN RODNEY  
Chief Sec. to Govt.

REGULATION.

For regulating the sale and possession of Arms and Ammunition, and for prohibiting the sale, gift or disposal of Horses to Natives of India on Ceylon not subjects of the British Government.

WHEREAS it is essential to the Public Security that the sale and possession of Arms and Ammunition should be subject to strict regulation and restraint and whereas the salutary ordinances of the late Dutch Government in this respect have fallen into disuse.

It is hereby enacted and declared to be unlawful for any person within the British Settlements in this Island to possess any piece of Ordnance or Artillery, mounted or otherwise, without a special license to that effect under the Hand and Seal of His Excellency the Governor for the time being, under a Penalty not exceeding Five Hundred Rix Dollars and the forfeiture of such Ordnance or Artillery.

And it is further enacted, that no person shall, without such license as aforesaid, have in his possession, any Cartridges, Grape or Cannister shot prepared for Ordnance or Artillery, or any bullet of an heavier weight than one Ounce, under a penalty not exceeding one Hundred Rix Dollars for each and every such Cartridge, Grape or Cannister Shot or bullet and the forfeiture of such Ammunition.

And it is further enacted, that no persons excepting His Majesty's Judicial and Civil Servants and the Officers Seamen and Privates of His Majesty's Navy and Army, shall keep any Firelock, Musket, Blunderbuss, Fowling piece, Pistol or other fire arms—or any Halberd, Pike, Sword, Sabre, Krist, Dagger or Sword blade or Pike head, unless the same be duly registered at the Cutcherry of their district and a certificate be given of such registry by the Collector, who shall keep a List of the arms and persons so registered, to be by him returned to the Office of the Chief Secretary at the end of every six months for the information of Government, and every person who shall after the first day of March next have in his possession any such Arms as are herein described, without having registered the same and obtained such Certificate, shall forfeit all such Arms, and for each and every such article found in his possession shall be fined in a sum not exceeding Fifty Rix dollars.

And it is further enacted that no person whatever, excepting the Judicial Civil and Military Servants of His Majesty, shall have, possess, or sell any Gun powder Bullets, Shot, Sulpher, Saltpetre, Flints or other warlike Stores or Ammunition, without license from some person duly authorized by His Excellency the Governor to grant License for that purpose; under a penalty not exceeding 50 Rds. for each and every pound weight of such articles as shall be found in his possession or shall have been sold by him and the forfeiture of the same to His Majesty's use.

Provided always that it shall be lawful to all persons having registered their arms and obtained the Certificate herein before required, to keep a competent quantity of ammunition to be used with their arms in the proportion of 1 lb pound of Gun powder, 4 lbs Pounds of shot or bullets and 4 Flints for each piece of fire arms.

And it is further enacted that no arms or ammunition of any description shall be sold by auction, unless an accurate list thereof shall have been filed at the Cutcherry of the District and the permission of the Collector shall have been previously obtained for such sale, under a penalty not exceeding one Hundred Rix dollars for such neglect to be paid by the Auctioneer and the forfeiture of such arms and ammunition.

And whereas it is necessary to restrain the sale gift or transmission of Horses and arms to persons on this Island not subjects of His Majesty's Government. It is hereby enacted, that if any person whatever shall give, sell or in any wise dispose of, convey or transmit, any Horse, Arms or Ammunition to any Native of India on this Island not being a subject of His Majesty's Government, the person giving selling or otherwise disposing of the same shall be liable to transportation for seven years.

Provided always that nothing herein contained shall be construed to restrain His Excellency or those authorized by him to arm any such persons as he may think fit, or to impugn the undoubted right of His Majesty's Government to disarm any person or persons whatever.

And it is enacted that all and every the penalties herein enacted may be recovered upon conviction before the Provincial Judge or Sitting Magistrate of the District.

REGULATION No. 1 of 1815,

Necessary to regulate and restrain sale and possession of Arms and Ammunitions. Dutch Regulations in disuse.

No persons to possess Ordnance without license.

penalty.

Or Ordnance Ammunition.

penalty.

None but Judicial, Civil and Military Servants.

to have Arms.

unless registered and certified by Collector.

Lists to be returned.

after March 1st.

Persons offending.

liable to penalty.

None but those before accepted to have Ammunition.

without License.

penalty.

Registered persons may keep Ammunition sufficient for their arms.

No Arms or Ammunition to be sold by auction, without permission of Collector being previously obtained. penalty.

Arms not to be sold to persons not subjects.

penalty.

Transportation.

Government may arm or disarm any persons.

Penalties to be recovered before P. J. or S. M.

Deposited in so far as relates to the use of Arms by (ind.) (ind.) 1847.

REGULATION No. 1 of 1815.  
Repeal of former Regulations.

And all former Regulations touching the matters hereby provided for are repealed, especially that of the Dutch Government dated 21st April 1792 and the several prior Ordinances which the same refers to.

Given at Colombo this 30th day of January 1815.

By Order of the Council,  
JAMES GAY,  
Sec. to the Council.

Published By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Repealed by Ordinance No. 5 of 1835.)

Regulation No. 2 of 1815.

**W**HEREAS in and by His Majesty's Charter, establishing the Supreme Court of Judicature in the Island of Ceylon (to wit) in the Thirty Eighth Section thereof, the following Power (among others) is given to the said Supreme Court (that is to say) "and, if the cause of action contained in any such Libel or Petition shall be personal and of more amount in value than One Hundred Rix Dollars of Current money of Ceylon, and the Plaintiff by Affidavit or being a Quaker by affirmation, in writing to be filed on Record, shall satisfy the said Supreme Court of Judicature that the Defendant is justly and truly indebted to him in a greater sum than One Hundred Rix Dollars, or shall by like Affidavit or Affirmation, to be filed as aforesaid, verify to the satisfaction of the said Supreme Court a case of such enormous personal wrong done to the said Plaintiff, or that the said Defendant is so vehemently suspected of intending to flee and withdraw himself from the Jurisdiction of the said Supreme Court, as in the judgement of the said Court, to render such Security necessary for the purposes of Justice, the said Supreme Court of Judicature, in the Island of Ceylon, shall, and is hereby authorized and empowered to award and issue in lieu of the Citation aforesaid, a mandate of arrest, to be prepared in manner above-mentioned and directed to the said Fiscal, commanding him to arrest and seize the Body of such Defendant, and to have his said Body at a time and place in the said mandate to be specified before the said Court, to answer the said Libel or Petition and give sufficient Bail, to be approved of by the said Supreme Court, that he will stand to and perform the Sentence of the said Supreme Court upon the premises, and pay all such Sum or Sums of money as shall thereby be decreed; and the said Supreme Court of Judicature may, in and by the said mandate, authorize the said Fiscal, to deliver the Body of such Defendant so arrested to sufficient Bail, upon their sufficient stipulation and security given, that such Defendant shall appear at the time and place mentioned in such mandate and in all things perform and fulfil the exigence thereof; and upon the appearance of such Defendant in and before the said Supreme Court of Judicature, we do hereby authorize and empower the said Supreme Court to commit him to Prison, to the custody of the said Fiscal, unless or until he shall give security to the satisfaction of the said Supreme Court, to perform the sentence thereof, and Pay all such Sum or Sums as shall be decreed thereby, which security, we hereby empower the said Court to take, and thereupon to deliver the Body of the said Defendant upon Bail." And Whereas there is no provision in the said Charter authorizing the Judge or Judges of the said Supreme Court to issue such mandate of arrest, in lieu of the said ordinary process, while the said Supreme Court is absent from Colombo, during the Circuits, in the said Charter directed to be made or taken by the said Supreme Court annually, and whereas during such periods, while the said Supreme Court is absent from Colombo, cases may and do frequently arise, in which the substitution of a mandate of arrest in lieu of the ordinary Process by Citation is absolutely necessary for the attainment of ultimate and substantial justice, and above all particularly so, where the Defendant may be justly suspected of an intention to flee and withdraw himself from the Jurisdiction of the said Supreme Court.

In order therefore to prevent such failure of Justice, and by Virtue of the powers vested in us by His Majesty. We do hereby enact that in the absence of the said Supreme Court from Colombo on Circuit, it shall and may be lawful for the Provincial Judge of Colombo for the time being, in the cases mentioned in the said in part recited Thirty Eighth Section of the said Charter, and he is hereby ordered and directed so to do upon application made to him for that purpose, by or on behalf of any Suitor or Suitors in the said Supreme Court, to issue Process of arrest against any Defendant or Defendants, in any suit commenced or to be commenced in the said Supreme Court, wherever the Plaintiff or Plaintiffs therein shall by Affidavit or otherwise to the satisfaction of the said Provincial Judge, furnish proof to shew that such Defendant or Defendants are so vehemently suspected of intending to flee and withdraw themselves from the Jurisdiction of the said Supreme Court as in the Judgement of the said Provincial Judge to render such arrest, and the security consequent thereupon under the provision of the said Charter, in the said Thirty Eighth Section thereof prescribed, necessary for the purposes of Justice.—And the Provincial Judge shall in all such cases report his proceedings to the Supreme Court within Twenty four hours after the said process of arrest shall have issued.

Given at Colombo this 30th day of January 1815.

By Order of the Governor in Council,  
JAMES GAY,  
Sec. to Council.

Published by His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## P R O C L A M A T I O N .

**W**HEREAS the Armies of His Majesty the King of Great Britain have occupied and entered into complete possession of the Kandyan Provinces, denominated the Four Korles, the Saffragam Korle, and the Three Korles, and the Chiefs and People of those Provinces have fully and freely surrendered the same and submitted themselves without reserve to His Majesty's Government.

PROCLAMATION 11TH FEBRUARY 1815.

It is hereby published and proclaimed, that the said Provinces of the Four Korles, the Saffragam Korle, and the Three Korles with all their Royal Rights; and Dependencies are become, and they are hereby declared to be, Integral Parts of the British Possessions in the Island of Ceylon, and are henceforth received under the Sovereignty and protection of His Majesty the King of Great Britain.

And whereas many other provinces of the Kandyan Kingdom have been entered and are partially occupied by the British Forces, and many Inhabitants have already joined and are daily assembling round the British Standard.

It is further notified and declared, that the several Commanding Officers of the British Troops in all the aforesaid Provinces, are empowered and directed to afford the fullest protection to all classes, who may submit themselves to the Sovereignty of the British Crown and to defend them in their persons and property against all Foreign and Domestic Enemies. And that it is the firm determination of His Excellency to persevere with the powerful Forces placed under his command, until the legitimate object of the War shall be accomplished, by the deliverance of the Kandyan People from the Tyranny of the existing Ruler, and by receiving them under the parental protection and permanent dominion of His Majesty's Government.

*Head Quarters at Amoonapoorey, on the Heights East of Balani the 11th February 1815.*

By His Excellency's Command,

JAMES SUTHERLAND,  
*Dep. Sec.*

## P R O C L A M A T I O N .

**T**HE Forces of the British Sovereign assembled in the cause of humanity will be careful to respect its rights.

Proclamation 11th February 1815.

In approaching the Capital of a hostile Court, to liberate a suffering people from the grasp of Tyranny, His Excellency the Governor is solicitous to renew the assurances contained in the general Proclamation of the 10th January last, and to provide in the greatest degree possible for the prevention of bloodshed—that the operations of the Troops may be directed against such alone as appear in arms to oppose them—and that all well disposed Inhabitants, of every class and description, may be saved from the danger of adhering to the enemy in the hour of attack.

Precluded by the treacherous policy of the Kandyan Court from all intercourse by messengers, according to the custom of War recognized by nations even the most barbarous, His Excellency has recourse to this mode of testifying his sentiments to the people of the City of Kandy and the Districts in its vicinity.

To the Cingalese, it is only necessary to observe that their emancipation is the leading object of the War.

The Malabars from the Coast of Coromandel as well as the Moors from the same quarter, are by their birth and parentage the natural subjects of His Britannic Majesty, and of the Hon. the East India Company. They are exhorted to keep in mind this bond of Allegiance—and to hold in view the hope of being able (as loyal subjects of the British Empire) to return with safety and protection to their families, relations, friends, and cast, in their native countries under the Hon. Company's Government.

Such safety and protection, with a passport to their country, and every reasonable assistance and support, is hereby offered to them—thus timely, before they become involved in the guilt of actual hostility and armed opposition against the Forces of their lawful Sovereign—neglecting which warning, they will incur the danger of being treated not only as enemies, but as traitors; His Excellency being in possession of a correct list of their names, with the places of their nativity and former residence, and the families to which they belong in the Districts of the Hon. Company.

PROCLAMATION 11TH FEBRUARY 1815.

Whatever other classes of people there may be in the City and environs of Kandy, not being herein specially mentioned, are nevertheless included in the general offer of protection, and invited to place themselves under the British Standard.

Priests of all Religions, their places of worship, and the effects of their Churches, will be held sacred.

Women and children, aged and infirm men, of whatever cast or connection, will remain unmolested, as well as all persons unarmed.

Also the interior of Houses will be respected, together with all property whatever, except Ordnance, Arms, Ammunition, and articles of warlike store or equipment; reserving however to His Excellency the Governor, the power of confiscating to public use, the property of all such persons as shall be found to have acted against the British Army after the publication of this notice.

*Head Quarters at Amoonapoorey on the Heights East of Balani the 11th February 1815.*

By His Excellency's Command,  
JAMES SUTHERLAND,  
*Dep. Sec.*

#### PROCLAMATION.

Proclamation 19th February 1815.

**A** number of Malabars, Relations of the King of Kandy or Dependants upon Him, having dispersed themselves in various directions in consequence of the concentration of the several Divisions of the British Army; and it being probable that many of those persons will proceed towards the Limits of His Majesty's Territories; All Collectors of Districts, Commandants of Forts Garrisons and Posts, Magistrates, and Headmen, are hereby enjoined to cause diligent enquiry and search to be made within the limits of their respective authority for the discovery of Strangers of the above description.

Such who may be found are to be secured and kept in Custody, and conveyed as soon as possible to the principal Military Station of the District in which they may be apprehended—where they are to be delivered in charge to the Officer in Military Command at such principal Station, and detained as Prisoners of War.

Every degree of humanity is to be observed towards the Fugitives which may be consistent with the necessity of using Force to subdue them if resisting, and the coercion which may subsequently be required for keeping their Persons in Security.

Plunder and unnecessary violence are strictly and peremptorily prohibited on pain of His Excellency's severe displeasure.

*Given at the Head Quarters of the British Army in the City of Kandy the 19th February 1815.*

By His Excellency's Command,  
JAMES SUTHERLAND,  
*Dep. Sec.*

#### PROCLAMATION,

*To all Fiscals and others to whom these presents shall come Greeting.*

Proclamation 20th February 1815.

**W**HEREAS a considerable number of Persons committed to the several Gaols of His Majesty's Settlements in the Island of Ceylon by Provincial Judges, Sitting Magistrates and Justices of the Peace under Sentence for Petty Offences or as Vagrants are detained for the Payment of Fines or to find Security for their good behaviour.

And Whereas we are desirous to mark the important success of His Majesty's Arms in the Interior and the happy issue and termination of the Kandyan War, by the liberation of all Prisoners who on the 19th day of the present Month were detained under the aforesaid circumstances in so far as the same may be done without danger to the Public Peace.

Know ye that we the said Governor by virtue of the Authority vested in us for that purpose, do hereby remit to all such Prisoners as above described so much of their respective Sentences as may purport to impose any Fine not exceeding in the Case of any one Prisoner the sum of One Hundred Rixdollars.

And we further remit so much of the Sentences or Commitments of the said Prisoners respectively as may purport to require Security for good behaviour—unless it shall in any Case be verified to the Fiscal by the Oath of two credible Wit-

nesses that the discharge of any Prisoner detained to give Security for His good behaviour would be dangerous to the Public Peace, in which case it shall be lawful for the Fiscal certifying such proof on the back of the Sentence or Commitment to detain such dangerous Prisoner who shall thereupon stand excepted from the benefit of the remission last mentioned and remain liable to find Security as if this Proclamation had not been made.

PROCLAMATION 30TH FEBRUARY 1815.

*Given at the British Head Quarters in Kandy the Twentieth February 1815.*

By His Excellency's Command,

JAMES SUTHERLAND,  
*Dep. Sec. to Govt. Jud. Dept.*

#### OFFICIAL BULLETIN

*British Head Quarters, Kandy 2d March 1815.*

**T**HIS day a solemn conference was held in the Audience Hall of the Palace of Kandy, between His Excellency the Governor and Commander of the Forces on behalf of His Majesty and of His Royal Highness the Prince Regent on the one part, and the Adikars, Dessaves, and other principal Chiefs of the Kandyan Provinces on the other part on behalf of the People, and in presence of the Mohottales, Coraals, Vidaans and other subordinate Headmen from the different Provinces, and a great concourse of Inhabitants.

*Official Bulletin 2d March 1815.*

A Public Instrument of Treaty, prepared in conformity to Conditions previously agreed on, for establishing His Majesty's Government in the Kandyan Provinces, was produced and publicly read in English and Cingalese and unanimously assented to.

The British Flag was then for the first time hoisted and the establishment of the British Dominion in the Interior was announced by a Royal Salute from the Cannon of the City.

All the Troops present in this Garrison were under Arms on the occasion of this important event.

By His Excellency's Command,

JAMES SUTHERLAND,  
*Dep. Sec.*

#### OFFICIAL DECLARATION OF THE SETTLEMENT OF THE KANDYAN PROVINCES.

Led by the invitation of the Chiefs, and welcomed by the acclamations of the people, the Forces of His Britannic Majesty have entered the Kandyan Territory, and penetrated to the Capital—Divine Providence has blessed their efforts with uniform and complete success—the Ruler of the interior Provinces has fallen into their hands, and the Government remains at the disposal of His Majesty's Representative.

In this sacred charge, it is his earnest prayer, that the power which has vouchsafed thus far to favour the undertaking may guide his counsels to a happy issue, in the welfare and prosperity of the people, and the honour of the British Empire.

Under circumstances far different from any which exist in the present cases, it would be a duty, and a pleasing one, to favor the re-establishment of a fallen Prince, if his dominion could be fixed on any principles of external relation compatible with the rights of the neighbouring Government, or his internal rule in any reasonable degree reconciled to the safety of his subjects.

But the horrible transactions of the fatal year 1803, forced upon the recollection by many local circumstances and by details unknown before,—the massacre of 150 sick Soldiers lying helpless in the hospital of Kandy, left under the pledge of public faith, and the no less treacherous murder of the whole British Garrison commanded by Major Davie, which had surrendered on a promise of safety, impressed upon the Governor's mind an act of perfidy unparalleled in civilized warfare, and an awful lesson recorded in characters of blood, against the momentary admission of future confidence—while the obstinate rejection of all friendly overtures, repeatedly made during the intermission of hostilities has served to evince an implacable animosity destructive of the hope of a sincere reconciliation.

Of this animosity a daring instance was exhibited in the unprovoked and barbarous mutilation of ten innocent subjects of the British Government, by which seven of the number lost their lives—a measure of defiance calculated and apparently intended, to put a final negative to every probability of friendly intercourse.

OFFICIAL BULLETIN 2D  
MARCH 1815.

If therefore in the present reverse of his fortunes and condition, it may be presumed the King would be found more accessible to negotiation than in former times—what value could be set on a consent at variance with the known principles of his reign? or what dependence placed on his observance of conditions which he has hitherto so perseveringly repelled?

Still less could the hope for a moment be entertained, that any conditions of safety were capable of being established on behalf of the Inhabitants, who had appealed to His Majesty's Government for Protection, and yet more hopeless the attempt to obtain pardon or safeguard for the Chiefs, who had deemed it a duty paramount to every other obligation, to become the medium of that appeal.

How far their Complaints have been groundless, and their opposition licentious, or on the contrary their grievances bitterly and intolerably real, may now be judged by Facts of unquestionable authenticity.

The wanton destruction of human life comprizes or implies the existence of general oppression—In conjunction with that, no other proofs of the exercise of Tyranny require to be specified—and one single instance, of no distant date, will be acknowledged to include every thing which is barbarous and unprincipled in public Rule, and to portray the last stage of individual depravity and wickedness, the obliteration of every trace of conscience, and the complete extinction of human feeling.

In the deplorable Fate of the Wife and Children of Eheylapola Adikar these assertions are fully substantiated—in which was exhibited the savage scene of four Infant Children, the youngest torn from the Mother's Breast, cruelly butchered, and their Heads bruized in a Mortar by the Hands of their Parent—succeeded by the execution of the Woman herself, and three females more—whose limbs being bound, and a heavy stone tied round the neck of each, they were thrown into a Lake and drowned.

It is not however, that under an absolute Government unproved suspicion must usurp the place of fair Trial, and the fiat of the Ruler stand instead of the decision of Justice; it is not that a rash violent or unjust Decree, or a revolting mode of Execution, is here brought to view, nor the innocent suffering under the groundless imputation of Guilt; but a bold contempt of every principle of Justice, setting at nought all known grounds of Punishment, dispensing with the necessity of accusation, and choosing for its victims, helpless Females uncharged with any offence, and Infants incapable of a crime.

Contemplating these atrocities, the impossibility of establishing with such a man any civilized Relations either of Peace or War, ceases to be a subject of regret; since His Majesty's Arms, hitherto employed in the generous purpose of relieving the oppressed, would be tarnished and disgraced by being instrumental to the restoration of a Dominion, exercised in a perpetual outrage to every thing which is sacred in the constitution or functions of a legitimate Government.

On these grounds His Excellency the Governor has acceded to the wishes of the Chiefs and People of the Kandyan Provinces, and a convention has in consequence been held, the result of which the following public Act is destined to record and proclaim.

#### PROCLAMATION.

Proclamation 2d March 1815.

AT a convention held on the second day of March in the year of Christ 1815, and the Cinhalese year 1736 at the Palace in the City of Kandy, between His Excellency Lieut. General ROBERT BROWNING Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon, acting in the name and on behalf of His Majesty GEORGE the Third King, and His Royal Highness GEORGE Prince of Wales Regent, of the United Kingdom of Great Britain and Ireland on the one part, and the Aligars, Dessaves and other principal Chiefs of the Kandyan Provinces on behalf of the Inhabitants, and in presence of the Mohottales, Coraals, Viduans and other subordinate Headmen from the several provinces and of the people then and there assembled on the other part, it is agreed and established as follows:

1. That the Cruelties and oppressions of the Malabar Ruler in the arbitrary and unjust infliction of bodily tortures and the pains of Death without Trial and sometimes without an accusation or the possibility of a crime, and in the general contempt and contravention of all Civil Rights have become flagrant, enormous and intolerable, the acts and maxims of His Government being equally and entirely devoid of that Justice, which should secure the safety of his subjects, and of that good faith which might obtain a beneficial intercourse with the neighbouring settlements.

2. That the Rajah Sri Wikreme Rajah Sinha by the habitual violation of the chief and most sacred duties of a Sovereign, has forfeited all claims to that title or



the powers annexed to the same, and is declared fallen and deposed from the Office of King—His family and relatives whether in the ascending, descending or collateral line, and whether by affinity or blood are also for ever excluded from the Throne—and all claim and title of the Malabar race to the dominion of the Kandyan Provinces is abolished and extinguished.

3. That all male persons being or pretending to be relations of the late Rajah Sri Wikreme Rajah Sinha either by affinity or blood, and whether in the ascending descending or collateral line, are hereby declared enemies to the Government of the Kandyan Provinces and excluded and prohibited from entering those Provinces on any pretence whatever, without a written permission for that purpose by the authority of the British Government under the pains and penalties of Martial Law, which is hereby declared to be in force for that purpose—and all male persons of the Malabar cast now expelled from the said Provinces are under the same penalties prohibited from returning except with the permission before mentioned.

4. The Dominion of the Kandyan Provinces is vested in the Sovereign of the British Empire, and to be exercised thro' the Governors or Lieut. Governors of Ceylon for the time being and their accredited Agents, saving to the Adigars, Dessaves, Mohottals, Coraels, Viddans and all other Chief and subordinate Native Headmen, lawfully appointed by authority of the British Government, the Rights, Privileges and Powers of their respective offices, and to all classes of the people the safety of their persons and property, with their Civil rights and immunities, according to the laws, institutions and customs established and in force amongst them.

5. The Religion of Boodho professed by the Chiefs and Inhabitants of these Provinces is declared inviolable, and its Rites, Ministers and Places of worship are to be maintained and protected.

6. Every species of bodily torture, and all mutilation of limb, member or organ, are prohibited and abolished.

7. No Sentence of Death can be carried into execution against any inhabitant except by the written Warrant of the British Governor or Lieutenant Governor for the time being, founded on a Report of the case made to him thro' the accredited Agent or Agents of the Government resident in the Interior, in whose presence all trials for Capital offences are to take place.

8. Subject to these Conditions, the administration of Civil and Criminal Justice and Police over the Kandyan Inhabitants of the said Provinces is to be exercised according to established forms and by the ordinary authorities. Saving always the Inherent Right of Government to redress grievances and reform abuses in all instances whatever, particular or general, where such interposition shall become necessary.

9. Over all other persons Civil or Military residing in or resorting to these Provinces not being Kandyans, Civil and Criminal Justice together with Police, shall, until the pleasure of His Majesty's Government in England may be otherwise declared, be administered in manner following.

1st. All persons, not, being Commissioned or Non Commissioned Military Officers, Soldiers or followers of the Army usually held liable to Military Discipline, shall be subject to the Magistracy of the accredited Agent or Agents of the British Government in all cases except charges of Murder, which shall be tried by special Commissions to be issued from time to time by the Governor for that purpose. Provided always as to such Charges of Murder wherein any British Subject may be defendant, who might, be tried for the same by the Laws of the United Kingdom of Great Britain and Ireland in force for the Trial of offences committed by British Subjects in foreign parts, no such British Subject shall be tried on any Charge of Murder alledged to have been perpetrated in the Kandyan Provinces, otherwise than by virtue of such Laws of the United Kingdom.

2nd. Commissioned or Non Commissioned Military Officers, Soldiers or followers of the Army usually held amenable to Military Discipline, shall in all Civil and Criminal Cases wherein they may be defendants be liable to the Laws, Regulations and Customs of war, reserving to the Governor and Commander in Chief in all cases falling under this ninth Article, an unlimited right of review over every proceeding, Civil or Military, had by virtue thereof, and reserving also full power to make such particular provisions conformably to the general spirit of the said Article as may be found necessary to carry its principle into full effect.

10. Provided always that the operation of the several preceding clauses shall not be contravened by the Provisions of any temporary or partial Proclamation

PROCLAMATION BY MAJOR  
1815.

published during the advance of the army; which provisions, in so far as incompatible with the said preceding articles, are hereby repealed.

11. The Royal Dues and Revenues of the Kandyan provinces are to be managed and collected for His Majesty's use and the support of the Provincial Establishment according to lawful custom and under the direction and superintendance of the accredited Agent or Agents of the British Government.

12. His Excellency the Governor will adopt provisionally and recommend to the confirmation of His Royal Highness the Prince Regent in the name and on behalf of His Majesty such Dispositions in favor of the trade of these Provinces, as may facilitate the Export of their products, and improve the Returns, whether in Money, or in Salt, Cloths, or other Commodities, useful and desirable to the Inhabitants of the Kandyan Country.

By His Excellency's Command,

JAMES SUTHERLAND.

*Dep. Sec.*

### REGULATION.

*Regulation No. 3 of 1815.*  
To obviate the want of small  
change Dutch Challies to be issued.

**W**HEREAS it is the intention of His Excellency the Governor to direct that in order to relieve the difficulty of obtaining small Change a quantity of the Dutch Copper Coin called Challies formerly current at the rate of sixteen to the Fanam should be forthwith put into circulation.

Necessary to adjust the value  
of such Challies with reference  
to other Coin in circulation.

And whereas since the time in which the said Coin called Challies were in general circulation Changes have taken place in the standard of Colonial Currency which have altered their relative value with respect to other Coin and it is therefore expedient in order to prevent fraudulent exportation to adjust the value of the said Challies with reference to such changes.

To pass current at the rate of  
12 to one Fanam.

It is therefore declared and commanded by His Excellency that from and after the publication hereof the said Challies now to be issued and all Challies of Dutch Coinage in circulation shall pass current at the rate of Twelve Challies to the Fanam and that they shall be received and taken at that rate in all accounts and payments.

*Given at Colombo, this 15th day of April 1815.*

By order of the Council,

JAMES GAY,

*Sec. to the Council.*

By His Excellency's Command

JOHN RODNEY,

*Chief Sec. to Govt.*

To be proclaimed in the Kandyan Provinces.

By Order of His Excellency the Governor

JAS. SUTHERLAND

*Sec. Kand. Provs.*

### REGULATION.

*(Repealed by Ordinance No. 4 of 1836.)*

*To extend the term of making returns by Butchers under the Third Regulation of the Year 1814.*

*Regulation No. 4 of 1815.*

**W**HEREAS by the third Regulation of the Year 1814, it is required that every licensed Butcher within the Gravets of Colombo, Galle, Matura, Trincomalie and Jaffna should make the returns therein required on every Monday.

And Whereas it is expedient to permit a longer term to elapse between such returns.

It is hereby enacted that such returns shall in future be made on the first Monday in each Month.

*Given at Colombo this 13th day of May 1815.*

By Order of the Council,

JAMES GAY,

*Sec. to the Council.*

Published by His Excellency's Command

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by Charter of 18th February 1833.)**For preserving the Police of the Naval Establishment at Trincomalie.*

WHEREAS it is necessary to provide for the police of the Naval establishment at Trincomalie by giving to the Commissioner of the Navy at that station or in his absence the Naval Officer the powers of a Justice of the Peace.

REGULATION No. 5 of 1815.

It is hereby enacted and declared that the Commissioner of the Navy while resident at Trincomalie and in his absence the Naval officer at the same station shall be a Justice of the Peace for the purpose aforesaid and shall have and exercise in respect of the Police of the Naval establishment the several powers of a Justice of the Peace on and over all and every person employed or acting in or under the Naval establishment, and he is hereby authorized to inflict punishment upon offenders duly convicted before him not exceeding Fifty lashes or a fine of Fifty Rds. or an imprisonment of Two months.

*Given at Colombo, this 22nd day of July 1815.*

By Order of the Council

JAMES GAY  
Sec to Council.

By His Excellency's Command

JOHN RODNEY  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 13 of 1843.)**Regulation for the better Police for the Town Fort of Manar and its Gravets.*

1st. THE said Town and Gravets shall be divided according to the Schedule hereunto annexed for the purposes of this Regulation.

REGULATION No. 6 of 1815.

2d. There shall be for each of the said divisions within the pettah a Constable to be appointed by the Sitting Magistrate and for each Division within the gravets, a Police Vidahn to be appointed by the Collector.

3d. Each Constable or Police Vidahn shall have the power of taking up any suspicious persons who may appear in his division after sunset, and shall send such person to the nearest Military guard, which shall have the necessary orders for receiving such persons and in like manner the Constable or Police Vidahn shall be empowered to seize all persons troubling the public repose in any manner whatsoever either by day or by night.

4th He shall have power after sunset to search suspected houses upon complaint made to him, and to take up persons against whom a complaint is made, and in case of urgency shall afford assistance to any body in his division either by day or by night.

5th. He shall have the power of demanding and enforcing entrance at any time into any house of his division upon information of disorderly persons being there or improper conduct going forward.

6th. He shall keep a list of all the inhabitants of his division in which shall be included all the persons composing the family and servants of each house, and any person removing from one Division to another or from one house to another of the same Division shall within twenty four hours inform the Constable or Police Vidahn of the Division from which, and to which he removes, of his removal, any increase, diminution or change in the number of persons of his household shall also be reported, to the Constable or Police Vidahn of the Division.

7th. The Constable or Police Vidahn shall take up all vagrants in his Division, and take care that no beggars infest the streets, nor be allowed to beg without certificate of the Constable, Police Vidahn, and headman of his Division.

8th, He shall report to the Magistrate all disorderly houses and disorderly persons.

9th. He shall be overseer of the Patrole of his Division who are bound to obey him.

10th. Two or three Divisions may be joined together if more convenient to form a Patrole every night from 9 o'clock till 5 in the morning.

N. B. The arrangements of different Patrols may be made by the Constable and Police Vidahns subject however to the approval of the Magistrate.

11th. The Patrole shall allow no persons whatever to pass along the Streets after 9 o'clock without a light, much less permit people to sleep in the Streets.

12th. No person shall harbour a stranger without giving notice of it to the Constable or Police Vidahn of his Division, to whom he shall also report his departure.

13th. When a thief is discovered, or in any other pressing emergency the Constable or Police Vidahn may call upon his neighbours and the neighbouring Constables or Police Vidahns to assist him, who shall obey his Summons or attend at the sound of the Rattle with which the Constables and Police Vidahns shall be furnished for the purpose of alarm.

14th. Each Constable and Police Vidahn shall appear before the Sitting Magistrate on the first day of each month, and make a report in writing of all material occurrences, but where none such shall have taken place, he shall be allowed to send his report,—this is not meant to preclude any Constable or Police Vidahn from having more frequent communication with the Magistrate, if necessary.

## RESOLUTION No. 6 of 1815.

15th. Any Constable or Police Vidahn who shall annoy vexatiously and without reason any person, under a pretence of zeal for the Police shall be liable to punishment by the Provincial Judge, Sitting Magistrate or Justice of the Peace.

16th. No person shall give or receive, in pawn, any articles whatsoever without first shewing the same to the Constable or Police Vidahn of his Division.

17th. Any person who shall discover and bring to conviction any one having received goods in Pawn, who had not shewn the same to the Constable or Police Vidahn of his Division, shall have 5 per cent on the amount of the said property.

18th. All Gold, Silver and Copper goods, which are bought, shall be shewn by the purchaser to the Constable or Police Vidahn of the division, with the exception of those bought at public auction—It is prohibited to purchase any goods whatsoever after sunset from persons who offer them for sale at the doors.

19th. Silver Smiths, Gold Smiths and Brass founders are to give security for their good behaviour to the Sitting Magistrate, and shall not melt down any wrought gold, silver or brass, without having shewn the same to the Constable or Police Vidahn of their divisions.

20th. All Gambling places, not licensed, to be abolished, and no person of whatever description, shall be allowed to Gamble either in the Streets or under the Varandas or Piazzas of houses in any manner whatsoever.

21st. The Constable or Police Vidahn shall be entitled to 10 per cent on all property whatsoever which he may discover and recover, and in like manner five per cent shall be given to persons who shall be the means of recovering and restoring to the owner his stolen property.

22d. All persons receiving goods to keep for others shall give immediate notice to the Vidahn of their division.

23d. All houses and Gardens shall be encompassed with Walls or good hedges, and be cleared of Brush and underwood within, in order to prevent the concealment of thieves—this to be completed in three Months.

24th. All Cattle found straying loose in the Streets of the Pettah after sunset, shall be seized and lodged in a pound to be constructed for that purpose—and the owners thereof shall be fined six fanams for each Buffaloe, or Bullock, or Cow so found, and seized, and one fanam per diem additional for every day that the animal may remain in pound after being seized, and should the owner not appear to claim his property and pay the said fine, &c. within twelve full days from the time of seizure and pouncing, then the animal to be sold and the price thereof after deducting the fine and expenses of keeping to go to Government.

25th. All Pigs found straying within the Gravets shall be forfeited and may be seized and killed by any person whatever.

26th. Every person killing a Pig under the authority of the above clause shall give immediate notice to the Constable or Police Vidahn of the Division, who shall thereupon cause the carcase to be sold by public Auction.

27th. Out of the produce of such Sale the Constable or Police Vidahn shall pay to the person killing each Pig two Fanams, and shall pay over the remainder into the Office of the Sitting Magistrate who is to account for the same to Government.

28th. That the owner of any Pig found straying within the said limits shall be liable to a fine of One Rix Dollar to be recovered before the Sitting Magistrate, and in case of such fine not being paid to One Week's imprisonment.

29th. Any person laying down dirt rubbish or filth of any sort in the public streets or roads, or in view of the public streets, or roads—shall upon proof thereof upon oath before the Sitting Magistrate be fined two Rix Dollars, or in default of payment thereof suffer fourteen days imprisonment.

30th. All dirt, rubbish and filth shall be deposited in places to be pointed out by the Constable or Police Vidahn of each district under the order of the Sitting Magistrate.

31st. Every householder is bound to remove all filth, rubbish and dirt from before his or her house to such place as shall be pointed out by the Constable or Police Vidahn of the District.

32d. If any householder shall, after notice given by the Constable or Police Vidahn of his division, neglect for one hour to remove such filth, rubbish and dirt from before his house, he or she shall be fined two Rix Dollars, or in default of payment shall suffer fourteen days imprisonment and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt, and having proved before the Sitting Magistrate the amount of the Cost or so doing, he shall be entitled to levy the same by sale of the offenders goods under the Warrant of the Sitting Magistrate.

33d. Persons indecently exposing themselves within sight of the public streets or roads, shall upon proof made before the Magistrate by one credible witness be fined two Rix Dollars (half thereof to be paid to the person giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

34th. The Magistrate shall be aiding and assisting the Constables and Police Vidahns in the execution of their functions against all persons whomsoever, who shall resist their authority,

35th. They shall inform themselves in what manner the inhabitants of their respective divisions provide for their subsistence, in order to be able to inform the Magistrates thereof on enquiry.

36th. The discharging of Fire arms in the Pettah is strictly prohibited; as also the letting off fireworks without a special permission of the Sitting Magistrate in writing.

37th. In case of fire, the Constables and Police Vidahns shall use their utmost endeavours to cause the same to be extinguished, the first who shall have notice thereof shall give the alarm, which shall be re-repeated by all the other Constables and Police Vidahns, when the Inhabitants shall come out of their houses and under the direction of the Constables and Police Vidahns afford the necessary assistance both by themselves and by sending their male servants and slaves where the fire is.

38th. The Constables and Police Vidahns shall pay great attention that the Butchers keep the places where they kill Cattle always clean, and that the offal be removed so as not to infect the air.

39th. That they shall also see whenever any buildings are erected that the Roads or Streets be not encroached upon, and if any encroachment is attempted shall report the same to the Sitting Magistrate.

40th. All persons finding any property shall forthwith bring it to the Constable or Police Vidahns who are required to report the circumstance to the Magistrate, and such finder, if no fraud appear on his part shall receive from the owner of the property one-tenth of the value, and if no claim be made for 6 months, one-third.

41st. Every Dhoney whether used for the purpose of fishing, conveying fire wood or water carriage of any description shall be numbered and registered at the office of the Sitting Magistrate, in the name of the person or persons to whom it belongs, this register to specify the number of persons she is capable of employing.

42d. All persons whether of the fisher cast or otherwise who follow the occupation of fishermen shall register their names and places of abode in the Sitting Magistrates Office, if proprietors of Dhoneys either solely or jointly they shall register the number of the Dhoney and the proportion of their respective share in it.

Given at Colombo this 22d day of July 1815.

By Order of the Council,

JAMES GAY,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

Schedule referred to in the Regulation of Government No. 6 A. D. 1815.

No. of Division.	Bounded on the	Limits of Division.	
Main Street Pettah.	1	N. 1st Cross Street. E. Main Street. S. Small Road. W. Back Street.	
	2	N. 2d Cross Street. E. Main Street. S. 1st Cross Street. W. Back Street.	
	3	N. 3d Cross Street. E. Main Street. S. 2d Cross Street. W. Back Street.	
	4	N. 4th Cross Street. E. Main Street. S. 3d Cross Street. W. Back Street.	
	5	N. Plain. E. ditto. S. ditto. W. Main Street.	
	6	N. Plain. E. Main Street. S. Plain. W. ditto.	
	Kerhof Street.	7	N. Small Road. E. Main Street. S. Small Road. W. Back Street.
		8	N. Small Road. E. Main Street. S. Small Road. W. ditto.
		9	N. ditto. E. Plain. S. Small Road. W. Main Street.
		10	N. Small Road. E. Plain. S. Small Road. W. Main Street.

REGULATION No. 6 of 1815.

Oilmongers Street.	11	}	"	"	N.	Church yard.		
			"	"	E.	Small Road.		
			"	"	S.	Plain.		
			"	"	W.	Small Road.		
			"	"	N.	Plain.		
			12	}	"	"	E.	Bazar.
					"	"	S.	Shroff's House.
					"	"	W.	Small Road.
					"	"	N.	Shroff's House.
					"	"	E.	Small Road.
			13	}	"	"	S.	Back Street.
"	"	W.			Small Road.			
"	"	N.			Bazar Road.			
Bazar Street.	14	}	"	"	E.	Plain.		
			"	"	S.	Back Road.		
			"	"	W.	Small Road.		
			"	"	N.	Back Road.		
			"	"	E.	Plain.		
15	}	"	"	S.	Sea Shore.			
		"	"	W.	Small Road.			
		"	"	N.	Small Road.			
16	}	"	"	E.	Small Road.			
		"	"	S.	Sea Shore.			
		"	"	W.	Plain.			
17	}	"	"	N.	Small Road.			
		"	"	E.	ditto.			
		"	"	S.	Bazar.			
Parawa Village.	18	}	"	"	W.	ditto.		
			"	"	N.	Church.		
			"	"	E.	House of Santiago Martingoe.		
Moor Street.	19	}	"	"	S.	Jungle.		
			"	"	W.	ditto.		
			"	"	N.	Plain.		
Canareen Washer-men's Street.	20	}	"	"	E.	Road.		
			"	"	S.	Plain.		
			"	"	W.	ditto.		
21	}	"	"	N.	ditto.			
		"	"	E.	ditto.			
		"	"	S.	Road.			
22	}	"	"	W.	Sea Shore.			
		"	"	N.	ditto.			
		"	"	E.	Jungle.			
			"	"	W.	ditto.		
			"	"	N.	Sea Shore.		
			"	"	E.	Road.		
			"	"	S.	Mr Werkmeester Paddy field.		
			"	"	W.	Nedoen Collon.		

JAMES GAY,  
Sec. to Council.

REGULATION.

*For facilitating the Marriages of Native Protestants.*

Regulation No. 7 of 1815.

Preamble.

Warrant to celebrate Marriages.

Marriages so celebrated to be valid.

Forms now in use to be observed.

Marriages already celebrated by Missionaries legal.

**W**HEREAS the number of persons at present authorized to perform the Ceremony of Marriage in this Colony is insufficient to afford due opportunity to the Native Protestants to unite themselves in Matrimony.

For remedy thereof, It is hereby enacted, that it shall be lawful for the Governor or Lieutenant Governor of the British Settlements in the Island of Ceylon to appoint by Warrants to that effect such further number of persons as may be necessary for the said purpose.

And all Marriages of persons known by the description of Natives and professing the Protestant Religion—which have been heretofore or may hereafter be celebrated within the Island of Ceylon by persons who have been heretofore or may hereafter be authorized and appointed to that effect by the Governor or Lieutenant Governor for the time being shall be legal and valid to all intents and purposes.

And it is hereby enacted that all such Marriages shall be celebrated according to the Forms now lawfully used.

And whereas many Native Protestants have been married in different parts of the British Possessions of this Island by the several Missionaries resident therein, it is hereby enacted that all such Native Protestants as have been married by the said Missionaries before the date of this Regulation shall be deemed to have been legally married.

Given at Colombo this 25th day of August 1815.

By Order of the Council,

JAMES GAY,

Sec. to the Council.

Published by His Excellency's Command,

JOHN RODNEY,

Chief Sec. to Govt.

REGULATION.

(*Expired.*)

WHEREAS a contagious distemper of a very destructive nature prevails at present amongst the Cattle in the District of Chilaw—and it is necessary to prevent the spreading of the infection into other Districts.

REGULATION No. 8 of 1815.

It is enacted that for the space of 40 days next ensuing the date of this Regulation, no Cattle whatsoever shall be permitted to pass out of the said District of Chilaw and that any person conveying any Cattle from the said District into any other district shall upon conviction before any Sitting Magistrate forfeit a Sum not exceeding 20 Rix dollars for each and every head of Cattle so conveyed.

Given at Colombo this 21st day of October 1815.

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

Published by His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

*For the better Collection of Import and Export duties—and repealing all former Regulations relating thereto.*

(*Repealed by Regulation No 6 of 1820.*)

[The repealed Enactments relating to the Customs are not published at length.]

Regulation No-9 of 1815.

REGULATION.

(*Expired.*)

*For protecting persons resorting to the Pearl Fishery, from Arrest in Civil Cases.*

WHEREAS it has been heretofore found expedient in order to encourage the attendance of Merchants and others at the Pearl Fishery on the Coasts of this Island, to protect persons resorting thereto from arrest or process in Civil Cases during the continuance of the Fishery.

Regulation No. 1 of 1816.

It is therefore enacted that during the continuance of the Fishery about to be held at Arippe no person resorting thither shall be liable either in person or property, to any arrest or process of Law in Civil Cases arising out of claims or transactions not connected with the business of the Fishery.

Provided always that nothing in this Regulation contained shall be construed to affect any process of the Supreme Court of Judicature—or any process of a Criminal Nature—or any process founded upon transactions occurring at the Fishery.

Given at Colombo this 3rd day of February 1816.

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

Published by His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

(*Repealed by Regulation No. 15 of 1820.*)

*For Regulating the administration of Justice in Criminal proceedings, before Provincial Judges, Sitting Magistrates and Justices of the Peace.*

WHEREAS it is necessary to regulate the practice in Criminal proceedings before inferior Courts—particularly with respect to charges of Perjury, Prevarication and contempt of Court.

Regulation No. 2 of 1816.

It is hereby enacted, that no charge of Perjury, Prevarication or Contempt of Court alleged to have been committed before a Provincial Judge, Sitting Magistrate, or Justice of the Peace shall be tried by such Judge, Magistrate, or Justice—but in every Case where such a Charge shall have been made—the evidence thereof shall be transmitted to His Majesty's Advocate Fiscal for his decision whether such accusation is fitting to be tried before the Supreme Court or referred to an inferior Jurisdiction—and in case it shall be so referred, the said accusation shall be tried by the nearest Court of such Jurisdiction to that in which the offence is alleged to have taken place, always excepting as aforesaid that in which it is charged to have been committed.

And it is enacted that no Contempt of Court committed before a Provincial Judge, Sitting Magistrate or Justice of the Peace shall subject the offender to Corporal punishment by Lashes.

Provided always that nothing herein shall be construed to extend to or in any wise affect the proceedings or authority of the Supreme Court.

Given at Colombo this 17th day of February 1816.

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

(Repealed by Ordinance No. 2 of 1836.)

For establishing Measures according to a fixed Standard.

REGULATION No. 3 of 1816-

WHEREAS it is conducive to the public advantage that the Measures in use should be regulated by a fixed standard easily obtained and generally understood.

And whereas His Excellency the Governor has been pleased to approve of a standard for Measures fixed and determined upon after many trials and deliberate consideration—the said standard being adjusted with the most minute precision according to the metal standard Parrah employed by the late Dutch Government of this Island.

It is hereby enacted that the said standard measure in its several proportions and subdivisions shall be the legal standard measure in all transactions within the Island of Ceylon.

And in order that the said standard shall be generally known and understood it is hereby declared to be founded upon the measure called a Parrah being in its clear dimensions a perfect cube—of which the length, depth and breadth shall be as marked in Table A hereunto annexed.

The Parrah is divided into twenty four Seers—each Seer being in its clear dimensions a perfect cylinder of a depth equal to its diameter—the depth and diameter being as marked in Table B. hereunto annexed.

And for further convenience the Parrah is divided into Subdivisions of the half parrah and the quarter parrah—being cubes of the dimensions noted in Table A. before referred to.

The Seer is divided into subdivisions of the half Seer and quarter Seer—the same being cylinders of the depth and diameter specified in Table B. abovementioned.

And it is hereby declared and enacted that the legal contents of such measures in all transactions shall be those remaining in the measure level with the rim or edge after the same shall have been struck or cut by a strait rod or strike mounted with Iron, resting upon the edges—and that in no case shall it be lawful to demand that any such measure shall be heaped or added to.

And in order that the relative proportions of the said measures to each other and to the measures of greater dimensions may be generally understood—the Table marked C. is hereunto annexed.

And in order to accommodate the public with standard measures by which all others may be regulated. His Excellency has been pleased to direct that a sufficient number of such measures shall be prepared for general distribution at the rates specified in the Table marked D.

And His Excellency has further directed that a set of Brass Standard rods or gauges adapted to those several Measures shall be lodged at each Cutcherry in this Island to be referred to in case of dispute or difficulty, which shall be considered as the legal Standard.

And it is further enacted that this Regulation shall take effect throughout the Island from the 1st day of May next ensuing.

Given at Colombo this 17th day of February 1816.

By Order of the Council,  
JAMES GAY,  
Sec. to the Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

TABLES referred to in Regulation of Government No. 3 A. D. 1816.

TABLE A.

Internal dimensions of a Parrah and its Subdivisions.

	Length	Depth	Breadth
Parrah.....	11 $\frac{57}{100}$ inches	11 $\frac{57}{100}$ inches	11 $\frac{57}{100}$ inches
Half Parrah.....	9 $\frac{18}{100}$ inches	9 $\frac{18}{100}$ inches	9 $\frac{18}{100}$ inches
Quarter Parrah.....	7 $\frac{28}{100}$ inches	7 $\frac{28}{100}$ inches	7 $\frac{28}{100}$ inches.

TABLE B.

Internal dimensions of a Seer and its Subdivisions.

	Depth	Diameter
Seer.....	4 $\frac{35}{100}$ inches	4 $\frac{35}{100}$ inches
Half Seer.....	3 $\frac{45}{100}$ inches	3 $\frac{45}{100}$ inches
Quarter Seer.....	2 $\frac{73}{100}$ inches	2 $\frac{73}{100}$ inches

TABLE C.

Cut Seers.	Cut Parrahs.	Ammonams.	Lasts.	Garce.
24	1	1		
192	8	9 $\frac{1}{2}$	1	
1800	75	95	2. 2-2rd	1
4800	200			

TABLE D.

The Parrah.....	Rds. 6 6 0
Half Parrah.....	" 4 6 0
Quarter Parrah.....	" 3 6 0
The Seer.....	" 0 9 0
Half Seer.....	" 0 7 0
Quarter Seer.....	" 0 4 0

Each Measure will be accompanied with a Strike mounted with Iron, to prevent all disputes about the cutting.

JAMES GAY,  
Sec. to the Council.



REGULATION.

(*Expired.*)

*To forbid the slaughtering of female Cattle for the ensuing twelve Months.*

**W**HEREAS an extensive mortality has taken place amongst the horned Cattle in His Majesty's Maritime Settlements in this Island, and it is expedient to adopt measures to recruit the Stock now remaining.

It is enacted that it shall not be lawful during the twelve months next ensuing the publication of this Regulation to slaughter any Cow or Cow Calf or female Buffalow old or young, within the said Maritime Settlements.

And it is further enacted that any person transgressing this Regulation, shall be liable on conviction to a penalty not exceeding fifty Rixdollars, one half whereof to be paid to the Party or Parties prosecuting to conviction.

*Given at Colombo this 24th day of February 1816.*

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

Published by His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 4 of 1816.

REGULATION.

*For prohibiting the use of pointed Knives amongst the Native Cingalese of the Maritime Provinces of this Island.*

**W**HEREAS it hath been represented to His Excellency that the use of pointed Knives worn by the native Cingalese has from the opportunity it gives of inflicting dangerous wounds upon any sudden quarrel or provocation in many instances occasioned cruel maimings and very barbarous murders.

And whereas upon very minute investigation it appears that it is wholly unnecessary for the ordinary uses of such Knives that they should be pointed: It is therefore enacted that from and after the 1st day of August next ensuing, it shall be unlawful for any native Cingalese to wear or carry a Knife having a point. Provided that nothing in this Regulation shall be taken or construed to extend to the Knives called Ulkatoo-Peheye which are attached to the Iron Pens that are made use of by the natives for the purpose of writing on Olas.

And it is further enacted, that from and after the said 1st day of August next ensuing, it shall be lawful for any Magistrate, Constable, Police Vidahn or any other Officer of Justice to seize any Knife worn by a Native Cingalese which shall not be rounded and blunted at the end: and if such Knife shall have been seized upon information, the same shall be confiscated to the use of such informer, having been previously rounded and blunted at the end.

And it is enacted that any person resisting or aiding or abetting a resistance to any such Magistrate, Constable or Police Vidahn or other Officer of Justice in seizing such a Knife shall be liable on conviction to imprisonment not exceeding twelve Months.

And it is enacted that if information upon oath shall be given to any Magistrate that any person is possessed of a Knife such as has been usually worn and which shall not be so rounded and blunted, it shall be lawful for such Magistrate by his warrant to require such Person to surrender such Knife; and upon failure of so doing to oblige such person to give Security to keep the Peace for the term of one year, himself in 20 Rix Dollars and Two Securities in 10 Rix Dollars each.

And it is further enacted that if a Knife not so rounded and blunted as aforesaid shall be afterwards found in the custody of any Person from whom one has been seized or who shall have been required to give such Security, such person shall upon conviction before a Magistrate in addition to the confiscation of the same and to the forfeiture of his recognizance be liable to a Penalty not exceeding Ten Rix Dollars.

And it is enacted that for a third offence against the Provisions of this Regulation the additional Penalty shall be a fine not exceeding Thirty Rix Dollars.

And any Person convicted for a fourth or any further offence shall be further liable to the Provisions of the Regulation No. 12 of 1806—and shall be dealt with as a common Vagrant.

Provided that nothing in this Regulation shall be taken or construed to extend to the inhabitants of the Kandyan Provinces.

*Given at Colombo this 24th day of February 1816.*

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

Published by His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 5 of 1816.

Preamble.

Pointed Knives unlawful.

Exceptions.

Magistrates &c. may seize such knives.

Penalty on resisting seizure.

Owner of knife not rounded or surrendered to give security.

Penalty on subsequent offence.

On third.

On further.

Regulation not to extend to Kandya.s.

## P R O C L A M A T I O N .

P R O C L A M A T I O N 31st MAY 1816.

**A** Despatch of which the following is a Copy, having been received from the Right Honorable Lord BATHURST one of His Majesty's Principal Secretaries of State, respecting the Convention concluded in Kandy on the 2d of March 1815, the said Despatch is published for general information.

No. 37.

DOWNING STREET,  
13th October, 1815.

SIR,

In my Despatch of the 30th of August, I informed you that I had referred to the consideration of His Majesty's Law Servants, those articles of the Convention for the Settlement of the Kandyan Country, which had been the subject of discussion.

I have now the honor of transmitting to you a copy of their opinion which is so full upon all the points submitted to their consideration, as to render it unnecessary for me to furnish you with Instructions, beyond that of adhering to the principles which they have laid down. And in order to prevent any uncertainty, as to the liability of Military Persons in the Kandyan Country to remain subject to Martial Law, I am to acquaint you, that although His Royal Highness the Prince Regent has generally approved the Convention by which that Territory has become annexed to His Majesty's Dominions; His Royal Highness has declined adopting the pre-existing Laws and Courts of Kandy, as forms of the King's Civil Judicature, until more detailed Information shall have been obtained as to the nature of the Laws, and the changes which it may be expedient to introduce in their administration.

I have the honor to be,  
&c. &c.

BATHURST.

Governor

SIR ROBT. BROWNRIGG, K. C. B.  
&c. &c. &c.

In conformity to the principles laid down in the opinion of the Law Officers of His Majesty's Government in England, (to which principles the Governor is instructed to adhere), it is hereby declared and notified as follows: to wit.

1st. That the Provision contained in the 1st Section of the 9th or provisional articles of the Convention, respecting Commissions to be issued by the Governor for the trial of charges of murder in certain specified cases, will cease to be in force from henceforth.

"2dly. That the ancient Laws of Kandy are to be administered till His Majesty's pleasure shall be known as to their adoption *in toto* as to all persons within those Provinces, or their partial adoption as to the Natives, and the substitution of new Laws and Tribunals for the Trial and Punishment of His Majesty's European Subjects, for offences committed therein.

"3dly. That persons committing those offences cannot be tried by the Supreme Court, as at present established for Ceylon, till the Kandyan Provinces are annexed to or made Dependencies of that Settlement or Government—But that British Subjects may be proceeded against in England under the 33d Henry 8th Cap. 23d."

4thly. Concerning the 2d Section of the said 9th or Provisional Article, that the same being, in substance, conformable to the Provisions of the Mutiny Act and Articles of War as applicable to the present state and condition of the Kandyan Country, will until His Majesty shall otherwise provide, remain in force and extend to "all persons who are Commissioned or in the Pay of His Majesty as Officers, or who are listed or in Pay as Soldiers."

GOD SAVE THE KING.

Given at Colombo, the 31st day of May, 1816.

By Command of His Excellency The Governor,

JOHN RODNEY,  
Chief Sec. to Govt.

To be published in the Kandyan Provinces,

By Order of His Excellency The Governor,

JAMES SUTHERLAND,  
Sec. Kandyan Provinces.

## REGULATION.

*To prohibit under certain Penalties the persons therein described from resorting to or continuing in the Island.*

**W**HEREAS some persons taken Prisoners of War during the late expedition into the Kandyan Provinces and sent to the Coast of India have returned to the Island of Ceylon.

And whereas the resorting to this Island or continuing therein of such persons—and of the persons commonly called Malabars who were resident in the Kandyan Territory on the 13th day of January 1815, or within one year previous to that date is incompatible with the security and tranquility of His Majesty's Possessions.

It is hereby declared and enacted to be unlawful for any person taken as a prisoner of War during the said expedition or for any person of the description of Malabars who was on the 13th day of January 1815, or for one year preceding, resident in the Kandyan Provinces to resort to or remain in the Island of Ceylon or its dependencies without a written permission under the hand and seal of some person duly authorized by His Excellency The Governor to grant the same.

And it is enacted that any such person as is hereby prohibited to resort to or remain in the Island of Ceylon or its Dependencies—who shall after the publication of this Regulation be found therein—shall be liable upon conviction before a Magistrate to be imprisoned at hard labour for a period not exceeding twelve months.

And it is hereby provided that no such written permission as is herein above mentioned shall avail to excuse any person charged with an offence against this Regulation unless it shall be proved that all and every the Conditions of such permission have been complied with by the person to whom the same was granted.

*Given at Colombo this 24th day of June 1816.*

By Order of the Council,  
JAMES GAY,  
*Sec. to the Council.*

Published by His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 6 of 1816.

Preamble.

Unlawful for such persons to resort to Ceylon without permission.

Persons prohibited resorting to or remaining after publication of this Regulation

No permission to avail unless conditions complied with.

## REGULATION.

*(Repealed by Ordinance No. 2 of 1836.)*

*To explain and amend the Regulation No. 3 of the present year, concerning Dry Measures.*

**W**HEREAS it has not been sufficiently understood that no dry measures are legal, but those issued by the authority of Government.

It is hereby declared and enacted that no measure, for grain or other dry goods, shall be deemed or taken to be a legal measure, unless the same shall have been issued by the authority of Government, and shall bear the stamp affixed to it accordingly.

*Given at Colombo this 19th day of July 1816.*

By Order of the Council,  
JAMES GAY,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 7 of 1816.

## REGULATION.

*(This Regulation is in some respects modified by the Regulation No. 5 of 1833.)*

*For preserving the Cinnamon Plantations.*

**W**HEREAS it is of high importance to the resources and prosperity of this Island that the Cinnamon Plantations should be carefully protected from injury.

And whereas it is expedient that the rules heretofore adopted by the British Government for this purpose should be collected into one Regulation.

It is hereby enacted that all former Regulations of this Government respecting the preservation of the Cinnamon Plantations be repealed.

And it is enacted and declared to be unlawful to cut or destroy any Cinnamon Plant upon any pretext whatsoever except with the permission of Government; and that any person offending herein shall forfeit the sum of (10) Ten Rix Dollars for each and every

Regulation No. 8 of 1816.

Preamble.

Former Regulations repealed.

Unlawful to destroy any cinnamon plant.  
Penalty.

## REGULATION No. 8 of 1816.

plant so cut or destroyed; and in failure of payment of such penalty shall be liable to two weeks imprisonment for every such Rix Dollar of penalty, at hard labour under the directions of the Superintendent of the Cinnamon Plantations; provided that such imprisonment shall not exceed, for any one offence of which he shall have been convicted, the term of twenty weeks, or, for any number of offences of which he shall have been convicted at one time, the term of twelve months.

Necessary to preserve the enclosed Gardens.

And whereas it is particularly necessary to enforce rules for preserving the Gardens enclosed for the culture of Cinnamon; viz. the Gardens of Marendahn, Morotto, Wellisare, Ekelle and Kaderane;

No person to cut grass or fire-wood, or fell timber herein without license.

It is hereby enacted that no person whatever shall cut grass or fire wood, or fell any kind of Timber within the said enclosed Gardens without the written license of the Superintendent of Cinnamon, under a penalty of (50) Fifty Rix Dollars for every such offence; and in failure of payment shall be liable to three months imprisonment at hard labour under the directions of the Superintendent.

Penalty.

No person to keep Cattle therein.

And it is hereby enacted and declared to be unlawful for any person residing within the limits of the said enclosed Gardens, or any other person whatever, to keep within the said limits any kind of Cattle whatsoever, Horses, Buffaloes, Oxen, Goats, Sheep, Swine, or Deer, under a penalty of (10) ten Rix Dollars for every head of such Cattle so kept; and in default of payment two months imprisonment at hard labour under the directions of the Superintendent.

Penalty.

Penalty on persons breaking fences.

And it is enacted that any person breaking or destroying the fences or dams of any of the said enclosed Gardens shall forfeit (100) One Hundred Rix Dollars; and in failure of payment shall suffer six months imprisonment at hard labour under the directions of the Superintendent.

Cattle passing to be coupled and led.

And it is further enacted that when a public Road leads through any of the said enclosed Gardens, all Cattle whatsoever passing such road shall be coupled and led so as to prevent them from doing injury to the Plantations, under a penalty of (10) Ten Rix Dollars for each head of Cattle to be paid by the Owners or Driver of such Cattle, or in default thereof to be levied by the seizure and sale of such Cattle.

Penalty.

Cattle trespassing may be seized or killed.

And it is further enacted that Cattle trespassing in the said enclosed Gardens shall be liable to seizure, or if they cannot otherwise be secured may be killed by the Lascoreens or other persons employed to watch the said Gardens; and when any such Cattle shall be so seized, the Owner shall forfeit for each head of Buffalo or Cow Cattle, Ten Rix Dollars; for each Goat or Sheep, Five Rix Dollars; for each head of Swine or Deer, Three Rix Dollars; and no such Cattle shall be restored to the Owner unless the said forfeiture shall be paid in three days after the seizure, but shall be sold by public auction, and the amount of such forfeiture having been deducted, the balance, if any, shall be paid to the Owner.

Penalty on owners.

And in order to prevent the destructive consequence of fire in the said Gardens.

Unlawful to carry lights &c.

It is hereby declared to be unlawful to carry any lighted Torch or Showlo, or to smoke any Cheeroots, or to discharge any fire arms within the said enclosed Gardens, or within two hundred yards of the fence or dam of such Gardens, under a penalty of (50) Fifty Rix Dollars for every such offence; or in failure of payment three months imprisonment at hard labour under the directions of the Superintendent.

Penalty.

Unlawful to burn swamp, &c. therein.

And it is further declared and enacted to be unlawful to burn any swamp, or jungle, or chena, within the limits of the said Gardens, or within two hundred yards of the dam or fence of such Gardens, under a penalty of (50) Fifty Rix Dollars for every such offence; and in failure of payment the offending party shall suffer three months imprisonment at hard labour under the directions of the Superintendent.

Penalty.

No Houses or Huts to be erected without permission.

And it is further declared and enacted that no Houses or Huts shall be erected in those Gardens without the permission of the Superintendent under a penalty of (20) Twenty Rix Dollars for each building so erected; or in failure of payment one month's imprisonment at hard labour under the directions of the Superintendent.

Penalty.

Unlawful to settle in abandoned Gardens.

And it being also of high importance that the Cinnamon growing in the abandoned Gardens, belonging to Government, in the different Corles should be protected from injury; it is hereby declared unlawful for any person without permission from Government to settle in, to clear or cultivate any of the said Gardens, or to destroy any Cinnamon therein growing, under a penalty of (50) Fifty Rix Dollars for every such offence; and in failure of payment shall be liable to 3 months imprisonment at hard labour under the directions of the Superintendent.

Penalty.

Penalties how levied.

And all the several penalties in money hereby enacted shall be levied on conviction before the next Sitting Magistrate, or Justice of the Peace; and one half of such penalty shall be paid to the person seizing the Cattle, or prosecuting the person contravening this Regulation, the other half shall be paid into the General Treasury for the use of Govern-

ment. And in such cases where Imprisonment takes place the Informer or Informers shall receive from Government such sum as he, she, or they, would have been entitled to had the penalties been levied in money.

REGULATION No. 8 of 1816.

*Given at Colombo this 19th day of October 1816.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to the Council.*

Published by His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

---

## REGULATION.

(*Expired.*)

*For remitting Conditionally the penalties of Regulation No. 1 of the year 1815 incurred prior to the 30th of June next.*

WHEREAS it has been represented to His Excellency The Governor that many persons in different District of this Island have through ignorance or inattention failed to comply with the terms of the Government Regulation No. 1 of 1815, for registering arms in their possession, and thereby subjected themselves to the penalties and forfeitures enacted by that Regulation.

Regulation No. 9 of 1816.

It is hereby enacted that all such penalties and forfeitures heretofore incurred or to be incurred before the 30th day of June next ensuing be and they hereby are declared to be remitted and pardoned: Provided the conditions of the said Regulation shall have been complied with on or before the said 30th day of June next ensuing, otherwise to be in full force and effect.

*Given at Colombo this 9th day of November 1816.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to the Council.*

Published by His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

---

## REGULATION.

(*Repealed by Regulation No. 5 of 1833.*)

*For explaining the 8th Regulation of this year entitled a Regulation for preserving the Cinnamon Plantation.*

WHEREAS an opinion has been entertained by some Magistrates that by virtue of the 8th Regulation of 1816 entitled a Regulation for preserving Cinnamon plantations. they are enabled to sentence persons convicted to a longer term of imprisonment than their ordinary Jurisdiction would empower them to do.

Regulation No 10 of 1816.

It is hereby declared and enacted that no Magistrate is by virtue of the said Regulation or any part thereof entitled to give sentence for a longer term of imprisonment than he was by the limits of his ordinary Jurisdiction permitted to do.

And whereas it is doubted whether the payment of fines enacted by the said Regulation is optional in the person convicted.

It is hereby declared and enacted that the payment of fines imposed under the said Regulation is in all instances optional and that payment thereof need not be made provided the person sentenced thereto shall undergo the proportionate imprisonment in the said Regulation prescribed; such imprisonment in no instances to exceed the present powers of the Magistrate awarding the same.

*Given at Colombo this 23d day of December 1816.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to the Council.*

Published by His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For lowering the Custom Duties in the Port of Trincomalee.*

REGULATION No. 1 of 1817.

*(Repealed by Regulation No. 6 of 1820.)*

[The repealed Enactments relating to the Customs are not published at length.]

## REGULATION.

*(Repealed by Regulation No. 7 of 1823.)*

*For repealing the Regulations No. 1 of 1806 and No. 1 of 1809 and making a New Enactment respecting Stamp Duties.*

Regulation No. 2 of 1817.

WHEREAS difficulties of Construction and diversities of Practice have arisen upon the Regulations No. 1 of 1806 and No. 1 of 1809 and certain provisions contained therein have been found inconvenient and burthensome to the public.

It is enacted that the said Regulations be and they are hereby repealed with respect to any Conveyance or other instrument written or executed after the twenty fifth of March next.

And whereas a more equitable assessment of the Stamp duties beneficial to the Commerce of these Settlements and without prejudice to His Majesty's Revenue may in many instances be made by reducing the rates, and extending the application of the said Duties.

It is hereby enacted that from and after the 25th day of March next a Stamp Duty not exceeding 5 per Cent (to be assessed according to the annexed Table marked A.) shall be paid upon the bona fide Consideration or actual Value of the subject matter of every Conveyance of immoveable property.—Provided that the said Stamp duty shall in no instance be required to exceed Rds. 1000.

And it is further enacted that the several kinds of Conveyance herein after mentioned shall be taken and deemed to be Conveyances of immoveable property within the meaning of this Regulation to wit.

Every deed purporting to Convey a Title to Lands or Tenements whether by way of Sale, Gift, or Settlement saving and excepting Leases and Mortgages of Lands or Houses.

And it is hereby declared and enacted that it shall not be necessary to the validity of any such Conveyance of any Lease or of any Deed of Mortgage that the same should be written or Executed before or registered by any Notary Public or other Officer—saving nevertheless to Notarial Writings the preference by Law established.

And it is further enacted that all Conveyances of moveable Property, Mortgages, Mortgage Bonds, Bonds, Obligations, Leases of Lands or Tenements, Contracts for the future Sale or purchase of goods, all assignments of Ships, assignments of Securities except Government Debentures or other Obligations of Government and Indorsements upon Bills of Exchange on promissory Notes shall bear a Stamp not exceeding half a Rdr. to be assessed according to the annexed Table marked B.) for every Hundred Rix Dollars of value—which shall be the subject matter thereof.

Provided that the said Stamp duty not exceeding one half per Cent shall in no instance exceed 100 Rds. but that a Stamp of 100 Rds. shall be sufficient for any amount whatever of the value of such instruments.

And excepting from the said duty of one half per Cent, all such Bonds and other instruments as may be required or become necessary in the course of proceedings in the Supreme Court or of any other Court of Judicature and excepting also Bonds of Indemnity and penal Bonds for the securing the performance of any duty or trust.

And be it enacted that Bonds of Indemnity and penal Bonds for the performance of any duty or trust and Deeds or Instruments of Partnership when the Capital amount to Rds. 1000 shall bear a fixed Stamp of 5 Rds. each.

And it is further enacted that all Bills of Exchange and Promissory Notes drawn within the Island of Ceylon shall bear a Stamp duty not exceeding one quarter per Cent to be assessed according to the annexed Table marked C. for every hundred Rix Dollars which shall be the subject matter thereof.

Provided that the said Stamp duty shall in no instance exceed the sum of 25 Rds. but that a Stamp of Rds. 25 shall be sufficient for any amount whatever of such last recited Instrument.

And it is further enacted that all Receipts discharges or acquittances for money and all Vouchers Shop Bills, Auction Bills, and Bills of Parcels purporting to be such receipts discharges or acquittances shall be subjected to a Stamp duty of One sixth of a Rix Dollar for each hundred Rix Dollars to be assessed according to the Schedule D. hereunto annexed.—Provided that Receipts for the payment of Interest when indorsed on any Security carrying Interest shall be exempted from the pay-

ment of any of the Stamp duties abovementioned but such Stamp duties shall be paid and payable whenever such receipt shall be given upon any piece of Paper, or Oia detached from the Security itself, unless where for want of room to insert the same upon such Security such receipt shall have been annexed in the presence of and attested by a School-Master or Notary Public.

Provided that the said Stamp duty of One-sixth per Cent shall in no instance exceed the sum of 10 Rds. but that a Stamp of Rds. 10 shall be sufficient for any amount whatever of such last recited Instrument.

And it is enacted that every Power of Attorney, Agreement or Notarial act not otherwise specified herein shall bear a fixed Stamp duty of one Rix Dollar and that all Extracts and Copies of Notarial acts and all substitutions under Powers of Attorney shall bear a Stamp duty of Six Fanams.

And it is further enacted that no Conveyance or other Instrument whatever which by this Regulation or any Clause thereof is required to be Stamped shall be of any force or effect in Law or received in Evidence in support of any title Claim or demand or shall be deemed to convey any title or interest whatever unless it shall bear such Stamp as is required by this Regulation.

And for the better preventing the evasion of the said Stamp duty. It is enacted that if any person or persons acting either in his or her own behalf or as the agent of another shall knowingly and fraudulently sign execute or act upon any Conveyance or instrument not duly Stamped with a Stamp of the value required by this Regulation or shall by any device knowingly and unlawfully evade paying the full amount thereof either by inserting a false Concealment of the true value of the subject matter thereof or by fraudulently reducing the same to a lower denomination such Conveyance or Instrument upon due proof of such fraud or evasion shall be deemed totally null and void from the beginning, and the person so signifying or accepting or acting upon the same shall upon Conviction be liable to a fine not exceeding One hundred Rix Dollars, or Imprisonment not exceeding six months at the discretion of the Court by which such person shall be tried.

Provided that nothing herein contained shall be construed in any way to give any increase of Jurisdiction to any Sitting Magistrate in this Island.

Provided always that if any person concerned in signing executing receiving or acting upon such unstamped instrument shall within two months after such offence shall have been committed furnish such information as shall lead to the Conviction of any other party to such his or her offence such informer shall be exempt, and hereby is exempted from such penalty.

Provided that nothing herein shall extend to render valid the Conveyance or Instrument wherein such fraud or evasion has been practised.

Provided nevertheless that as Cases may occur in which it may be impracticable to procure the necessary Stamp at the time of executing Conveyances of immoveable Property.

It is hereby enacted that in such case the parties executing any such Conveyance may within three days after the execution thereof lodge the same together with the full amount of the Stamp duty, thereon in the hand of the Provincial Judge or any Sitting Magistrate of the District.

And such Provincial Judge or Sitting Magistrate shall endorse upon such Conveyance the date of the receipt thereof and shall with all convenient speed transmit the same to the Stamp Office at Colombo and it shall thereupon be lawful for the proper Officer to affix the necessary Stamp to such Conveyance, and such Conveyance shall have like validity as if stamped before the execution thereof—any thing in this Regulation contained to the contrary notwithstanding.

And it is further provided that nothing in this Regulation shall be construed to extend to Charge with Stamp Duty and Conveyance of immoveable property made by or to or for the use or behalf of His Majesty's Government, or any Lease of Government Farms or any sublease thereof or any Bond, Obligation or Contract entered into with or any security for money taken by direction of His Majesty's Government or any Bills or Notes or receipts, or acquittances, made or given to or by the said Government or any of the Public Offices thereof or in any way to Charge the said Government with Stamp duty in any transaction whatever.

And be it enacted that nothing herein shall be construed to subject last Wills and Testaments or Codicil to any Stamp Duty whatever.

And be it enacted that the several rates of Stamp Duty contained in the Tables or Schedules A. B. C. and D. hereunto annexed shall be and they hereby are declared to be the rates of Stamp duty enacted by this Regulation.

*Given at Colombo this 25th day of January 1817.*

By Order of the Council

WILLIAM GRANVILLE,  
*Sec to the Council.*

Published by His Excellency's Command,

JOHN RODNEY  
*Chief Sec. to Gov.*

REGULATION No. 3 of 1817.

**SCHEDULE A.**

5 per Cent Duty.

	Rds.	Rds. F.	P.
On any amount under .....	20	0	6 0
On Rds. 20 and under.....	40	1	0 0
40 and under.....	60	2	0 0
60 and under.....	80	3	0 0
80 and under.....	100	4	0 0
100 and under.....	120	5	0 0
120 and under.....	140	6	0 0
140 and under.....	160	7	0 0
160 and under.....	180	8	0 0
180 and under.....	200	9	0 0
200 and under.....	220	10	0 0

And so on at the rate of one Rix Dollar for every additional Rds. 20 of amount—but the Duty in no instance required to exceed Rix Dollars One Thousand.

**SCHEDULE B.**

Duty of  $\frac{1}{4}$  per Cent.

	Rds. F.	Rds. F.	P.
On every amount under....	16.	8	0 0 2
On Rds. 16. 8 and under..	33.	4	0 1 0
33. 4 and under..	50.	—	0 2 0
50. —and under..	66.	8	0 3 0
66. 8 and under..	83.	4	0 4 0
83. 4 and under..	100.	—	0 5 0
100.— and under..	116.	8	0 6 0

And so on at the rate of one fanam for every additional Rds. 16. 8 of amount—but the Duty in no instance required to exceed Rds. 100.

**SCHEDULE C.**

Duty of  $\frac{1}{4}$  per Cent.

	Rds. F.	Rds. F.	P.
On every amount under.....	33.	4	0 0 2
On Rds. 33. 4 and under...	66.	8	0 1 0
66. 8 and under...	100.	—	0 2 0
100. and under...	133.	4	0 3 0
133. 4 and under...	166.	8	0 4 0
166. 8 and under...	200.	—	0 5 0
200 — and under...	233.	4	0 6 0

And so on at the rate of one fanam for every additional Rds. 33. 4, of amount—but the Duty in no instance required to exceed Rds. 25.

**SCHEDULE D.**

1-6th per Cent.

	Rds. F.	Rds. F.	P.
On any amount under .....	25.	—	0 0 1
On Rds. 25. and under..	37.	6	0 0 2
37. 6 and under..	50.	—	0 0 3
50. —and under..	62.	6	0 1 0
62. 6 and under..	75.	—	0 1 1
75. —and under..	87.	6	0 1 2
87. 6 and under..	100.	—	0 1 3
100.— and under..	112.	6	0 2 0

And so on at the rate of one Pice for every additional Rds. 12. 6 of amount—but the Duty in no instance required to exceed Rds. 10.

**ABSTRACT OF STAMP DUTIES REQUIRED BY THE REGULATION.**

**PER CENTAGE STAMPS AS PER SCHEDULES.**

	Rate per Cent.	Maximum of Stamp Duty.	Fixed Stamp
A. Conveyance of immoveable Property by Sale Gift or Settlement excepting Leases and Mortgages.....	5	Rds. 1000	Rds. F.
B. Conveyance of moveable property, mortgages, mortgage bonds bonds, obligations, leases of lands or tenements, contracts for the future sale or purchase of goods, assignments of ships, assignments of securities, excepting Government securities, and bills and promissory notes indorsed, Judicial proceedings excluded .....	$\frac{1}{4}$	100-25	
C. Bills of exchange drawn within the Island of Ceylon.....	$\frac{1}{4}$		
D. Receipts, discharges, or acquittances, for money, vouchers, shop bills, auction bills, and bills of parcels purporting to be receipts &c. ....	1-6th	10	

**FIXED STAMPS.**

Bonds of indemnity		
Penal bonds for the performance of any trust		
Deeds or instruments of Partnership when the capital amounts to Rds. 1000 .....		5. 0
Powers of attorney		
Agreements		
Notarial acts not otherwise specified .....		1. 0
Extracts and copies of Notarial acts		
Substitutions under letters of Attorney .....		0 6

**REGULATION.**

(Repealed by Regulation No. 7 of 1823.)

For removing doubts concerning the Effect of the Regulations No. 1 of 1806 and No. 1 of 1809:

Regulation No. 3 of 1817.

**W**HEREAS doubts and difficulties have arisen in consequence of the various constructions given to different editions of the Regulation No. 1 of 1806.

And Whereas there is reason to believe that some of the enactments of the Regulation No. 1 of 1809 may have been inadvertently transgressed.

And Whereas the said Regulations by a Regulation this day passed stand repealed as all instruments executed after the 25th of March next.



For the relief therefore of all Persons who may be affected by the said repealed Regulations.

REGULATION No. 3 of 1817.

It is enacted that no Bond Obligation Transfer Contract Deed Instrument or other Instrument in writing save and excepting conveyances of immoveable property shall be invalidated by reason of not being duly stamped according to the said repealed Regulations.

And it is further enacted that no Conveyance of immoveable property. Bond Mortgage or Obligation, or any Contract, Deed, or instrument in writing, shall be invalidated for the want of compliance with the forms of Execution, or the preparation or registry of duplicate, required by the said Regulation or either of them, or by reason of not having been drawn by a Notary, or any other description of Person.

And it is hereby further enacted and declared that no unwritten promise or acknowledgement which would be valid by the provisions of a Regulation bearing equal date herewith and entitled a Regulation for the Prevention of Frauds and Perjuries shall be void by reason of any thing contained in the Regulation No. 1 of 1806.

Provided always that nothing herein shall be construed in any way to affect the final decision of any Court of Justice which shall have been pronounced before the date of this Regulation.

Given at Colombo this 25th day January 1817.

By Order of Council,

WILLIAM GRANVILLE,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 7 of 1834.)

For the prevention of Frauds and Perjuries.

**W**HEREAS it is necessary to provide for the prevention of many fraudulent practices which are commonly endeavoured to be supported by perjury and subornation of perjury and to declare and enact certain fixed Rules of Law respecting the force of unwritten promises.

REGULATION No. 4 of 1817.

It is hereby declared and enacted that no Promise, Contract, Bargain, or Agreement, unless the same shall be in writing and signed by the party making the same, or some person lawfully authorized by him, or her, shall be of force, or avail in law, for any of the following purposes, that is to say.

*Managers Dep. 1.20 4/1817; 1.58 3/365.*

For the Sale or purchase of Landed or immoveable property, or of any Security or Incumbrance affecting the same, for or Mortgaging or Pledging any such property, or such Security.

For any Lease, or Interest, or any assignment thereof, in any such property, other than a Lease at Will, determinable at such period not exceeding Six Months as may be according to the Custom of the Country.

For Charging any Person with the debt, default or Miscarriage of another.

For pledging Moveable property, unless the same shall have been actually delivered to the Creditor.

For the purchase or sale of any Moveable property, unless where such property or a part thereof has been delivered to the purchaser, or the price or a part thereof, has been paid by him.

For establishing a Partnership between the Partners where the Capital is above (1000) Rix Dollars.

Provided always that nothing herein shall be construed to prevent third Persons from suing partners or persons acting as such and offering in evidence circumstances to prove a partnership existing between such Persons or to exclude Parole testimony concerning transactions by or the Settlement of any accounts between partners.

Given at Colombo this 25th day of January 1817.

By Order of the Council,

WILLIAM GRANVILLE,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For enforcing the observance of the Sabbath day.*

REGULATION No. 5 of 1817.

Preamble.

**W**HEREAS notwithstanding the Regulations of the late Dutch Government, and especially the Proclamation of Governor FALCK dated November 1st 1770 the Sabbath day is not duly observed within these Settlements, particularly during the celebration of Divine Service.

Prohibition of sale of goods.

It is therefore enacted that every Person who shall expose articles of any description for Sale in any Bazar, Street or Public Place between the hours of Eight and Twelve in the Morning of Sunday, Christmas day and Good Friday shall upon conviction thereof be fined in a Penalty not exceeding One Rixdollar for every such offence, one half thereof to be given to the Person giving information, the rest to be paid to the Superintendent of the Poor's Fund for the benefit of that Charity.

And if the Persons convicted of exposing Goods for Sale as aforesaid shall be unable to pay such fine, then He or She shall be imprisoned for any space of time not exceeding Twenty four hours.

And of Spirits.

And it is further enacted that any Shopkeeper keeping open Shop or any Tavernkeeper keeping open Tavern or Boutique or Selling Arrack or other Spirituous Liquors on Sunday, Christmas day, or Good Friday during the Hours above mentioned, shall upon conviction thereof be fined in a Penalty not exceeding Five Rixdollars for each offence of which he shall be convicted, one half thereof to be given to the person giving information, the rest to be paid to the Superintendent of the Poor's Fund for the benefit of that charity.

And if the Persons convicted of keeping open Shop Tavern or Boutique shall be unable to pay such Fine as in such case provided then He or She shall be imprisoned for any space not exceeding one week.

Duties of Constables.

And all Constables and Police Vidahns and others employed in the preservation of the Peace are required and empowered to apprehend and take before the nearest Magistrate any Persons infringing the above Regulation.

And it is hereby enacted that this Regulation shall take effect from the date of Publication hereof.

*Given at Colombo this 5th day of April 1817.*

By Order of the Council,

W. H. KER,  
*Sec. to Council.*

Published by His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by Charter of 18th February 1833.)**For extending the Civil Jurisdiction of the Sitting Magistrate of Negombo.*

Regulation No. 6 of 1817.

**W**HEREAS it is deemed necessary that for the convenience of the inhabitants of the District of Negombo that the Civil Jurisdiction of the Sitting Magistrate should be extended.

It is hereby enacted that the said Sitting Magistrate of Negombo shall have a Civil Jurisdiction over all cases between Natives of this Island or of India, Burghers excepted, up to three hundred Rix Dollars; over all cases between Europeans or wherein there is an European Defendant, and over all cases between Burghers or wherein there is a Burgher Defendant, up to 100 Rix Dollars, Provided that nothing in this Regulation contained shall be held to give any Jurisdiction to the said Sitting Magistrate in matters relating to the Revenue.

*Given at Colombo this 18th day of April 1817.*

By Order of the Council,

W. H. KER,  
*Sec. to Council.*

Published by His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## P R O C L A M A T I O N.

*(Repealed by Regulation No. 2 of 1832.)*

WHEREAS by the Resolution of the late Dutch Government, passed on the 3d of February 1747, by which Moormen and Malabars were first permitted to possess Houses and Grounds in this Island, the possession of Houses and Grounds in the Fort and Pettah of Colombo by such Moormen, or Malabars, was expressly excepted and prohibited;

PROCLAMATION 2d JUNE 1817.

And Whereas this prohibition was afterwards to a certain degree relaxed, and Moormen and Malabars were permitted to possess Houses and Grounds in those parts of the Pettah called the Fisher's quarter and the Bankshall, and in the two Streets adjacent to the Lake;

And whereas it now appears, that attempts have been and are made by Moormen, and Malabars, to obtain and hold in possession Houses and Grounds, in other parts of the Pettah than those with respect to which the said prohibition has been relaxed;

Now we the Honorable Sir ROBERT BROWNIGG, Governor &c., do hereby proclaim and require, that the said prohibition be strictly enforced; and do declare all purchases made by Moormen or Malabars, of Houses and Grounds within the Fort and Pettah of Colombo, save and except the Fishers quarter, the Bankshall, and the two Streets adjoining the Lake, to be null and void, as contrary to the Resolution aforesaid.

*Given under our hand at Colombo this Second day of June, in the Year of our Lord One Thousand Eight Hundred and Seventeen.*

By Order of His Excellency The Governor,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## R E G U L A T I O N.

*(Expired.)**For the relief of Insolvent Prisoners for Debt.*

WHEREAS Regulations have from time to time been enacted by authority of His Excellency The Governor in Council for releasing from Gaol persons imprisoned for Debts which they are unable to discharge.

Regulation No. 1 of 1816.

And whereas a considerable time having elapsed since the last insolvent act was passed, it is deemed expedient to pass a Regulation for that purpose, be it therefore enacted and it is hereby enacted by authority of His Excellency The Governor in Council that all such persons who on the 30th of April next shall have been confined in Gaol for any Debt during the period of One Year or upwards, shall be discharged from Custody upon and subject to the following conditions and limitations.

1st. The person so in Custody shall cause to be made out a full and perfect Statement of all such Property Moveable or Immoveable, as he, or she shall be possessed of or entitled to, or which any person in trust for him or her shall be so possessed of or entitled to, of which Statement one Copy shall be delivered to each and every Creditor at whose suit such person is detained, at least six days before application for the discharge of such Prisoner, and another Copy shall be delivered to the Judge or Magistrate by whom or by whose authority such Prisoner stands committed, who shall thereupon appoint a day not earlier than six or later than ten from the receipt thereof for the Prisoner to be brought before him to apply for his discharge.

2d. If upon the Prisoner being brought before the Judge or Magistrate on such day, any Creditor or person in behalf of a Creditor shall be able to prove to the satisfaction of the Judge or Magistrate by legal evidence, either,

That six day's Notice has not been given together with such a statement as is hereby required.

That the Debt was contracted either by means of fraud practised by the Prisoner or by breach of any trust reposed in him or that the Prisoner has concealed or omitted in his statement any property of any kind whatever, save necessary wearing apparel and the instruments of his or her trade or occupation, then and in any of these cases the Prisoner shall not be entitled to any benefit from this Regulation.

3d. But if on the contrary no such charge is either made or proved, and the Prisoner shall swear to the truth of the statement so delivered to the Creditor and Judge or Magistrate, make and execute an assignment of all the property contained in such statement (excepting only his or her necessary wearing apparel and the instruments of his or her Trade or occupation) to his or her Creditor if there be only one, and if more than one to a person to be named by the said Judge or Magistrate as a Trustee for his or her Creditors such Prisoner shall be immediately discharged and shall be no more liable to arrest for the debt for which he or she shall have been so in Custody.

Provided always and be it further enacted that in the case of Prisoners at the suit of Government the statement required by the first clause of this Regulation shall be delivered to the Collector of the District in which such Prisoner is confined, and the day to be appointed by the Judge or Magistrate for bringing such Prisoner before him shall not be later than 30 days after the delivery thereof.

And if upon such day the Collector shall suggest to the Court by a suggestion in writing to be then received and filed, that there is good cause for excluding the Prisoner from the benefit of this Regulation, further Proceedings shall thereupon be stayed and the Prisoner shall be remanded to Custody for a term not exceeding Two Calendar months in the Districts of Trincomalee and Batticaloa and in any other District not exceeding One Calendar Month, at the end of which time he or she shall be again brought before the Judge or Magistrate and unless a Warrant under the hand and seal of the Governor or Lieutenant Governor of the Island ex-

Regulation No. 1 of 1818.

cluding such Prisoner from the benefit of this Regulation shall then be produced and filed, the Judge or Magistrate shall proceed as is hereby directed in the case of other Prisoners.

But if such Warrant shall be so produced and filed the Prisoner shall be remanded to his former custody.

Provided nevertheless that if it shall appear expedient to the Judge or Magistrate to postpone the hearing of any prisoner from the day first appointed, He may appoint any farther day or days at an interval of not more than twenty from the first day of hearing, before the expiration of which last period he shall proceed as is herein before directed.

But it is hereby declared and enacted, that the future property of every person so discharged shall be and continue liable to such debts until the same shall be fully satisfied, and the following is directed to be the form of the assignment to be executed by the Prisoner.

"I do hereby assign and make over to all the Property moveable or immoveable contained in a Statement by me delivered upon Oath to the Judge (or Magistrate) of this day in pursuance of the Regulation of the day of 181 , excepting my necessary wearing apparel and the instruments of my trade or occupation."

And be it further declared and enacted, that such Assignment shall not be subject to Stamp Duty, and that this Regulation be forthwith translated as usual, and that one Copy in each language be posted and set up within the limits of every Gaol in the Island.

Given at Kandy this 3d day of April 1818.

By Order of the Council,

GEO. LUSIGNAN,

*Actg. Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

## REGULATION.

(*Repealed by Ordinance No. 3 of 1836.*)

*For the more effectual Protection of His Majesty's Revenue derived from Salt.*

Regulation No 3 of 1818.

1. **WHEREAS** it is expedient and necessary, that the Revenue derived by His Majesty's Government from Salt should be duly protected from encroachment and Fraud, and that the limitations with respect to the manufacture, collection and sale, and export and import of the same should be defined and published.

2. His Excellency The Governor in Council has been pleased to enact and declare, that from and after the publication of this Regulation by the Collectors in the respective Districts of the Maritime Provinces, the Manufacture and Collection of Salt within the said Provinces, and the Sale by wholesale or retail, and the Export and Import by Sea thereof, excepting on account of, or by the License of Government, shall be, and the same is declared unlawful.

3. And it is further enacted that any Person or Persons who shall in any way manufacture Salt, or collect the same being naturally formed, he, she or they not being thereto authorized by a written License, from the Collector, or other Revenue Officer or Renter acting under the authority of the Collector, or who shall manufacture or collect the same, in any place not declared by the said Collector or under his authority, a lawful place for the Collection or Manufacture of Salt, shall be adjudged to pay a Fine of Six Dollars Fifty for each offence and in default of Payment shall be liable to be imprisoned at hard labor for a term not exceeding Twelve Months; and that all Salt so unlawfully collected or manufactured shall be confiscated.

4. And it is further enacted that no greater quantity of Salt than one Parrah shall be removed from one place to another without the written License of the Collector or other Revenue Officer or Renter under penalty of any Salt so removed without License being confiscated.

5. And it is hereby further enacted that any person who shall be convicted of selling Salt either by wholesale or retail unless thereto authorized by License or permission in writing from the Collector or other Revenue Officer or Renter acting by authority of the Collector shall be adjudged to Pay a Fine of Fifty Six Dollars for each offence or in default of paying the same shall be liable to be imprisoned at hard labor for a Term not exceeding Twelve Months.

6. And it is further enacted that no person licensed to sell Salt shall sell to any one person in the course of a Week more than one Parrah of Salt except on production of a written authority for the purchase of a larger quantity signed by the Collector of the District or his Assistant, and that for any Sale contrary to this enactment such licensed Seller shall pay a Fine of Six Dollars Five for every Parrah of Salt sold and in default of payment of such Fine be liable to be imprisoned at hard labor for a Term not exceeding Twelve Months provided always that nothing herein contained shall be construed to prevent or check the sale by Collectors of Districts of any quantities of Salt though the same may exceed one Parrah to any person or persons or at any time or times or to subject Purchasers from such Collectors to any Pains and Penalties in consequence of such purchases.

7. And it is further enacted that any person who shall be convicted of purchasing Salt from any person not licensed to sell the same shall be liable to a Fine, not exceeding Twenty five Six Dollars for each offence, and in default of payment to imprisonment at hard labor for any term not exceeding Three Months, and to prevent as far as may be the possibility of persons contravening this enactment through Ignorance, It is enacted that every licensed Seller shall affix in front of his or her Shop, Stall or place of retail sale, a board having painted thereon the words "Licensed to sell Salt" in English with Translations thereof in the Cingalese & Malabar Languages: on penalty, in case of neglect, of paying a Fine of Five Sixdollars, for every day he or she shall sell Salt without such Board being affixed.

8. And it is further enacted, that no person, being thereto authorized by License in writing from the Collector, as a Renter, or retailer or otherwise, shall have in his, or her possession, a greater quantity of Salt than one Parrah and Six Seers; and that any quantity found in any place not belonging to a person Licensed as aforesaid, or if such quantity shall be found in any place belonging to any Licensed person, after the expiration of a Week beyond the term for which such License was granted, the same shall be confiscated, and the Owner of or occupier of any House, out-House, or other Building in which such Salt may be found shall be liable to a Fine at the rate of Five Rix Dollars for every Parrah of Salt found above one Parrah and Six Seers, or in default of Payment, to Imprisonment at hard labor for any term not exceeding twelve Months—and to prevent loss to any such Licensed person. It is enacted, that on the expiration of the term for which any License is granted, any Salt which may remain in the possession of the person Licensed, exceeding one Parrah and Six Seers, shall be, if tendered to the Collector of the District, received by him into His Majesty's Stores, and paid for at the same rate, for which the quantity originally received by such Licensed person, was sold by Government to him.

9. And it is further enacted, that any person who shall have in his, her, or their possession, any Salt exceeding one Parrah, and Six Seers, and shall not be able to account for the manner in which he, she, or they got the same, shall be liable to the Penalties enacted in the foregoing Clause.

10. And it is hereby further enacted, that all Salt landed from, or Shipped on board any Ship, Vessel, Doney, or Boat without the License of Government, or on its account, shall be confiscated, and the Commander or principal person on board or belonging to such Ship, Vessel, Doney or Boat, shall be subject to pay a Fine of Two Rix Dollars for every Parrah of Salt confiscated, and to be imprisoned till such Fine be paid—and that all and every other person or persons, concerned in Shipping or landing any such Salt, shall be liable to Punishment by Fine not exceeding One Hundred Rix Dollars, or Imprisonment at hard labor not exceeding six Months—Provided always that this clause shall not be construed to extend to Salt shipped on board any Vessel, Doney or Boat for the use of the Crew by permit from the Officers of the Customs the same being originally purchased from the Collector of the District, or other Licensed Vendor according to the general provisions of this Regulation or to inflict any Penalties on any person shipping such Salt.

11. And it is further enacted, that all Offences against the Provisions of this Regulation, shall and may be tried and decided on, and the several Penalties awarded, by and before any Provincial Judge, Sitting Magistrate or Justice of the Peace throughout these Settlements, according to their local Jurisdictions, and that the one half of all Fines herein before directed to be levied, shall go to our Lord the King and the remaining half to the person or persons prosecuting the Offenders to Conviction, provided always, that in the event of inability of any Delendant to pay the Fines above directed, and Sentence of Imprisonment being in consequence awarded for any offence, the Collector of the District shall nevertheless pay to such Prosecutor, the full share he would be entitled to of the Fines prescribed, for such offence by any clause of this Regulation.

*Given at Kandy this Third day of April 1818.*

By Order of the Council,

GEO. LUSIGNAN,  
*Actg. Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 10 of 1819.)*

*For the more effectual security of the Revenue derived from the retail sale of Arrack & Toddy in the Cingalese Districts.*

1. **WHEREAS** it is necessary and expedient, that the several restrictions, Enactments and Penalties which have been from time to time established by the authority of Government for the Protection of the Revenue derived from the retail sale of Arrack and Toddy within the Cingalese Districts of the Maritime Provinces of this Island, extending from the Komekenaar bounding the Mahagampattoo, to the Northern limit of the District of Chilaw should be consolidated into one Regulation; and that further Security should be afforded to His Majesty's Revenue from this source, by re-enacting such restrictions as may have become obsolete, or establishing more effectual checks on fraud.

2. It is therefore enacted by His Excellency the Governor in Council, that from and after the 1st day of May next ensuing, all Laws, Rules, Regulations and Enactments in this behalf, shall be, within the Districts and local limits above defined, and the same are hereby repealed.

3. And it is further enacted, that from and after such first day of May the Retail Sale of Arrack or Toddy of every description, save and except under License or authority in writing, from the Collector of the District in which the same is retailed, or from some other Revenue Officer or Renter acting under the authority of such Collector shall be and the same is declared unlawful—and that all and every Person or Persons, who shall be convicted of selling by retail, any Arrack or Toddy without such License or authority, shall pay a Fine of Rix Dollars Fifty for each offence, and in default of immediate payment shall be liable to be imprisoned and put to hard labour for any term not exceeding twelve Months.

4. And it is further enacted, that from and after the date aforesaid, no person or persons shall within the limits afore described, distil Arrack without a License in writing obtained from the Collector of the District or his Assistant, specifying the term for which the same is granted (not exceeding twelve months), the number of Stills Licensed, and the places where the same respectively are erected and intended to be worked; which License shall be issued by such Collector or his Assistant without Fee, Gratuity or Reward; but may be refused to any ap-

*Regulation No. 3 of 1818.*

## REGULATION No. 3 of 1818.

plicant, the reason of such refusal being certified to the Commissioner of Revenue, who may, on application, sanction or reverse the same, and that any person or persons convicted of distilling Arrack, by whatever name or names the same may be called or described, without such License, or contrary to the tenor thereof, shall pay a Fine of Rix Dollars Ten for every gallon of Arrack which may be proved to have been distilled by him, her or them and in proportion for any lesser quantity, and in default of immediate payment shall be liable to imprisonment at hard labour for any term not exceeding twelve months, and that any Still or Stills used for such unlawful distillation with the appurtenances thereof shall be confiscated.

5. And it is further enacted, that all and every person or persons Licensed to distil Arrack, shall on the first day of every month deliver unto the Collector of the District a true and correct Return of the quantity of Arrack distilled by them during the preceding month, and of the quantity of Toddy used therefore and also of the quantity of Arrack sold by them during the same period, and to whom by name respectively and the quantity remaining in his, her or their possession, which is to be carried over to the next Monthly return—and that any person convicted of wilfully giving in a false return, shall pay a fine of One Hundred Rix dollars, and in default of payment shall be liable to be confined at hard labour for a term not exceeding twelve months.

6. And it is further enacted, that it shall and may be lawful for any Magistrate or Justice of the Peace upon Affidavit made before him stating just grounds of suspicion, to issue, his Warrant to search and seize wherever the same may be found, Stills used for the distillation of Arrack without License, together with all liquor therewith found, and that after such Warrant is issued, the same shall be executed in company of and attended by the Constable or Police Vidahn of the place, and such Constable or Police Vidahn is hereby authorised, on request made and cause declared, to enter houses in search of such unlicensed Stills—and such Stills and Liquor shall be confiscated and sold to Licensed Distillers only.

7. And it is further enacted, that every wholesale dealer in Arrack, shall register his name as such with the Collector of the District and take out a Certificate of such Registry which shall be in force for one year from the date thereof; and shall be issued within 48 hours after application, without any Fee, Gratuity or Reward being exacted for the same, and which shall entitle the person to whom the same shall be issued, to have in his or her possession any quantity of Arrack lawfully purchased from Licensed distillers, or from another dealer.

8. And it is further enacted that such wholesale dealers, shall at the end of every three months after the date of their Certificates respectively, furnish the said Collector with an account of all Arrack purchased or received by them, and of all Arrack sold exported or issued during the period preceding, and the quantity remaining on hand which shall be carried forward to the next periodical account—and that any such wholesale dealer who shall be convicted of giving in wilfully a false account shall pay a Fine of Five Hundred Rix Dollars and be imprisoned till such Fine be paid.

9. And it is further enacted, that no sale of Arrack shall be considered wholesale unless the quantity sold amounts to fifteen gallons and no sale of Toddy shall be considered wholesale unless the quantity sold exceeds twenty-five gallons.

10. And it is further enacted, that no Arrack exceeding in quantity two quarts for private use, the same having been purchased from a Licensed Retailer, or Toddy going to a Licensed distiller or retailer from the gardens in which it was drawn, shall be removed except upon a Permit from the Collector or other Revenue Officer or Renter acting under his authority, which said Permit shall be issued for the removal of Arrack in quantities not under Fifteen (15) Gallons & of Toddy not under Twenty five (25) Gallons by wholesale dealers, and shall specify the quantity to be removed and from and to what places and for what period such permit is to be in force forthwith on application, without Fee Gratuity or Reward by the Collector Revenue Officer or Renter to whom application is made on pain of a Fine on such Revenue Officer or Renter of Twenty five Rix Dollars for every omission or delay, in issuing the same, over and above any damages which may be recovered against him by any wholesale dealer for loss sustained by such delay or omission—and that all Arrack or Toddy removed without Permit shall be confiscated, and the Owner of such Arrack shall pay a Fine of Rix Dollars Ten for every Gallon of Arrack so removed, and in proportion for any lesser quantity than a Gallon, with the exception first above mentioned, and be imprisoned till such Fine be paid—and that all and every other Person employed or concerned in such removal who shall not give up the name and place of abode of the person by whom he or she was employed in such removal, so that such Person may be convicted, shall pay a Fine of Twenty five Rix Dollars for each offence, and in default of payment shall be liable to be confined at hard labour for a term not exceeding six Months or to corporal punishment not exceeding fifty lashes, and that all Carts, Waggon, Donies, Vessels or other conveyances employed in such removal, with the knowledge of the Owners thereof or of the Masters or Tindals of such Donies or Vessels shall be confiscated.

11. And it is further enacted, that all Owners or Renters of any number of Trees from which Toddy may be drawn, shall on requisition from the Collector of the District, or a Renter of an Arrack or Toddy Farm acting under authority of the Collector in any particular part thereof, furnish a true and correct statement of the number of Trees from which Toddy is drawn, and the quantity which has been drawn during three months preceding, and the manner of disposal of the same, and that any such Person convicted of wilfully giving in a false statement shall pay a fine of Rix dollars fifty and in default of payment shall be liable to be imprisoned at hard labour for any term not exceeding twelve months.

12. And it is further enacted, that all Arrack or Toddy which shall be found in any place not belonging to a person Licensed to possess the same in manner above mentioned, according to the tenor of the Licenses or Certificates respectively, and during the time for which the same are issued shall be confiscated, excepting Toddy found in the Garden where the same is drawn, and the Owner of or Occupier of any House, Out House or other building wherein the same may be found, with the exception aforesaid, shall pay a Fine at the rate of five Rix dollars for every Gallon of Arrack and Two Rix dollars for every Gallon of Toddy so found, and in default of payment shall be liable to be imprisoned and put to hard labour for any term not exceeding twelve months.

13. And it is further enacted, that any person who shall forge or counterfeit any Permit or Certificate required to be used or issued under this Regulation, or shall knowingly and wilfully utter any such forged or Counterfeit Permit or Certificate, shall on conviction be sentenced to imprisonment for any term not exceeding twelve months and to be employed at hard labour during such imprisonment.

14. And it is further enacted, that all offences against the Provisions of this Regulation, shall and may be tried and decided on, and the several penalties awarded, by and before any Provincial Judge, Sitting Magistrate or Justice of the Peace throughout the said Cingalese Districts, according to their local Jurisdictions; save and except, that no Sitting Magistrate or Justice of the Peace, shall have authority to declare confiscated any Ship, Vessel or Doney, or to impose any fine exceeding One Hundred Rix Dollars; and that no Provincial Judge shall have authority to declare confiscated any Ship or Vessel exceeding in Burthen Thirty Tons, but shall remit the parties in any case wherein confiscation of a Ship or Vessel of larger burthen is prayed, to remedy before the Supreme Court of Judicature according to the course of Revenue Prosecution before the said Court, and that the one half of all Fines herein before directed to be levied and the one half of the value or produce of all confiscations under this Regulation, shall go to Our Lord the King, and the other half to the person or persons prosecuting the offender to conviction—Provided always that in the event of the inability of any Defendant to pay the Fines above directed, and sentence of imprisonment or corporal punishment being awarded for any offence, the Collector of the District shall, nevertheless, pay to such Prosecutor the full amount of the share he would be entitled to, of the Fine prescribed for such offence by any Clause of this Regulation.

15. And it is further enacted that nothing in this Regulation contained shall be taken and construed as repealing or altering the Third Regulation of the Year 1814 - For preventing the Introduction of Arrack and Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon, all the Provisions and Enactments whereof are hereby confirmed and declared of full Force.

16. And it is further enacted that any Arrack found in the Estate of any deceased person, who shall during his life time have been duly qualified to possess the same, shall and may be sold by Auction; notice given to the Collector of the District, and the Lots exposed not being of less than Fifteen Gallons at a time—and with respect to smaller quantities found in any such Estate—The Collector shall and may direct the Renter or Licensed Retailer of Arrack nearest the place of Sale, to receive and pay for the same, to the Representatives of the deceased, at a rate Twenty per cent. under the authorized retail price.

*Given at Kandy this Fourteenth day of April 1818,*

By Order of the Council,

GEO. LUSIGNAN,  
*Act. Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 11 of 1819.)*

*For the more effectual security of the Revenue derived from the retail sale of Arrack in the Malabar Districts and for regulating the sale of Toddy in the said Districts.*

*Regulation No. 4 of 1818.*

1. **W**HEREAS it is necessary and expedient, that the several restrictions, Enactments and penalties, which have been from time to time established by the authority of Government for the Protection of the Revenue derived from the retail Sale of Arrack, within the Malabar Districts of the Maritime Provinces of the Island, extending from the Komekenaar bounding the Mahagampattoo, to the Northern limit of the District of Chilaw, round by Jaffnapatam, should be consolidated into one Regulation, and that further Security should be afforded to His Majesty's Revenue from this source, by re-enacting such restrictions as may have become obsolete, or establishing more effectual checks on fraud, and whereas it is also necessary to provide for the more effectual collection in those Districts of the Revenue derived from Toddy draw within the same.

2. It is therefore enacted by His Excellency the Governor in Council that from and after the 1st day of May next ensuing all Laws, Rules, Regulations and Enactments affecting the Revenue from Arrack and Toddy shall be, within the Districts and local limits above defined and the same are hereby repealed.

3. And it is further enacted that from and after such first day of May, the Retail Sale of Arrack of every description, save and except under License or Authority in writing from the Collector of the District in which the same is retailed or from some other Revenue Officer or Renter acting under the authority of such Collector, shall be and the same is declared unlawful, and that all and every person or persons who shall be convicted of selling by retail, any Arrack without such License or Authority shall pay a fine of Rix dollars Fifty for each offence, and in default of immediate payment shall be liable to be imprisoned and put to hard labour for any term not exceeding twelve months.

4. And it is further enacted, that from and after the date aforesaid, no person or persons shall within the limits afore described distil Arrack without a License in writing obtained from the Collector of the District or his Assistant, specifying the term for which the same is granted (not exceeding twelve months) the number of Stills licensed, and the places where the same respectively are erected and intended to be worked, which License shall be issued by such Collector or his Assistant without Fee, Gratuity or Reward; but may be refused to any Applicant; the reason of such refusal being certified to the Commissioner of Revenue, who may on application sanction or reverse the same, and that any person or persons convicted of distilling of Arrack by whatever name or names the same may be called or described without such License

REGULATION No. 4 of 1818.

or contrary to the Tenor thereof, shall pay a Fine of Rix dollars Ten for every Gallon of Arrack which may be proved to have been distilled by him, or her or them and in proportion for any lesser quantity; and in default of immediate payment shall be liable to imprisonment and put to hard labour for any term not exceeding Twelve months, and that any Still or Stills used for such unlawful distillation with the appurtenances thereof shall be confiscated.

5. And it is further enacted, that all and every person or persons Licensed to distil Arrack, shall on the first day of every month, deliver unto the Collector of the District, a true and correct Return of the quantity of Arrack distilled by them during the preceding month, and of the quantity of Toddy used therefore, and also of the quantity of Arrack sold by them during the same period, and to whom by name respectively, and the quantity remaining in his, her or their possession, which is to be carried over to the next monthly return, and that any person convicted of wilfully giving in a false return shall pay a fine of One hundred Rix dollars and in default of payment shall be liable to be confined and put to hard labour for a term not exceeding twelve months.

6. And it is further enacted, that it shall and may be lawful for any Magistrate or Justice of the Peace, upon Affidavit made before him stating just grounds of suspicion to issue his Warrant to search and seize wherever the same may be found, Stills used for the distillation of Arrack without License, together with all Liquor therewith found; and that after such Warrant is issued, the same shall be executed in company of and attended by the Constable or Police Vidahn of the place, and such Constable or Police Vidahn is hereby authorised on request made and cause declared, to enter Houses in search of such unlicensed Stills, and such Stills and Liquor shall be confiscated and sold to Licensed Distillers only.

7. And it is further enacted, that within the District aforesaid no Arrack shall be used or kept for private use by any Person whomsoever not being a licensed retail dealer, unless the same shall have been purchased from some Person duly authorized to sell the same by retail within the District or Sub-division in which the same is to be used or unless such licensed Retailer shall have by Certificate in writing authorized the Person, to whom such Certificate is granted to purchase elsewhere for use a certain quantity of Arrack, to be specified in such Certificate and not to be less than Fifteen Gallons at one time, and any Person who shall be convicted of keeping or using any Arrack not purchased in manner aforementioned with the exceptions above specified, shall pay a Fine of Twenty Five Rix Dollars for every offence and in default of payment shall be liable to be imprisoned and put to hard labour for any term not exceeding three months.

8. And it is further enacted that no Wine or Spirits, save and except genuine Arrack of good quality and proof, shall be sold by Retail in any part of the said Malabar Districts at a lower rate than Nine Rix Dollars per Gallon and a penalty on any Person selling by retail any such Wine or Spirits, save and except Arrack in less quantities than one Gallon, or retailing bad or adulterated Arrack, of Fifty Rix Dollars for every offence, and in default of immediate payment of such Penalty such Person shall be liable to be confined and put to hard labour for any term not exceeding twelve months.

9. And it is further enacted, that every wholesale dealer in Arrack shall register his Name as such with the Collector of the District, and take out a Certificate of such Registry, which shall be in force for one year from the date thereof; and shall be issued within 48 hours after application without any Fee, Gratuity or Reward being exacted for the same; and which shall entitle the Person to whom the same shall be issued, to have in his or her possession any quantity of Arrack lawfully purchased or imported from other parts of the Island for exportation or for sale again by wholesale.

10. And it is further enacted, that such wholesale dealers, shall at the end of every three months after the date of their Certificates respectively, furnish the said Collector with an account of all Arrack purchased or received by them, and of all Arrack sold, exported or issued during the period preceding, and the quantity remaining on hand, which shall be carried forward to the next periodical account, and that any such wholesale dealer who shall be convicted of giving in wilfully a false account shall pay a Fine of Five Hundred Rix Dollars and be imprisoned till such Fine be paid.

11. And it is further enacted, that no sale of Arrack shall be considered wholesale, unless the quantity sold amounts to Fifteen Gallons.

12. And it is further enacted, that it shall and may be lawful for the Collector of every District or his Assistant, to direct by order in writing, that any wholesale dealer in Arrack, shall permit one or more Locks, to be put upon his Storehouse or Storehouses wherein Arrack shall be lodged and the keys thereof kept by such Person as the said Collector or his Assistant shall from time to time appoint, Provided always that the owner of such Arrack shall at all times during the day have free access thereto for lawful purposes; and the Collector or his Assistant shall direct that on application to the person keeping the keys by his authority such person shall within a reasonable time attend with the keys for that purpose, and it is further enacted that any such dealer disobeying the directions in writing of any such Collector or his Assistant in this behalf shall pay a Fine not exceeding Five Hundred Rix Dollars and be imprisoned till such Fine be paid.

13. And it is further enacted that no Arrack exceeding in quantity two quarts for private use, the same having been purchased from a licensed retailer, shall be removed, except upon a Permit signed by the Collector or other Revenue Officer or Renter acting under his authority; which said Permit shall be issued for the removal of Arrack in quantities not under 15 Gallons by wholesale dealers, on application without Fee, Gratuity or Reward by the Collector, Revenue Officer or Renter to whom application is made on pain of a Fine on such Revenue Officer or Renter of Twenty-five Rix Dollars for every omission or delay in issuing the same over and above any damages which may be recovered against him by any wholesale dealer for loss sustained by such delay or omission and such Permit shall specify the quantity to be removed and from and to what places and for what period, such Permit is to be in force, and that all Arrack removed without Permit shall be confiscated, and the owner of such Arrack shall pay a Fine of Rix Dollars Ten for every Gallon of Arrack so removed and in proportion for any lesser quantity than a Gallon, with the exception first above mentioned and be imprisoned till such Fine be paid, and that all and every other Person employed or concerned in such removal, who shall not give up the name and place of abode of the person by whom he or she



REGULATION No. 4 of 1818.

was employed in such removal so that he or she may be convicted shall pay a Fine of Twenty-five Rix Dollars for each offence and in default of payment shall be liable to be confined at hard labour for a term not exceeding six months or to corporal punishment not exceeding Fifty Lashes, and that all Carts, Waggon, Donies, Vessels or other conveyances employed in such removal with the knowledge of the owners thereof or of the Masters or Tindals of such Donies or Vessels shall be confiscated.

14. And it is further enacted, that all Arrack which shall be found in any place not belonging to a person licensed to possess the same in manner above mentioned, according to the tenor of the licenses or Certificates respectively and during the time for which the same are issued shall be confiscated and the owner of or occupier of any House, out House or other Building wherein the same may be found with the exception aforesaid shall pay a fine at the rate of Five Rix Dollars for every Gallon of Arrack found and in default of payment shall be liable to be imprisoned at hard labour for any term not exceeding twelve months.

15. And it is further enacted, that any person who shall forge or counterfeit any Permit or Certificate required to be used or issued under this Regulation or shall knowingly and wilfully utter any such forged or Counterfeit Permit or Certificate, shall on conviction be sentenced to imprisonment for any term not exceeding twelve months, and to be employed at hard labour during such imprisonment.

16. And it is further enacted, that all offences against the Provisions of this Regulation, shall and may be tried and decided on, and the several penalties awarded, by and before any Provincial Judge, Sitting Magistrate or Justice of the Peace, throughout the said Malabar Districts according to their local Jurisdictions, save and except that no Sitting Magistrate or Justice of the Peace, shall have authority to declare confiscated any Ship, Vessel or Doney or to impose any Fine exceeding one Hundred Rix Dollars, and that no Provincial Judge shall have authority to declare confiscated any Ship, or Vessel exceeding in Burthen Thirty Tons, but shall remit the parties in any case wherein confiscation of a Ship or Vessel of larger Burthen is prayed to remedy before the Supreme Court of Judicature according to the course of Revenue prosecution before the said Court, and that the one half of all Fines herein before directed to be paid and one half of the value or produce of all confiscations under this Regulation shall be paid to His Majesty the King and the other half to the person or persons prosecuting the offence on conviction, provided always that in the event of the inability of any Defendant to pay the Fines above directed and sentence of imprisonment or Corporal punishment being awarded for any offence, the Collector of the District shall nevertheless pay to such Prosecutor the full amount of the share he would be entitled to of the Fine prescribed for such offence by any clause of this Regulation.

17. And it is further enacted, that the Collectors in the several Malabar Districts aforesaid may and shall frame Rules for the restriction and Regulation of the sale of Toddy within their respective Districts which said Rules respectively being approved and the sanction of His Excellency the Governor being notified thereon by the signature of the Chief or Deputy Secretary to Government and true Copies thereof lodged in the Supreme Court of Judicature, and the High Court of Appeal, and in the several Courts of the Provincial Judges and Sitting Magistrates in the respective Districts and having been duly published within and throughout the said Districts respectively by the Collectors, shall until the 31st day of December now next ensuing have the force and effect of local Law and Regulation within the said Districts and be obeyed accordingly, and such Fines and imprisonments as the same may prescribe for breach of any of the said Rules be levied and inflicted by all Courts and Magistrates according to their local Jurisdictions, Provided always that no Fine shall be levied under such Rules exceeding Fifty Rix Dollars and no imprisonment awarded exceeding Six months at hard labour.

18. And it is further enacted, that nothing in this Regulation contained shall be taken and construed as repealing or altering the Third Regulation of the year 1814, for preventing the introduction of Arrack and Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon, all the Provisions and Enactments whereof are hereby confirmed and declared of full force.

19. And it is further enacted, that any Arrack found in the Estate of any deceased person who shall during his life time have been duly qualified to possess the same shall and may be sold by Auction, notice of the sale being given to the Collector of the District and the Lots exposed not being of less than Fifteen Gallons at a time, and with respect to smaller quantities found in any such Estate, the Collector shall and may direct the Renter or licensed Retailer of Arrack nearest to the place of sale to receive and pay for the same to the Representatives of the deceased at a rate of 20 per Cent under the authorized retail price.

*Given at Kandy, this Fourteenth day of April 1818.*

By Order of the Council,

GEORGE LUSIGNAN,  
*Act. Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Order in Council of 12th April 1832.)*

*To declare the legality of pressing for the Service of Government Persons bound to such service by Cast, Tenure of Land, or Custom; and of the mode of enforcing the same as heretofore practised.*

1. **W**HEREAS doubts have arisen, whether the impressment of Persons bound by their Casts, or Tenure of Lands, or other Customs of these Settlements, to serve His Majesty's Government as Coolies or otherwise, is Legal; and whether the Officers of Govern-

*Regulation No. 5 of 1818*

REGULATION No. 5 of 1818.

ment and Native Headmen receiving Orders to impress such Persons according to the common course of Public Business in this Colony, are authorized to execute the same, by taking for the Public Service, any Person or Persons of the descriptions above stated, wheresoever such Person or Persons may be found; and whether in the employ of Individuals or not.

2. And whereas it is essential to the Interests of His Majesty's Government, that such doubts should be without delay removed.

3. It is therefore hereby enacted and declared by His Excellency the Governor in Council, that the impressment for the Service of Government, of all persons bound by their Casts, Tenure of Lands, or other customs of this Colony, to perform Service, is and has been always legal; and that it is, and has been, legal and competent, for such Public Officers, and Native Headmen of every description, to whom the duty is committed, by the usual course of Business, which has obtained in this Colony, to seize, take, arrest, send and employ in the Service of Government, all and every person or persons, who by his or their Casts, Tenure of Lands or other Custom of these Settlements is or are bound to serve Government as Coolies or otherwise, when and wheresoever such person or persons may be found, and although such person or persons are or have been employed or engaged in the private service of any Individual whosoever—And for that purpose to employ under such Officers of Government or Native Headmen, other inferior Officers, to execute such duty, who are and have been duly authorized, to seize take and arrest such person or persons as are herein above mentioned, when and wheresoever the same may be found.

4. Provided always that any Officer of Government, Native Headman or Inferior Officer acting under the Authority of such Officer of Government or Headman, are and have been responsible in Law, that in the execution of the duties herein above declared, to be entrusted to them respectively, he or they do not commit, or authorize or order to be committed, any act or acts of wanton abuse of Power, or violence not necessary, to the full and due performance of such duties.

5. And provided further that nothing in this Regulation contained shall be taken or deemed to limit, restrain or relax the right and Prerogative of His Majesty's Government to call for the service of all His Majesty's Subjects according to the Laws and Customs of the Settlements.

Given at Kandy this 7th day of May 1818.

By Order of the Council,  
GEORGE LUSIGNAN,  
*Actg. Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

(Annulled by Charter of 18th February 1833.)

For the Administration of Justice in the Wanny.

REGULATION No. 6 of 1818.

1. WHEREAS it is expedient that the Jurisdiction heretofore vested in the Provincial Court of Jaffnapatam and the Sitting Magistrate of Mulletivoe in and over some parts of the Province of the Wanny should be transferred to other Jurisdictions which can more easily to the Inhabitants, administer Justice in the same.

2. It is therefore enacted that from and after the publication of this Regulation the Eight Divisions of the Wanny called Melpattoo North, Melpattoo South, Melpattoo East, Klekoomoole North, Oodeavor, Mulliawelly, Karikatoomoole North and Karikatoomoole South—shall be included in the Province of Trincomalie and Civil and Criminal Jurisdiction be exercised therein by the Provincial Court of Trincomalie and by the Sitting Magistrate of Mulletivoe according to the Powers vested in the latter Officer by the 12th Regulation of 1813.

3. And that the Five divisions called Merkoomoole, Panengamme, Nadoo Sitticolom, Sinne Sitticolom, and Klekoomoole South shall be included in the District of Manar and shall be subject to the Civil and Criminal Jurisdiction of the Provincial Court of Calpentyn and the Sitting Magistrate of Manar.

4. And that the four Provinces of the Wanny called Karnawelpattoo North, Karnawelpattoo South, Toonekay and Poodoocodoiripoo shall be included in the Province of Jaffnapatam and continue subject to the Jurisdiction of the Provincial Court of that Province and that the Sitting Magistrate of Mulletivoe do continue to exercise Jurisdiction therein. Provided always that Appeals from the Decisions of the said Magistrate relative to those Divisions shall and may be heard and decided by the Minor Court of Appeal for Trincomalie according to the limitations of the Jurisdiction of the same.

Given at Kandy this 18th day of June 1818.

By Order of the Council,  
GEORGE LUSIGNAN,  
*Actg. Sec. to the Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 6 of 1835.)**For the relief of certain Prisoners for Debt not provided for in the several Insolvent Regulations.*

REGULATION No. 7 of 1818.

1. **W**HEREAS by the Regulations which have been usually passed on this Island for the relief of Insolvent Debtors, it is among other things provided, that no Prisoner confined for Debt shall be entitled to the benefit of such Regulations, if it shall be proved by or on behalf of any creditor, at whose suit such Prisoner is confined, either.

That six days notice previous to the publication for discharge to such creditor with a Statement of the Debtors property has not been given.

That the debt was contracted either by means of fraud practised by the Prisoner or by breach of any trust reposed in him or that the Prisoner has concealed or omitted in his statement any property of any kind whatever save necessary wearing apparel and the instruments of his or her trade and occupation.

2. And whereas by such Provision Prisoners for debt may and do remain in confinement for a term not limited which is in effect a Punishment disproportionate to the offences committed by such Prisoners and more severe than has been usually inflicted on Criminal Prosecutions for Frauds.

3. It is therefore enacted by His Excellency the Governor in Council, that all and every Prisoner who shall have been or hereafter be excluded from the relief of any Insolvent Regulation heretofore passed, for or on account of proof of the first recited objection, to wit, for not giving six days notice to his creditor, shall and may be entitled to renew the application after the expiration of six months from the date on which he was remanded and complying with the exigency of the Regulation under which he originally claimed his release be discharged according to its provisions. And that any Prisoners who shall have been or hereafter be excluded from relief under any such Regulation, for either of the two latter herein recited reasons or objections, shall and may be discharged from confinement at the expiration of six months from the day of his or her commitment in execution for the debt on which he or she is confined: provided that he or she shall have been during the whole time in confinement under such commitment. And Provided further that such Debtor shall comply with such part of the exigencies of the Regulation for the current year 1818 as relates to the delivering on Oath a Statement of all such moveable or immoveable property as he or she may be possessed of or entitled to or which any person in trust for him or her shall be possessed of or entitled to; and to the assignment of such Property for the benefit of his or her creditor or creditors, and also that all future property of such person shall be and continue liable to his or her debts above mentioned until the same shall be fully satisfied.

*Given at Kandy this 18th day of June 1818.*

By Order of the Council,

GEORGE LUSIGNAN,  
*Actg. Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Expired.)**For suspending the operation of the 13th Regulation of 1806 and 3d Regulation of 1808.*

REGULATION No. 8 of 1818.

1. **W**HEREAS by the 12th Regulation of the year 1806 it is enacted that all persons within the District of Jaffnapatam not enregistering their Slaves within Four Months from the date of the said Regulation in manner directed by the same should forfeit all legal Title to the said Slaves, And Whereas by the 3d Regulation of the Year 1808 the penalty above alluded to was suspended for the space of six months from the date of the last mentioned Regulation, and it was enacted that after the lapse of six months the several Officers therein named should be directed peremptorily to liberate and grant deeds of manumission, to all Slaves whose Masters shall not have complied within that term with Provisions of the said Regulation. And whereas notwithstanding, the Registry in and by the said Regulation directed has not taken place, and it is the intention of His Excellency the Governor in Council that a new and more efficient mode of Registration of all Slaves throughout these Settlements shall be promulgated and enacted; And whereas it is expedient that till such new mode is declared, the operation of the said 13th Regulation of 1806 and 3d Regulation of 1808 should be suspended.

2. It is therefore enacted by His Excellency the Governor in Council, that all Enactments, Provisions and Penalties in the said Thirteenth Regulation of 1806 and Third Regulation of 1808 contained, shall be, and the same are hereby suspended from having effect till further Provision or declaration made and published respecting the same.

Provided always that no act done under and in pursuance of the said Regulations before the publication of this Regulation in the District of Jaffnapatam, shall be thereby avoided or annulled.

*Given at Kandy this 18th day of June 1818.*

By Order of the Council,

GEORGE LUSIGNAN,  
*Actg. Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 20 of 1844.)*

*A Regulation for Securing to certain Children Emancipated by the Proprietors of their Mothers the full benefit of such Proprietors Intentions, and for establishing an efficient Registry of all Slaves, and abolishing the joint Tenure of Property in the same.*

REGULATION No 9 of 1818.

1. **W**HEREAS His Royal Highness The PRINCE REGENT Acting in the Name and on behalf of His Majesty has been graciously pleased to accept the Voluntary Offer of the greater number of Proprietors of Slaves in the Maritime Provinces, and whose Signatures appear to different Copies of an Address to His Royal Highness of the Tenor annexed to this Regulation and marked A. (which said Copies bearing their signatures are of Record in the Office of the Chief Secretary to Government of this Colony) that all Children born of their Slaves on and after the Twelfth day of August which was in the year of our Lord One Thousand Eight Hundred and Sixteen, should be free Persons.
2. And whereas it is necessary to provide effectually, for securing to the persons in whose favour this liberal and humane concessions has been made, the full privileges thereof, and to provide for the support and Tutelage of the Children born or to be born, during their tender years.
3. And whereas the Tenure of Slaves of the Covia, Nallua and Palla Casts, in joint and undivided Property, by several Owners, has been found to be prejudicial to good order and Police in the Province of Jaffnapatam, where that mode of Tenure principally exists, and the continuance of the same must eventually tend to encourage, and produce encroachments on the liberties of Persons, who may by the Provisions of the arrangement above recited become free; and to throw obstacles in the way of such persons, being Owners of such Slaves, who may be willing to follow the good example that has been held forth to them, by the Subscribers of the Addresses aforementioned.
4. It is therefore enacted by His Excellency the Governor in Council, that in pursuance of the wishes of the Subscribers above referred to all and every the Children of the said Slaves, who were on the 12th day of August One Thousand Eight Hundred and Sixteen, or who may hereafter be born of such Female Slaves, are and shall be free.
5. And it is further enacted, that the said several Subscribers to the said Address, and all other persons being Proprietors of Domestic Slaves, such Slaves not being of the Casts of Covias Pallas and Nalluas, respecting whom is herein after provided; shall and they are hereby required to enregister the names, ages and Sexes of their several Slaves, with the names, sexes and ages of the Children of such their Female slaves, specifying whether such Children were born before or on and after the Twelfth day of August One Thousand Eight Hundred and Sixteen, in a Register to be opened for that purpose, by a Provincial Court in the District, in which such Subscriber resides, within three months from the date of this Regulation.
6. Provided that a personal attendance shall not be deemed necessary from the subscribers to the several Addresses, for the purpose of effecting such Registry as is herein above directed, but that a List of such Male and Female Slaves, and their Children shall and may be sent to the Secretary of the Court, according to the Form annexed to this Regulation, and marked B. on which List the Registry may take place—and provided also, that in the Districts of Manar, Batticaloa and the Mahagampattoo, such Registry may take place in the Office of the Sitting Magistrates of those Districts respectively—and that all and singular the acts by the foregoing or herein after contained clauses directed and authorized to be done by the Secretaries of the Provincial Courts respectively, shall be done in those three Districts respectively, by such Sitting Magistrates, and provided further that the Registry of Slaves the property of Minors, shall be made on the application of their natural or appointed guardians, and of married women on the application of their husbands on their behalf.
7. And it is further enacted, that in order to facilitate the formation of the Registry, True Copies of the Original Addresses, bearing the signatures of the Subscribers in each District, be forwarded to such Provincial Courts, and also the Original Lists of Slaves compiled or collected under the directions of His Excellency the Governor's Minute of the Thirtieth day of August 1816.
8. And it is further enacted, that upon the Death of any slave who shall have been registered, or on the birth or death of any Child of a slave (whether such child shall be the operation of this Regulation be free or not) notice thereof shall within eight days after either event occurring, be given personally or in writing by the proprietor of such Slave to the Secretary of the Provincial Court of the District in which he or she resides and if in writing according to the Forms C. & D. respectively hereto annexed; and a Registry thereof shall be made in a Column allotted to that purpose in the Original Register, if the slaves deceased or the Mother of the Child was registered in that District, and if the Child born shall be not free such child shall also be Registered as a new slave of the Proprietor: or in a new Book, according to the Form of the notice transmitted, if the said slave deceased, or the mother of the child born, was registered in any other district; and in those last mentioned cases, the said Secretary shall send a Copy of the notice, to the Secretary of the Court where the Original Registry was made, in order that the same may be noted therein.
9. And it is further enacted that on the acquisition of any slave or slaves, whether by Purchase, Gift, Legacy, Inheritance or otherwise, the person acquiring the same shall in similar manner personally or in writing according to the Form E. notify the same to the Secretary of the Provincial Court of the district in which he or she resides, for the purpose of such change of property being enregistered by such Secretary, either in the Original Register or de Novo, as the Register may be in the same or in another district, notifying, in the latter instance, the circumstance to the Court or Office of Original Registry.
10. And it is further enacted, that Certificates of the Registry directed in and by the 5th 6th, 8th and 9th Clauses of this Regulation, shall be issued by the said Secretaries to the persons registering the same, at the expense of such parties, upon a Stamp of Six Fanams for each Certificate of Original Registry, or of change of property, or of a Child, not being free born, and on blank Paper for each Certificate of the Registry of a free Child born, and of the death of a Slave or Child.

11. And it is further enacted that any proprietor of Slaves, who shall fail to comply with the several Provisions herein before enacted, shall be liable to the following Penalties respectively.

For failing to enregister his or her adult Slaves as provided by the 5th Clause within the time specified or any fresh acquisition of Slaves.—The forfeiture of all right in and to the said Slave or Slaves not registered, and to all the Children of such Slave or Slaves, who shall be and are declared absolutely free.

For any omission in the number of Children of each Slave, at the time of Original Registry—a Fine not exceeding One Hundred Rixdollars for each Child wilfully or knowingly omitted; and for any wilful misstatement of the time of Birth of such Child a Fine not exceeding One Hundred Rixdollars and Imprisonment till such Fine is paid.

For omitting to give notice within the time prescribed, of the Death of any Slave or of any Child of such Slaves, a Fine of Twenty Rixdollars and Imprisonment till such Fine is paid.

For omitting to give notice within the time prescribed of the birth of any Child of a Slave.

If the Child shall be by virtue of this Regulation free, a Fine of Two Hundred Rixdollars, and in default of payment, Imprisonment at hard Labour for a term not exceeding twelve Months.

If the Child would not have been free, a Fine not exceeding Fifty Rixdollars and Imprisonment till such Fine be paid, with forfeiture of all right and title to such Child as a Slave—And that one half of all such Fines shall go to our Lord the King and the other half to the Person suing for the same before any Provincial Court or Sitting Magistrate having local Jurisdiction; and that it shall lie on the Defendant to prove, that he has complied with the Regulation, by production of the Certificate herein above directed to be issued, of the Registries herein commanded.

12. Provided always that in any instance of a malicious and unfounded Prosecution for person or persons under this Regulation, it shall and may be lawful for the Judge or Magistrate before whom such case shall be tried, to award compensation from the Prosecutor to the Defendant to the amount of Fine which might have been adjudged to be paid by such Defendant on Conviction, and to grant Process of Execution to compel payment thereof, as in other Civil actions.

13. And it is further enacted, that the said Penalties shall be over and above all such Punishment as by Law now may be inflicted on Persons detained or pretending to detain Free Persons in Slavery, or to use or dispose of them as such: it being in no wise intended by any thing herein contained to abrogate, annul, or alter such Laws, or any part thereof.

14. And it is further enacted that every Proprietor of a Female Slave, whose Child or Children, or any one or more of them, are or shall be free under this Regulation, shall maintain such Child or Children until He, She, or They attain the age of Fourteen Years, and find them in food and raiment, such Child or Children of their Slaves being bound to service according to their abilities and age to the said Proprietors of their Mothers, without any demand of wages therefore, and shall be liable to moderate Castigation for offences and neglects—And that if any such Proprietor shall alienate a Female Slave having a Child or Children free under this Regulation, under the said age of Fourteen Years, such Child or Children shall accompany the Mother, and be maintained and clothed by, and be servient to, the Person to whom the said Female Slave is transferred, till He, She or They shall have been completed their fourteenth Year.

15. And it is further enacted that from and after the 12th day of August which will be in the Year 1819, joint Property in Slaves, either Domestic or belonging to the Cast of Covia, Nallua, or Palla, or under any other denomination, shall not be lawful within any of the maritime Provinces of these Settlements; and that all Registries of Slaves under the Provisions of this Regulation shall be only in the name of a single Proprietor for each Slave; and all Persons who now hold shares of Slaves in common, are therefore hereby peremptorily required by agreement among themselves, to cause such tenure to cease, either by division of the families of Slaves among such holders of Slaves, or by the sale of such Slaves singly to one of the present Proprietors or to a Stranger, and division of the Proceeds as may be most practicable: and for the more effectual completion of which partition, or division of the value of such Slaves in the Provinces of Jaffnapatam and Trincomalie further Provision is, by a Regulation bearing even date with these presents, made and enacted provided that in such division or sale, no Child under 14 Years of age shall be separated from the mother of the same.

16. And it is hereby further enacted, that on the death of any Proprietor of Slaves duly registered under this Act, the Property in such Slaves shall be [within one month after his or her death] distributed or disposed of in due course of administration among the Heirs either by actual division of the Slaves among the Heirs respectively where the same is possible, or by the sale of such Slaves and division of the Proceeds in the manner above prescribed and referred to.

17. And it is further enacted, that no Person of the Covia, Nallua or Palla Casts, shall be deemed or taken to be a Slave unless He or She shall have been on or before the 12th day of August which will be in the Year 1819, registered according to the Provisions herein after mentioned—and that any Person or Persons claiming any Person or Persons of the said Casts as a Slave or Slaves, or detaining or pretending to detain or using or disposing of any such Person or Persons as a Slave or Slaves, from and after the said 12th day of August, not being provided with the Certificate of the Registry of the said Slave or Slaves under the Provisions of this Regulation, shall be liable to all such Penalties as by Law now may be inflicted, on the detention, use, or alienation of free Persons as Slaves.

18. And it is further enacted that the Registry of such Slaves of the Covia, Nallua and Palla Cast, shall take place on the personal attendance of the Person claiming to be the sole Proprietor of any such Slave or Slaves, or of an authorized Agent on his or her behalf or being a minor, by the attendance of the natural or appointed Guardian of such minor on his or her behalf at the offices of Provincial Courts of the respective Districts wherein such Proprietor resides save and except in the District or Province of Jaffnapatam wherein for the convenience of the Inhabitants, the places of Registry are multiplied for different divisions of the same, according to the Schedule hereto annexed marked F. and save and except in the Districts

REGULATION No. 9 of 1818.

of Manar, Batticaloa and Mahagampattoo, where such Registry is to be held by the Sitting Magistrates of Manar, Batticaloa and Hambantotte respectively, and save and except in those parts of the Wanny which now belong to the Districts of Trincomalie and Jaffnapatam, in which the Registry shall be held by the Sitting Magistrate of Mulletivoa.

19. And it is further enacted, that such Registers of Covia, Nallua, and Palla Slaves, shall contain the Name, Age and Sex of each Slave, and the number of Children of each Female Slave being under the age of 14 Years at the time of the Registration, and that it be also noted if such Children are by the subscription of the Proprietors of such Female Slaves to the address herein above recited, free, and that the Person registering the same do issue to such Proprietor, Agent, or Guardian at the expense of such Proprietor, a Certificate of such Registry on a Stamp of three fanams for each Slave.

20. And it is further enacted, that all changes in the Families of Slaves of the Covia, Nallua, and Palla Casts by Deaths or Births occurring in the same, shall be notified by the Proprietor of such Slaves, in the District of Jaffnapatam to the Schoolmaster of the Parish, or in any other District to the Principal Headman of the Pattoo, in eight days after such change occurs, and such Schoolmaster or Principal Headman, shall forthwith certify the same according to the forms G. and H. respectively, to the Officer holding the Registry of Slaves for the District or Division in which the said Schoolmaster or Principal Headman resides, who shall register such change, in the manner prescribed in the 8th Clause of this Regulation for registering Births and Deaths among Domestic Slaves, and shall issue a certificate of such Registry Gratis to such Schoolmaster or Headman for delivery to the Slave Proprietor.

21. And it is further enacted that such Proprietor shall and must, if such Child or Children to be born as aforementioned are not free under the Provisions of this Regulation, and if He wishes to detain the same as Slaves after they attain the age of 14 Years, register the same in the Registry of the District or Division within Six months before they attain such age, his attendance in the manner prescribed in the 18th Clause of this Regulation, and receive a certificate of such Registry, in default whereof such Child or Children shall be and hereby declared to become free.

22. And it is further enacted, that on any new acquisition of Property in the form of Slaves of the said Casts, such acquisition shall be registered by the new acquirer, personally attending at the Place of Registry of His or Her District or Division, within Eight days after acquiring such Title, and be furnished with a Certificate thereof on a Stamp of Three fanams for each Slave, on pain of the same being of no avail, and the Slave or Slaves not registered, or for whom no Certificate is forthcoming being absolutely free, and such Registry is to be made in manner similar to that prescribed by the 9th Clause of this Regulation for registering acquisitions of Domestic Slaves.

23. And it is further enacted, that any Slave Proprietor, wilfully and knowingly neglecting to notify the Death of a Slave, or the Birth of a Child to any Slave, to the Schoolmaster or Principal Headman as provided in the 19th Clause of this Regulation, shall pay a fine of Rixdollars Ten for the Omission of notifying any Death and Rixdollars Twenty for the Omission of notifying any Birth, and shall be imprisoned till such Fine be paid: and that any Schoolmaster or Headman neglecting to certify such Deaths or Births to the Person holding Registry, or withholding from the Proprietor demanding the same, the certificates of such Deaths or Births being enregistered, shall pay a Fine of Ten Rixdollars for each Offence, and be imprisoned till such Fine is paid—and that one half of such Fines shall go to Our Lord the King, and the other half to the Person prosecuting the Offender to conviction, before any Provincial Judge, Sitting Magistrate or Justice of the Peace having local Jurisdiction.

24th. And it is further enacted, that if any Slave throughout the Maritime Provinces, is desirous of being emancipated, He or she may appear before the Provincial Court of the District, and state such His or Her desire, which Court shall thereupon by Summons in writing, call on the Proprietor of such Slave to attend the said Court, and on his or her attendance, which if need he may be compelled by attachment, shall by order in writing assemble Five respectable Persons of whom two shall be chosen by the Proprietor and two by the Slave, and the last appointed by such Court, and those Five persons or the major part of them, shall by a writing under their Hands, recorded in Court, fix a fair price to be paid by the Slave to the Proprietor—on payment of which at the time, (or in three Months thereafter into such Court for the use of such Proprietor, the said Slave shall be free and shall receive a Certificate of the same on a Stamp of Five Rixdollars from the Provincial Judge, who shall transmit a Duplicate of the same to the Person in whose Registry such Slave, shall have been enregistered as a Slave, that the same may be noted therein—Provided always that during the interval between the assessment of value and the time of payment every such Slave shall continue to serve his or her owner as a Slave and that in default of payment in the time prescribed the assessment and all Proceedings had on the application of the Slave, shall be held null and of no further avail; but without prejudice to any new application—and Provided further that no Slave who shall have been convicted of any offence exceeding a Petty assault or of any assault on his or her Master Mistress or any Member of his Family shall be entitled to the benefit of this enactment.

25. And it is hereby further enacted, that the 13th Regulation of the Year 1806, and the 3d Regulation of the Year 1808, shall be and the same are hereby repealed. Provided always that no act done under the same, before the Publication of the 8th Regulation of the present Year in the District of Jaffnapatam, shall be annulled or avoided.

26. And it is further enacted, that it shall and may be lawful for the Supreme Court of Judicature, in any case of robbery or violent assault with an intent to rob or murder, wherein any Slave shall be convicted before it, and it shall appear to the said Court, that due care was not taken by the Proprietor of such Slave, to prevent his or her being concerned in such Offence; in addition to punishment of the said Slave, to award and sentence that such Slave shall be sold by auction to the highest bidder and the Proceeds be paid to the Crown subject to a power of making compensation therefrom to Prosecutors as in and by the 65th Clause of H. M. Charter Constituting the said Supreme Court is granted to the said Court in respect to Fines imposed by its Orders.

27. And it is further enacted, that the Forms of keeping the Registers and of issuing Certificates, shall be according to the Forms annexed to this Regulation and numbered 1 to 16, Subject to such changes as may from time to time be sanctioned by order of His Excellency the

Governor in Council, and that a full and correct Transcript of the Registry of Domestic Slaves in each District, shall be transmitted by the Provincial Judge or Sitting Magistrate holding the same, to the Office of the Chief Secretary to Government, in Six Months from the date of this Regulation; and a List of alterations in the same for every three Months subsequent to the first Six Months, in One Month after the expiration of the Quarter. And that a similar Transcript of the Registries of all other Slaves save Domestic Slaves, shall be sent to the Office of the Chief Secretary aforesaid within Fifteen Months from the date of this Regulation, by the Judges and Magistrates holding the same, and similar Lists of alterations in the same for every three Months subsequent to the said period of 15 Months, in One Month after expiration of the quarter.

28. And it is further enacted, that the extract from the Transcripts of the said Registries, duly certified by the Chief, Deputy, or Assistant Secretary to Government or other person duly authorized thereto, by His Excellency the Governor, shall be deemed and taken as full evidence, as similar Extracts from the Original Registries.

29. And it is hereby further enacted, that any person who shall wilfully make any false entry, either in the Original Registers or in the Transcripts thereof aforesaid, or who shall fraudulently erase any entry made therein, or by interlineation or otherwise, alter any such entries, or shall, being an Officer duly authorized, to issue extracts from the same, issue any false or fraudulent papers purporting to be an extract therefrom; such person or persons shall on conviction thereof by due course of law, be punished by Transportation or other punishment as to the Court trying such offence may seem meet—And any person or persons, who shall wilfully, knowingly and fraudulently, procure or attempt to procure, the making of any such false entry or the fraudulent erasure, or interlineation of any matter in the said Registers or Transcripts, or fictitious extracts therefrom, shall on Conviction be liable to punishment by Fine, Imprisonment, and whipping.

30. And it is further declared and enacted, that nothing in the Regulation shall be taken construed to prevent the legitimacy of Title in and to any Slave or Slaves registered under the same, nor impeached by any Person having claims to the Property of such Slave or Slaves; nor shall any person, not being really a Slave, to slavery under colour of being registered under the Regulation, but that as well all Claims to Freedom as between Individuals as the said Slaves shall remain unaffected thereby, and subject to discussion before the competent Tribunals. Provided always that from and after the dates herein above specified, within which such Registration is commanded to take place, a certificate of Registry shall be an indispensable voucher, to entitle any person to prefer a claim to recover Property in a Slave, or to defend such Property, in any suit or Action.

*Given at Kandy this Fifth day of August 1818.*

By Order of the Council,

GEO. LUSIGNAN  
*Act. Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

A.

To

*His Royal Highness*

*The Prince of Wales Regent of the United Kingdom  
of Great Britain and Ireland.*

&c.

&c.

&c.

**WE** His Majesty's Loyal Subjects the Dutch Inhabitants and Native Casts of the Maritime Settlements in the Island of Ceylon, animated with sentiments of sincere and fervent Loyalty towards the person and Government of His Majesty and your Royal Highness, and emulating the humane and disinterested spirit, with which our fellow Subjects in the United Kingdom, have moved the Legislature in favour of that unfortunate Class of beings, placed in the degraded condition of slavery, beg leave to approach your Royal Highness with an humble tender of such tribute on our parts, in furtherance of the same benevolent object, as our circumstances enable us to afford.

In Families long settled, in this Island, of whatever Class, the Household Establishment is usually so much dependent on the service of Slaves, that a general discharge of those persons would subject the Inhabitants to privations, losses and expense, such as ordinary prudence forbids us to encounter—At the same time we have reason to know, that to great numbers of persons now in our Houses in the character of Slaves, bred up under our roofs supported for a course of years with kind and considerate treatment, and comfortable subsistence, many of them far advanced in life, the greater part established in habits of attachment, a general Emancipation would withdraw the source of their support, without advancing their happiness, or improving their condition.

We therefore humbly incline, both in consideration to them and to ourselves, to adopt the principle sanctioned by the wisdom of British Legislation, of a gradual abolition; that which we beg leave to offer being indeed gradual in its progress, but in its issue certain and complete.

We respectfully and dutifully propose, that the Era of future freedom to the Slaves of this Colony, shall take its commencement on the auspicious occasion of your Highness's Birthday, the 12th of August in the present year 1816, And we declare all Children born of our Slaves from that Date inclusive to be free persons.

Some incidental provisions will be perceived to be necessary, with regard to the support and tutelage of these liberated Children during their tender years—The leading articles of enactments which appear expedient for this purpose have already been indicated, in Resolutions conveyed by The Honble the Chief Justice for the information of His Excellency the Governor, and we doubt not that these and such other Regulations as may be found calculated to place the intended measure on a footing of mutual comfort to the emancipated Slaves and their Masters, will be distinctly and favourably represented by His Excellency, and receive in substance the gracious acceptance and confirmation of your Royal Highness.

REGULATION No. 9 of 1818.

*LIST of Subscribers to the Address to His Royal Highness The PRINCE REGENT for  
Emancipating Children born of Slaves after the 12th of August 1816.*

## COLOMBO:

## DUTCH INHABITANTS &amp; BURGHERS.

C. S. Wickerman  
V. W. Vanderstaaten  
D. C. Fretz  
C. C. Uhlenbeck  
F. P. Fretz  
A. Count Ranzow  
J. G. Kriekenbeek  
R. Morgan  
G. Schneider  
W. A. Kriekenbeek  
J. F. Lorenz  
C. A. Prins  
J. H. Douwe  
C. A. De Raymond  
J. A. Kriekenbeek  
B. De Waas  
J. C. Van den Driesen  
J. J. Stork  
C. A. Spaar  
J. J. Philipz  
P. A. Loos  
J. De Waas  
J. F. Conderlag  
C. Jansen  
A. Mortier  
C. F. Mottau  
J. H. Van den Driesen  
P. S. De Run  
J. F. Jonklaas  
B. Brohier  
E. W. Staats  
C. W. Hoffman  
L. De Run  
W. J. Ondatjie  
D. A. Estrop  
N. Bergman  
A. De Kretzer  
J. P. Landsberger  
L. H. Lorenz  
S. W. Pfeiffer  
J. L. Cramer  
C. E. Pfeiffer  
P. S. Herscher  
A. W. Van Cuylenberg  
B. Alwis  
J. P. Siebel  
P. A. Pompeus  
G. F. Giffening  
J. B. Ludekens  
E. J. Jongbloed  
P. Kalenberg  
C. G. Kalenberg  
K. Lourensen  
P. C. Jonklaas  
H. W. Van Cuylenberg  
J. M. Maas  
P. A. Daniels  
J. H. Lourensz  
L. Schokman  
H. Martensz  
J. A. Muller  
J. J. Loos  
J. C. Gerhard  
G. J. Ide  
V. F. Nonis  
H. G. De Silva  
H. Schokman  
G. W. Gams  
J. G. Hillebrand  
J. M. Mortier  
P. A. Bracker  
F. J. Ide  
J. F. Willschut  
M. Van Derwall  
H. Van Langenbergh  
J. A. Schumagher  
R. H. Ebert  
W. C. Engel  
C. J. Melhuysen  
L. J. Olhms  
H. P. Schoondorp

J. F. Meyer  
J. Mack  
J. F. C. Gams  
J. L. Van Buuren  
C. C. Muller  
J. C. Ludekens  
P. J. Ondatjie  
J. J. Gerhard  
G. C. Siegerts  
J. Ebert  
W. Franciscus  
P. Nell  
C. Raffel  
R. Christoffelsz  
N. Raymon  
M. J. Ludekens  
W. Van Eyk  
H. W. Schemmelketel  
C. H. W. Erdman  
N. Pieters  
L. Van Der Linde  
J. G. Henkel  
W. Drieborg  
J. P. Horn  
H. B. Van Dort  
L. Van Dort  
A. N. Perera  
A. C. Coerea  
J. F. Philipz

## VELLALES.

A. De Saram  
J. G. Philipz  
C. De Saram  
J. De Saram  
H. De Saram  
D. P. Samerkoon.  
V. De Saram  
D. C. De Livera  
J. P. Perera  
D. J. F. Dias  
J. L. Perera  
D. H. Dassanaike  
D. B. H. De Liwera.  
P. Perera  
M. De Saram  
D. C. Dias  
M. Perera  
D. S. Ameresekera.  
P. De Liwera  
P. Perera  
S. Perera  
J. Coerea  
P. D. Silva  
F. Perera  
S. De Silva  
D. Johannes  
Juanis Appoo  
Andries Perera  
S. M. Silva  
Christoboo Pieris  
Abanchy Appoo  
Juanis  
Pedro Appoo  
Don Andries  
Christoboo Rodrigo.  
Louis Silva  
Manuel Silva  
J. De Silva

## FISHER CAST.

Susey Fernando  
Bastian  
J. Fernando  
F. F. Fernando  
A. Silva  
Jeronis  
Anderey Nonis  
Anthony Silva  
Susey Silva  
D. Silva (a Schoolmaster)

Nicolus Fernando  
Domingo Maraz  
Markoe Fernando  
Severenty Silva  
Domingo Fernando  
Marcinus Fernando  
Istoboe Fernando

## WASHER CAST.

M. Gomis Modeliar  
J. Gomis Maha V. Moh.  
Philip Gomis  
L. Gomis  
C. Fernando  
J. P. Gomis Arachy  
P. Fernando  
P. D. Fonseka  
Demstyn  
Johannis Marcus  
Juanis Fernando  
D. H. Franciscus  
A. Fernando Cor.  
Juan Fernando  
J. Fernando Com.  
Luis Gomis  
B. Fernando Vid. Arachy  
F. Fernando Constable  
G. Fernando  
Frans Gomis Aratchy  
Christian De Fonseka  
Don Salman Aratchy  
Migel Gomis  
Siman Fernando

## MAHABADDE.

Adrian De Abrew Wijeguneratna.  
Rejepakse  
Simon Cornelis De Abrew Rajepakse  
Salman De Soosa  
T. Mendis Wickremeneyeke  
D. C. De Abrew Rajepakse  
Andries De Abrew  
Arend De Abrew Rajepakse  
Simon Mendis  
Balthazar De Mirando  
Hendrik De Zoyza  
Gregory De Zoyza  
Lorens Mendies Wickremenayke.  
Don Simon De Abrew  
Salamon De Zoysa  
Adrian Mendies  
Lourens Mendies  
Thomas Mendies  
Francisco Mendies.  
Simon Mendis  
Rober Mendis

## MALABARE.

A. Rodrigo  
J. D. Mardappa  
J. M. A. Temonday  
S. Franciscus  
M. Jonclus  
L. De Mello  
P. Ondatjie  
S. J. Ondatjie  
N. J. Ondatjie  
D. Casiechetty  
J. Fernando  
M. Franciscus  
D. Rodrigo  
M. Murgappa  
P. J. Damodarampulle.  
J. Candappen  
P. Fernando  
D. Anendappen  
A. P. Poellenoy  
J. B. Anendappen.  
F. Rodrigo  
Manuel Gomis



**COLOMBO**

**MALABARS.**

L. P. Assamppa  
P. P. Assamppa  
A. Coomarasamy  
Siman Morgappa  
Johan Rodrigo Sangam Chitty  
Johan Rodrigo Cupe Moetto  
M. Petin Gomis  
Johan Pawoelus Tambapulle

**MOORS.**

Slema Lebbe Markan  
Secadi Markan  
Sego Mira Lebbe  
Aliar Markan  
Ibrahim Lebbe  
Oedoema Lebbe  
Secadie Markan  
Pakier Sariantoe Palladian  
Oedoema Lebbe  
Katte Lebbe  
Wappoo Markan  
Pakkier Tamby  
Seesna Lebbe Constable  
Pier Sinne Lebbe  
Pier Tamby  
Persou  
Pier  
N. Osena  
Osena  
Kooskannie  
Slema Lebbe  
Segoe Mira Lebbe  
Seesma Lebbe  
Secca Markan  
Oedoema Lebbe  
Mahadoen Pulle  
Pakier Pulle Segoe Lebbe  
Hadjie Marikan  
Ahamadoe Lebbe Markan  
Sinne Loawppoo  
Seesma Lebbe

**NEGOMBO**

**DUTCH INHABITANTS & BURGHERS**

J. M. Lavalliere  
J. Van Langenberg  
J. H. Ledulx  
L. De Quacker  
C. D. De Quacker  
A. F. Koelmyer  
M. Mack  
J. Vander Laan  
J. C. Vanderlaan  
R. W. Pieris  
J. Koertz  
J. Rooy  
J. Van Der Laan  
S. D. Rehly  
J. L. Koelmyer  
J. Pieters  
Thomas Nelson

**CINGALESE.**

H. Alfonso  
D. L. E. Perera  
Don Franciscu Coenja  
Francisco Fernando  
Jeronimus Fernando  
Mana Rodrigo Silva  
Istakie Fernando  
Domingo Peria  
Juanis Pieries  
Suse Fernando  
Digoo Pieris  
Istakie Laytan  
Philippoo Fernando  
Domingo Fernando  
Soosay Fernando  
Abraham Fernando  
Domingo Fernando  
Don Juwan Appoo  
Jeliawsie Fernando  
Juanis Liere

**NEGOMBO**

**CINGALESE.**

Istaakky Fernando  
Istaakky Pieris  
Philippoo Fonseca  
Istaakky Fernando  
Anthony Pieris  
Philippo Fonseca  
Istaakky Fernando  
Philippo Fernando  
Istaakky Fernando  
Pedroo Fernando  
Philippo Fernando  
Anthony Fernando  
Istakie Fernando  
Juan Fernando  
Juan Fernando  
Istoboo Fernando  
Don Susey  
Siman Fernando  
Philippoo Dias  
Manuel Fernando  
Augustinoe Fernando  
Pauloe Fernando  
Francisco Lima  
Augustino Fernando  
Philippoo De Croos  
F. Fernando Anawie  
Nicolan Fernando  
Domingo Fernando  
Tomme Perera  
Pedroe De Livera  
Manuel Coorey  
Itte Bolance  
Francisco Fernando  
Juan Fernando  
Juan Fernando  
Francisco Fernando  
Siman Costa  
Manuel Fernando  
Juan Fernando  
Don Anthony Appoo  
Augustin Fernando  
Francisco Fernando  
Jusey Costa Moppoo  
Raphiel Perera  
Louwrenty Fernando  
Bastian Fonseca  
Joey Fonseca  
D. A. Perera  
Joeph Perera  
Anthony Fernando  
Anthony Silva  
Adrian  
Atjiva  
Silvestry Perera  
Daniel De Mois  
Adrian Perera  
W. Abreu  
J. Rodrigo  
D. S. Moffel  
Migil Fernando  
Bastian Fernando  
Don Simee Ondehiwelo  
Mathees Fernando  
S. A. C. Fonso  
Andries Fernando  
Juan Fernando  
Pedroe Fernando  
Don Louis Dias  
Salyado Saviel  
Don Caronj Wijeysekere  
D. B. Wijeysekere Rajepakso  
Saviel Fernando  
Naanpilige Bastian Fernando  
Bastian Perera  
Abraham Perera  
Bastian Fernando  
Lourenso Fonseca  
Gabriel Fernando  
Bastian Fernando  
Migil Fernando  
Juan Fernando  
Susey Fernando  
Migel Fernando  
Juan Fernando  
Francisco

**NEGOMBO**

**CINGALESE.**

Don Philip  
Johannes Fernando  
Christoboe  
Manual Pieris  
Hendrik Fernando  
Domingo Fernando  
Isteeboo Fernando  
Hendrik Fonseca  
Gabriel Perera  
Pauloo  
Gasbeer Fernando  
Pauloo Fernando  
Savery Costa  
Philippoo Fernando  
Migil Fernando  
Bastian Fernando  
Kilamenty Fernando  
Sawery Fernando  
Pauloo Fernando  
Gasbeer Fernando  
Juan Fernando  
Adrian  
Pedroe Piaries  
Louis Silva  
Salemon Fernando  
David Fernando

**MALABARS.**

Louis Rodrigo Chitty  
Saviel Moral Constable  
N. Rodrigo Verappa  
P. De Cross Annavy  
Vaytynade Pulley  
Manuel Croos  
John Rodrigo  
Philip De Waas  
Christoboe Perera

**MOORS.**

Segoe Ossen  
Ismaylebbe Vattyawz  
Slema Lebbe  
Assena Lebbe

**JAYELLE**

**CINGALESE.**

A. C. Coerea  
Siman Perera  
Roowell  
Johannes Perera  
Betercels  
H. Perera  
F. Perera  
Elizabeth Perera  
Hatan Hamy  
J. Rowel  
Gabriel Fonseca  
Siman  
Don Siman  
Don Daniel  
Juan Rodrigo  
Don Salman Appoo  
Juwan Appoohamy  
Bastian Rodrigo  
Don Araham  
Don Christian  
Don Pedroo  
Don Lorenzo  
Diago Perera  
Don Juanis  
Don Andries  
Hendrik  
Don Bastian  
Juwan Nonies  
Siman Perera  
Siman Perera  
Don Alexander  
Alexander  
Jeasey Roerey  
Bastian Perera  
Hendrick Perera  
Andries Rodrigo  
Don Lourenso  
Don Carolis

Regulation No. 9 of 1818.

## JAYELLA

## CINGALESE.

Don Hendrik  
 Don Daniel  
 Don Bastian  
 Don Jeronimus  
 Don David  
 Don Janis  
 Andries  
 Don Rendrik  
 Don Pawloe  
 Soosey Mendis  
 Don Luwis  
 Kirihettyge Don  
 Thomis  
 Harmanis Swaris  
 Bart olan  
 Gregory  
 Raphiel Silva  
 Bastian  
 Antho Perera  
 • Antho  
 Abram  
 Langrippoo  
 Don Johannes  
 Tikery Rawle  
 Appoo Rawle  
 Kiryhamy  
 Punchy Rawle  
 Mennick Rawle  
 Poonchy Appoo  
 Singo Appoo  
 Kaligohamy  
 Kawe Rawle  
 Lapahamy  
 Jayatohamy  
 Tikiry Rawle

## CHILAW

## MALABARS.

G. Casie Chitty Modeliar  
 S. De Rosayro Pulle  
 Sinne Tamby

## MOORS.

Cawder Sayboo Markar  
 Aboebaker Markar

## MANAR

## DUTCH INHABITANTS &amp; BURGHERS

H. Matchies  
 J. Jan  
 J. C. van Brownhoff  
 S. Myse  
 J. Werkmeester  
 J. Hutch  
 A. H. Steevensz  
 A. Jansz  
 M. T. Jan  
 J. H. Van Duy  
 P. Bertus

## CHITTIES.

Issewiratne Modliar  
 Raje Ratne Modliar  
 Rajecanray Modliar  
 Sinne Tamby  
 Swan Diogu  
 Anthony Fernando  
 Juan Koenjo  
 Medevadyapatte  
 Mamy Muttu  
 Maniel Saviel  
 Antonial Torrom  
 J. A. Fernando  
 Tommano Crus  
 Savery Muttoo Coenje  
 Juwan de Lukas  
 Suse Punchy  
 Marshal Motten

## MOOR.

SegoeMahamadoc Markar

## JAFFNA.

## DUTCH INHABITANTS &amp; BURGHERS

P. Tap  
 M. Margenout  
 J. G. Kock  
 A. D. Niese  
 D. Bast  
 J. A. Maartenz  
 P. L. Kroon  
 J. B. Vanderweff  
 W. De Rooy  
 J. Mattheysz  
 J. Verwyk  
 Widow Vanderspar  
 J. A. Stutzer  
 Widow Van Hek  
 „ Saalfelt  
 „ Schraader  
 „ Tussaint  
 G. Frankena  
 F. B. Rodrigo

## MOORS.

Coenly Tamby  
 Segoenaden

## TRINCOMALIE.

## DUTCH INHABITANTS &amp; BURGHERS

N. J. Gibbons  
 A. Maartenz  
 C. Donhorst  
 G. Wanbeek  
 G. Nasson  
 J. Simonz  
 C. De With  
 D. Meerwald  
 P. Dierand  
 H. Floryn  
 M. Winn  
 E. Neil  
 A. M. Bower  
 F. Hipponstall

## MALABARS.

Nelleratnesegra  
 Candoo Weloo Modliar  
 Ratnesingem  
 Don Gaspar Sanderekere Poedoe  
 Nalla  
 Manpana Wanman  
 Tambapully Modliar  
 Rajesekere Nalletamby Modliar  
 Arnasa Modliar  
 Mapana Modliar  
 Rasendia Modliar  
 Tamodra Modliar  
 Suppremanie Modliar  
 Cadermanie Modliar  
 Rajecoon Modliar  
 Tiro-wealo Modliar  
 Sangrapulley Oodear  
 Vanrytamby Odear  
 Adievierapandite Modliar  
 Canjesinha Modliar  
 Aleghon Modliar  
 Anthony Modliar  
 Rajecaria Modliar  
 Sannaoganade Aratchy  
 Vettywealo Odyar  
 Sedemberenade Motttoo  
 Diago Moetetamby  
 Somer Caderaumen  
 Colendyar Armogen  
 Anesepulle Wealen Chitty  
 Arlen Swanden  
 Ramer Moettan  
 Noorjonjar Caleapen  
 Wally Periatamby  
 Colesegram  
 Jemedar Sittambelem  
 Willewer  
 Nawesyangem  
 Supprimania Pulley  
 Rengappen  
 Cooneary Coalen  
 Winayeger Manier

## TRINCOMALIE

## MALABARS.

Rajecaria Modliar  
 Rajewarodiem  
 Wittyom Periatamby  
 Welayder Canden  
 Teager Sinne Tamby  
 Wyrewananden  
 Kwriekal  
 Arneasalen Vayrewan  
 Conepper Madsilamany  
 Katiegease Kuruwal  
 Alwar Canden  
 Ramer Suppremanien  
 Conepper Itanegesally  
 Sinnewen Wealen  
 Philipper Suppen  
 Comerewaloo Odeyar  
 Canden Suppen  
 Armagan  
 Paremer Wealen  
 Wiesoewar Sanderewan  
 Nieker Sanden  
 Nasser Candeppen  
 Pedry Oodean  
 Suppremaniar Codiramen  
 Canny Vengat  
 Sangrepulley S. S. S. S.  
 Canepper Vieso S. S. S.  
 Wyttyer Canew  
 Anander Sinne Tamby  
 Cadergawner Wayrewie  
 Moedeley Odear Visovenaden  
 Moedeley Pattangatty Wayrewie  
 Peria Weerappen  
 Cadra Mottyar  
 Welayden Canden Wayrewie  
 Tiroswambillen Chinne Tamby  
 Alwar Moettoe Odyar  
 Omeyar Pagen  
 Candygease Odyar  
 Wallyame Wannickhy  
 Ramasne Sandenapully  
 Wayramuttama  
 Poodappen Caadatta  
 Periapalley  
 Jangayer  
 Moettie  
 Mawrie Moettoo  
 Pannatchy  
 Ambegepulle  
 Pajawadie Amal  
 Tywave  
 Siedewie  
 Aminat  
 Parpady  
 Tillewana Modelia Anoma  
 Caliana  
 Teywana  
 Oemyatcha  
 Walliana  
 Oemyatcha  
 Muttpulle  
 Tellewana Modliar Pattiana  
 Allagwreme

## MOORS.

Naynaham Markayer  
 Tamby Markar Sinne Van po  
 Ibrayneypully Peroo Conico-  
 poly  
 Sabo Mastan Saybo  
 Neynaham Markar Mira Saybo  
 Kabiepulle Majainmed Mira  
 Lebbe  
 Seara Modly Osseneya

## BATTICALOA

## MALABARS.

Sewekinoe Modliar  
 Rammanaden Modliar  
 Segenander Modliar  
 Caderamen Miny  
 Antony Isteavo  
 Moetar Santiago  
 Managen Chinne Tamby

**BATTICALOA**

**MALABARS.**

Sambonaden  
Comappen Adigary  
Pattemen Adigary  
Candeperemal  
Velayden Chinnatamby  
Velayden Joan Chinnatamby  
Vealayden Adigary  
Conoppen  
Cadiramen Coneppen Adigary  
Chimbecutty  
Venesegeer Cariramen  
Terookenen

**MOORS.**

Madena Marcayen  
Oedoema Nayna Sema Lebbe  
Agamadoe Isapulle  
Marceyen Marcan  
Agamado Pully Mira Lebbe  
Agamado Pulley Mira Condo  
Ayneynan Markan Seydaly  
Ahamadoe Lebbe Cosapil  
Cadolebbe Vidahn  
Caderpody

**GALLE.**

**DUTCH INHABITANTS & BURGHERS**

**GALLE.**

**DUTCH INHABITANTS & BURGHERS**

J. P. Rabinel  
J. S. Augier  
J. A. Wittensleger  
J. Rose  
J. H. Roosmalecocq  
P. C. Roosmalecocq  
J. Poulier  
J. H. Meurling  
A. V. D. Brocks  
W. Aldons  
J. D. Aldons  
D. Loret  
W. Stroef  
E. M. Degen  
J. J. Engelbregt  
J. Waltzell  
H. A. Bogaars  
P. Z. Andriessens  
C. Hollebeek  
H. Puttenaar  
C. V. Houten  
A. De Silva  
L. H. Anthoniets

**CINGALESE**

D. A. Dias  
T. S. D. Abeyesekere  
Harmanus  
D. V. Waas  
J. D. Silva

**MATURA.**

**DUTCH INHABITANTS & BURGHERS**

Jacobus Janaz  
Floris Janaz  
N. R. Keuneman  
Amelia De Meis

**VELLALES**

D. B. Ilangakoon  
D. B. Wangediwakere  
D. S. Perera  
G. D. Saram  
D. B. Ilangakoon  
G. J. Ilangakoon  
Don Siman Sammerewicre Kaa-  
mewickreme  
Don Phillippoo Bandernaika

**MOOR**

J. Miracando

**CALTURA.**

**DUTCH INHABITANTS & BURGHERS**

J. H. Beckerman  
L. U. Bartholomeus  
W. H. Andre

**B.**

Return of Slaves belonging to \_\_\_\_\_ being a Subscriber to the Address to His Royal Highness the PRINCE REGENT in favour of Emancipating Children of Slaves.

Date	Name of Slave	Sex	Age	How acquired by purchase gift bequest or inheritance	Names of children of female slaves	Age of Children	Sex	Whether born on or after 19th August 1816.

**C.**

Name of Slave deceased.	Number date & Letter on certificate of Enregistration.	Whether registered in present or other & what district.	Date of death.

**D.**

Name of Mother of the Child & of the Child.	No. Date & Letter on Certificate of Mother's Enregistration.	Whether registered in present or other & what District.	Date of Birth or Death of Child.	Whether free or not under Regulation No. 9 of 1818.

**E.**

Name of Slave.	Name of Original Proprietor & No. Date & Letters on Certificate of Enregistration.	Whether registered in present or what other District.	Name of Acquirer.	Date & mode of Acquisition.

F.

Schedule of Places of Registry of Covia, Nallua and Palla Slaves in the Province and District of Jaffnapatam.

The Provincial Court of Jaffnapatam for the Town of Jaffnapatam & the Parishes  
 Nelloer  
 Wannarponne  
 Chundicol  
 Navacooly  
 Copay and the Island of  
 Karedivoe

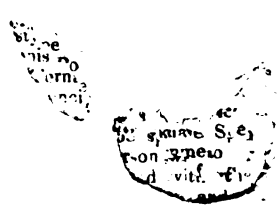
The Sitting Magistrate of Jaffnapatam for the Parishes  
 Kaitis—Allepitty  
 Weline  
 Poongertivo  
 Nynativo  
 Aneletivo

The Sitting Magistrate of Mallagam for the Parishes  
 Pottoor  
 Atchovelly  
 Mayletty  
 Tellepalle  
 Mallegam  
 Oodoowil  
 Pandatripo  
 Sangany  
 Manipay—&  
 Battecotte

The Sitting Magistrate of Point Pedro for the Parishes  
 Partitorre  
 Oodoopitty  
 Katawely

The Sitting Magistrate of Katchay for the Parishes  
 Seyacaserry  
 Wareny  
 Catchay  
 Elludomatual  
 Plopale  
 Mullepattoo  
 Mogomale  
 Tambobam

The Sitting Magistrate of Poonereen for the Parishes  
 Poonereen  
 Palweraincadoo  
 Ilpocadewe  
 Koretchipattoo



G.

Name & Cast of Slave deceased.	Name of Proprietor.	Date of death.	Parish of Original Registry.

H.

Name & Cast of Mother of the Child and Name of Child.	Date of Birth of the Child.	Name of Proprietor.	Parish of Mother's Registry.

No. 1.

Certificate of Original Enregistration of a Domestic Male Slave.

No. on Register \_\_\_\_\_ Letter \_\_\_\_\_

---

Name of Proprietor \_\_\_\_\_

---

Name and Age of Slave \_\_\_\_\_

Place and \_\_\_\_\_ Signature \_\_\_\_\_

---

Date of Enregistration \_\_\_\_\_

No. 2.

Certificate of Original Enregistration of a Domestic Female Slave.

\_\_\_\_\_

No. on Register Letter

---

Name of Proprietor

---

Name of Slave & Age.	Name of children.	Age and Sex of Children.	Whether Free or not.	

---

Place and Date of Enregistration Signature

No. 3.

Certificate of Enregistration of a Free Born Child of a Domestic Slave.

\_\_\_\_\_

No. and District of Mother's Register Letter

---

Name of Proprietor of Mother

---

Date of Birth Name & Sex of Child

---

Place and date of Certificate Signature

No. 4.

Certificate of Enregistration of a Domestic Slave Child.

\_\_\_\_\_

No. and District of Mother's Register Letter

---

Name of Proprietor

---

Date of Birth Name and Sex of Child

---

No. of Child's Register Letter

---

Place and Date of Registration Signature

No. 5.

Certificate of Enregistration of Death of a Slave.

\_\_\_\_\_

No. and District of Register Letter

---

Name of Slave	Name of Proprietor
---------------	--------------------

---

Date of death and place of Registry Signature

REGULATION No. 9 OF 1818.

No. 6.

Certificate of Enregistration of Death of a Child of a Female Slave.

No. and District of Register of Mother \_\_\_\_\_ Letter \_\_\_\_\_

---

Name of Child	Name of Proprietor
---------------	--------------------

---

Date of Death and Place of Registry \_\_\_\_\_ Signature \_\_\_\_\_

No. 7.

Certificate of Registration of acquisition of a Domestic Slave.

No. and District of Original Register \_\_\_\_\_ Letter \_\_\_\_\_

---

Name of Slave Age and Sex \_\_\_\_\_

---

Name of Original Proprietor	Name of New Proprietor
Date and Place of Registry	New number of Register

No. 8.

Certificate of Registration of a Covia Male Slave.

District \_\_\_\_\_ Parish \_\_\_\_\_

No. on Register \_\_\_\_\_

---

Name and Cast of Proprietor \_\_\_\_\_ Letter \_\_\_\_\_

---

Name and Age of Slave \_\_\_\_\_

---

Place and Date of Enregistration \_\_\_\_\_ Signature \_\_\_\_\_

No. 9.

Certificate of Enregistration of a Covia Female Slave.

District \_\_\_\_\_ Parish \_\_\_\_\_

---

No. on Register \_\_\_\_\_ Letter \_\_\_\_\_

---

Name of Proprietor \_\_\_\_\_

Name of Slave & Age.	Name of Children.	Age & Sex of Children	Whether Free or not

---

Place and Date of Enregistration \_\_\_\_\_ Signature \_\_\_\_\_

No. 10.

Certificate of Enregistration of a Free born Child of a Covia Slave.

District \_\_\_\_\_ Parish \_\_\_\_\_

---

No. and District of Mother's Register \_\_\_\_\_

---

Name of Proprietor of Mother \_\_\_\_\_

FREE

---

Date of Birth Name and Sex of Child \_\_\_\_\_

---

Place and Date of Certificate \_\_\_\_\_ Signature \_\_\_\_\_

## No. 11.

REGULATION No. 9 of 1818.

## Certificate of Enregistration of a Covia Slave Child.

District	Parish
No. and District of Mother's Register.	Letter
Name of Proprietor	
Date of Birth Name and Sex of Child	
No. of Child's Register	Letter
Place and Date of Registration	Signature

## No. 12.

## Certificate of Enregistration of Death of a Covia Slave.

Person	Parish
No. and District of Register	Letter
Name of Slave	Name of Proprietor
Date of Death and	Signature
Place of Registry	

## No. 13.

## Certificate of Enregistration of a Child of a Female Covia Slave.

District	Parish
No. and District of Register of Mother	Letter
Name of Child	Name of Proprietor
Date of Death and Place of Registry	Signature

## No. 14.

## Certificate of Registration of Acquisition of a Covia Slave.

District	Parish
No. and District of Original Register	Letter
Name of Slave Age and Sex	Name of New Proprietor
Name of Original Proprietor	
Date and Place of Registry	New No. and Letter of Registry
Signature	

N.B.—The certificates No. 8 to 14 are equally applicable to Nallua and Palla Slaves changing the word Covia as necessary.

No. 15. under the 9th Regulation of 1818.  
 ALPHABETICAL Register of Domestic Slaves in and for the Province or District of Letter A.

No.	Date of Registration.	Name of slave.	Sex.	Age.	Name of Proprietor & how acquired.	Name of children Slaves.	Age and Sex of Children.	Whether free under Regulation.	Names & Sex of Free Children born after the Registry with date of Birth.	Name & Sex of Slave Children born after 1st Registry & reference to 1st Registry & No. & Letter under which registered Slaves.	Reference to No. and Letter under which this Slave is registered in a change of Property.	13. — Additional Remarks.
												In this column will be inserted the Contents of Notifications respecting the slave or his or her Family received from other Registers—Also the No. and Dates under which slaves, who, or whose Children are required to be registered in a new Register appear in one of any other District & the date of the Death or Emancipation of any slaves.

No. 16. under the 9th Regulation of 1818.  
 ALPHABETICAL Register of Slaves of the Covia [or Nallus or Palla] Cast in the Parish of Letter A.

No.	Date of Registration.	Name of slave.	Sex.	Age.	Name of Proprietor.	Name of children of male slaves.	Age and Sex of children.	Whether free under Regulation.	Names and Sexes of children born after the Registry with date of Birth & if free or not & reference to No. & Letter under which such Slave child is registered on becoming of the age of 14 years.	Reference to No. & Letter under which this Slave is registered on a change of property.	12. — Additional Remarks.
											In this Column will be inserted the contents of notifications from other Registers relative to a slave and the Number Dates and Letters of Certificates of Original Proprietors of Slaves who or whose Children are to be registered in a new District on the date of Death or Emancipation of Slaves.

By Order of Council,  
 S GMAN,  
 Act. Sec. to Council.



## REGULATION.

(Repealed by Ordinance No. 20 of 1844.)

*A Regulation for facilitating the division of Covia Nallua and Palla Slaves in the Districts of Jaffnapatam and Trincomalie among the present owners of such Slaves.*

REGULATION No. 10 OF 1818.

1. WHEREAS by a Regulation passed this day numbered Nine and entitled, "a Regulation for securing to certain Children emancipated by the Proprietors of their Mothers the full benefit of such Proprietors intentions, and for establishing an efficient Registry of all Slaves, and abolishing the joint Tenure of property in the same." It is enacted, that from and after the Twelfth day of August in the year 1819, joint property in Slaves either domestic, or belonging to the casts of Covia Nallua or Palla, or under any other denomination shall not be lawful within any of the Maritime Provinces of these Settlements, and that all Registries of Slaves under the Provisions of the said Regulation shall be only in the name of a single proprietor for each Slave.

2. And Whereas it is necessary for the more effectual execution of this Provision of the said Regulation, that certain Rules should be enacted, for enabling the present Holders of shares in such slaves of the Covia Nallua and Palla casts in common especially in the Districts of Jaffnapatam and Trincomalie, more easily to cause such Tenure to cease, either by division of the families of slaves among such holders of shares, or by the sale of such slaves singly to one of the present proprietors, or to a stranger, and division of the proceeds, as may be most practicable, and as by the said Regulation is required.

3. It is enacted by His Excellency the Governor in Council, that upon the appearance before any one of the several Judges and Magistrates in the Provinces of Jaffnapatam and Trincomalie, who in the Regulation above recited, are appointed to hold Registries of Slaves under the Regulation above referred to, of any one or more person or persons, claiming to be the owner or owners, either in whole, or in part of one or more Covia Nallua or Palla slaves or shares of slaves, who may have been usually resident and domiciled within the local jurisdiction assigned to such Judge or Magistrate for Registry; or of the husband of any female slave, or the natural, or appointed guardian of any proprietor under age, for or on behalf of such female or minor Proprietor of slaves or shares of slaves; and on such appearance giving in a list of such slaves, including the children of any female slave.—The said Judge or Magistrate shall cause a copy of the said list, to be sent to such Commissioners, as by warrant under his Excellency's hand and seal, may be appointed to sit within the District of Jaffnapatam, for the execution of this Regulation; and another copy to be affixed at his office; and another copy to be sent to each and every other of the aforesaid Judges or Magistrates, and to the Collectors of Jaffnapatam and Trincomalie, who are all severally hereby required to affix such lists, in the most conspicuous parts of their several offices, and further to give all publicity to the same: and the lists shall also bear a general notice or citation to all persons who may have or claim an interest in the slaves above mentioned, or any one or more of them, either in whole or in part, to be and appear before the Commissioners herein above alluded to on a day there to be fixed, at the distance of Five weeks or thirty-five days from the date of the application, either in person, or by attorney, or being minors, by their natural, or appointed guardians, with the several deeds or documents, on which they found, or refer for proof of their respective claims, in default whereof the said Commissioners will proceed further to the execution of the provisions of this Regulation, notwithstanding the absence of any claimants not appearing, and the said Judge or Magistrate shall direct the original applicant, on the said day to appear either by himself or his attorney, before the Commissioners above mentioned.

4. And it is hereby further enacted, that the said Commissioners to be appointed by Warrant as aforesaid, or any one or more of them, shall have during such time as it shall be deemed necessary that the said Commission shall be in force [the termination of the powers whereof shall be notified in the Government Gazette by order of His Excellency the Governor] all and singular the Powers and Jurisdictions of a Provincial Court, in as far as regards property in Covia, Nallua and Palla slaves, and that, whether the said slaves, or the owners thereof, may or not be resident or inhabiting in the District of Jaffnapatam; and shall hear try and determine all and singular the cases which may occur touching such property, subject to such appeals, as by the Regulations now in force exist from the decisions of Provincial Courts.

5. And it is further enacted, that the said Commissioners or some one or more of them, shall sit at such place, within the District of Jaffnapatam as His Excellency the Governor may appoint, every day Sundays and other admitted Holidays excepted, in order to the due execution of the provisions of this Regulation.

6. And it is hereby further enacted, that on the days on which the appearance of Claimants, under the citations, or notices above specified, shall have been directed, the said Commissioner or Commissioners sitting, shall proceed to call all such claimants or attorneys of claimants as are present, in every case before him or them, and shall enquire into the various claims to each slave or family of a female slave, appearing in the list then before him or them for consideration, and shall, where any number of slaves in such list appear to be the joint property of the several claimants, make a partition of the same among the owners, if possible, observing always, that no separation of children shall take place from the mother, where such children may be under fourteen years of age, and where it shall appear to the said Commissioner or Commissioners that it is impossible, to make such partition, the said slaves shall, being males above fourteen years of age, be put up singly, and females having children with their children under fourteen years of age or not having children, singly, to auction among the several proprietors, or the majority of such proprietors present consenting, to general auction, after three days notice, and the proceeds shall be divided among the several part owners, according to their rights.

7. And it is further enacted, that in case of any claim being preferred to a share of any slave or slaves, not exceeding the one sixteenth part of such slave and being contested by any other claimants present, the trial of such title shall not impede the execution of the provisions of this Regulation, but the said slave or slaves shall be sold by auction, as is herein above directed, and the share of proceeds claimed, reserved in sequestration, till the claim depending shall be decided by the common competent tribunal.—But in cases where the contested claim of any person shall exceed one-sixteenth part of any slave or slaves, the Commissioners shall proceed to investigate and determine on the Justice of the same.

REGULATION No. 10 OF 1818.

8. And it is further enacted, that if among the claimants to any female slave, there shall be one or more who have subscribed the Address to His Royal Highness the Prince Regent, assenting to the emancipation of slave children born after the Twelfth day of August 1816, such person or persons, the priority of choice, where there are more than one being given and the possessor of the largest share, shall be at his or her option, preferably entitled to the possession of such female slave and her children, on payment into Court, for the use of the other partners, either of an appraised value, or of the price highest bid on the said slave being put up to auction, according to the discretion of the Commissioner or Commissioners.

9. And it is further enacted, that if the claims admitted by the said Commissioner or Commissioners on hearing and investigating the same to shares in a slave, shall not together with such as are herein above directed to be reserved for further trial, go to establish right of ownership to the whole of any person claimed as a slave, the division of interest, shall be, as before directed, by sale of such slave by auction and by division of the proceeds; and the shares, to which no claims shall have been admitted, shall be reserved in deposit, to be paid over, on application, to the slave—unless any one or more of the claimants present shall have suggested, of which a note shall be made by the Commissioner, that there are absent from the above Districts, proprietors duly entitled to such reserved share, or part thereof, whose right to claim the same on or before the First day of August, 1819, shall be reserved to such absent proprietor.

10. And it is further enacted, that the said Commissioner or Commissioners, shall return the lists to the Judge or Magistrate from whom the same shall have been received, with a note of their proceedings and decision in the margin, or endorsed, or annexed to the same, for the guidance of the Judge or Magistrate, in enregistering the slaves under the Regulation duly to be made to him by the person entitled to the same, according to the provisions of the Regulation herein first above recited in that behalf.

11. And it is hereby further enacted, that whenever the said Commissioner or Commissioners assign to any person one or more slave or slaves, either on partition, or in case of a slave sale at auction of such slave or slaves to such person, he or they shall do the same, and shall also assign to him or her, true and correct copies in writing under his or their hands, and shall also assign to him or her, true and correct copies of the documents adduced to establish the right of the original claimants to such slave; and the said Commissioners do preserve the originals of such documents, to be handed over at the termination of their functions, to the Provincial Court of Jaffnapatam, where the same will remain on record.

12. And it is hereby further enacted, that all proceedings under this Regulation, shall be without fee or duty to Government, save and except on the trial of contested claims, in which fees by Stamp shall be payable as if the proceedings were before a Provincial Court.

13. And it is hereby further enacted, that nothing in this Regulation contained shall be construed to reduce into slavery any person not being really a slave under colour of any decisions by the Commissioners above mentioned to which such person shall not have been a party, and been duly and according to law heard, on his or her own behalf, and judgment formally pronounced and recorded that he or she is a slave.—But that all claims to freedom which shall not have been fully and according to law discussed before such Commissioner or Commissioners, shall remain subject to decision before the competent tribunal; Provided always, that the decision of the said Commissioner or Commissioners, duly made, as well in such cases, as upon the validity of claims to slaves, or shares between contending claimants, which may be heard and decided before them, or any one or more of them, shall be taken to be the decision of a competent tribunal, referred to in the 30th Clause of the 9th Regulation herein first above recited for all purposes to which the same applies.

*Given at Kandy this Fifth day of August, 1818.*

By Order of the Council,

GEORGE LUSIGNAN,  
*Actg. Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Expired.)*

*A Regulation for extending the terms of Registry of Slaves directed in and by the 9th Regulation of 1818.*

REGULATION No. 11 OF 1818.

1. WHEREAS it has been represented, that owing to delays in the Translation of the Regulations Nos. 9 and 10 of the present Year into the Native Languages, many persons are or may be ignorant of the Tenor of the same, and of the Penalties to which by non-compliance with the several Provisions thereof, they become subject; and it is just that relief should be afforded to persons who may from ignorance have neglected to comply with the said Regulations.

2. It is therefore enacted by His Excellency the Governor in Council, that the term within which the Registry of Domestic Slaves, is in and by the 5th clause of the Regulation No. 9 above-referred to required to be made; be and the same is hereby extended to the Thirty-first day of December next inclusive; and all penalties consequent on neglect of such Registry shall only have effect in reference to that date.

3. And it is further enacted that the Term within which the Registry of Slaves of the Covia, Nallua and Palla Casts, is in and by the 17 Clause of the said Regulation No. 9 required to be made, be and the same is hereby extended to the Thirteenth day of September now next ensuing inclusive; and all Penalties consequent on neglect of such Registry shall only have effect in reference to that date.

4. And it is further enacted that the Transcripts and Lists, in and by the 27th Clause of the said Regulation directed to be sent to the Office of the Chief Secretary to Government shall be sent at the following periods respectively.

REGULATION No. 11 of 1818.

The Transcripts of Registry of Domestic Slaves before the 31st day of March next; and the Lists of Alterations every Three Months subsequently.

The Transcripts of Registry of Covia, Nallua and Palla Slaves before the Thirty-first day of December in the Year 1819, and the Lists of Alterations every subsequent quarter of a Year.

Given at Kandy this Twenty Eighth day of October One Thousand Eight Hundred and Eighteen.

By order of the Council,  
GEO. LUSIGNAN,  
*Act. Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY  
*Chief Sec. to Govt.*

### PROCLAMATION.

(Many Clauses) Proclamations have become obsolete or have been nullified by the Charter of 18th February 1833.)

1. **T**HE King and People of the Kandyan Nation no longer able to endure Cruelties and Oppressions which the late King Sri Wikreme Rajah Sri Ranjitha Prasad, King of Ceylon, had so long and so systematically practised towards them, prayed the assistance of the British Government for their relief, and by a solemn Act declared the late King incapable of claiming or exercising Royal Authority within the Kandyan Provinces: which were by the same solemn Act ceded to the Dominion of the British Sovereign.

Proclamation 21st November 1818.

2. The exercise of Power by the Representatives of His Britannic Majesty from the date of that Convention the 2d March 1815 till the hour that Insurrection broke out in the Month of October 1817, was marked by the greatest mildness and forbearance towards all Classes; the strictest attention to the protection and maintenance of the Rites, Ministers and Places of Worship of the Religion of Budhoo; and a general deference to the Opinions of the Chiefs, who were considered as the persons best able from their Rank and Knowledge to aid the Government in ensuring the Happiness of the Mass of its New Subjects—In exacting either Taxes or Services for the State an extraordinary and unprecedented laxity was allowed to take place in order that the Country might with more ease recover from any evil effects sustained by the contrary practice of the late King: In assessing Punishments for Offences even where a plot to subvert the Government was proved, the spirit which always characterizes the British Rule was strongly to be contrasted with the ancient and frequent incurrence of Capital Executions, preceded by the most cruel and barbarous Tortures.

3. Under this mild Administration on the part of the British Government the Country appeared to rest in Peace; Cultivation was increased and Divine Providence blessed the exertions of the Labourers and rewarded them by plenteous crops; yet all this time there were factious and intriguing spirits at work, seeking for an opportunity to subvert the Government, for no purpose but to assume to themselves absolute Power over the lives and properties of the general mass of Subjects, which by the equal Justice of British Authority were protected from their avarice or malicious cruelty.

4. These Plotters against the State were found among the very Persons who had been restored to Honors and Security by the sole intervention of British Power, and the opportunity of raising Disturbance was chosen, when relying on the merited gratitude of all Orders of the Kandyan Nation, the Government had diminished the number of Troops: and the insurgent Leaders unconscious or forgetful of the extensive Resources of the British Empire thought, in setting up the standard of Rebellion, as easily to effect their purpose of expelling the English from the Country, as the People had been deluded to prostrate before the Phantom whose pretensions they espoused merely to cover their own ambitious views of subjecting the Nation to their arbitrary will.

5. After more than a year of conflict which has created misery and brought destruction on many, the efforts of the British Government and the bravery of His Majesty's Troops have made manifest to the Kandyans the folly of resistance, and that in the Government alone resides the Power of protecting them in the enjoyment of Happiness; The flimsy veil which the Rebel Chiefs threw over their ambitious designs was torn aside by themselves, and the Pageant whom the people were called to recognize as the descendant of the Gods exposed as the Offspring of a poor Cingalese Empiric.

PROCLAMATION 21st NOVEMBER 1818.

6. After such a display to the public of depraved artifice and injurious and unfeeling deception, the Government might reasonably hope that a sense of the misery brought on them by delusion should prevent the great body of the people, from listening to any one who should attempt in future to seduce them into Rebellion against its beneficent rule—But it is also incumbent on it from a consideration of the circumstances which have passed and the evil consequences which have ensued on the blind obedience which the people have thought due to their Chiefs instead of to the Sovereign of the Country, to reform, by its inherent right, such parts of the practice of Administration, as by occasioning the subject to lose sight of the Majesty of the Royal Government, made him feel wholly dependant on the power of the various Chiefs, which to be legal could only be derived to them by delegation from the Sovereign authority of the Country.

Declaration of British Supremacy.

7. His Excellency the Governor therefore now calls to the mind of every person and of every Class within these Settlements, that the Sovereign Authority of the King of Great Britain and Ireland exercised by His Representative Government of Ceylon and His Agents in the Kandyan Provinces, is alone the source from which all power emanates, and to which obedience is due; That no Chief is not vested with Authority or Rank from this Sovereign source is entitled to exercise or Respect; and that without powers derived from Government, no person can exercise Jurisdiction of any kind or inflict the slightest punishment. Finally that every Kandyan, be he of the highest or lowest Class, is secured in his Liberty and Property from encroachment of any kind or by any person, and is only subject to the Laws, which will be administered according to the ancient and established usages of the Country, and in such manner and by such Authorities and in such Name and on behalf of His Majesty is herein after declared.

Equal rights of every Kandyan Subject.

8. The general Executive and Judicial Authority in the Kandyan Provinces is delegated by His Excellency to the Board of Commissioners and under their general Superintendence to resident Agents of Government in such Dessavonies of the said Provinces in which it may please His Excellency to place such Agents with more or less authority or Jurisdiction as by their several Instructions may be vested in them and of which the present dispositions and arrangement is hereinafter contained.

9. The Adigars, Dessaves and all other Chiefs and Inferior Headmen shall perform duty to Government under the Orders of the said Board of Commissioners and British Agents and not otherwise.

Form of Appointment to Office.

10. No person shall be considered entitled to execute Office, either of the Higher or Lower Class of Headmen, unless thereto appointed by a written instrument signed in respect to Superior Chiefs by His Excellency the Governor, and for Inferior Headmen by the Honorable the Resident or provisionally by any Agent of Government thereto duly authorized, excepting in certain Villages or Departments which will be allotted for personal Services to the Dessaves, in which the Dessave shall as before have the sole privilege of making Appointments.

Honors to be paid

11. Honors shall be paid to all Classes of Chiefs entitled to the same under the former Government, is so far as the same is consistent with the Abolition which the British Government is resolved to effect of all degrading forms whereto both Chiefs and people were subjected under the ancient Tyranny and which a liberal Administration abhors.—All Prostrations therefore from or to any person, including the Governor, are henceforth positively as they were before virtually and in fact abolished, and the necessity which existed, that Chiefs or others coming into the presence of the Sovereign Authority should remain on their Knees, is also abrogated.—But all Chiefs and other persons coming before, meeting or passing any British Officer, Civil or Military, of Rank and Authority in the Island of Ceylon shall give up the middle of the Road, and if sitting rise and make a suitable Obeisance which will be always duly acknowledged and returned.

12. It is also in this respect directed, that on entering the Hall of Audience, every Person shall make Obeisance to the Portrait of His Majesty there suspended; and as well there as in any other Court of Justice to the presiding Authority.—And it is further directed that when His Excellency the Governor as His Britannic Majesty's Representative travels He shall be attended by all the Persons in Office belonging to each Province, in manner as they attended the former Kings of Kandy, except that the Dessaves may always use Palanqueens beyond the River Mahavillaganga within which limit the Adigars only have this Privilege, and that when any of the Members of His Majesty's Council or the Commissioners for the Kandyan Provinces, or the Commanding Officer of the Troops in the Kandyan Provinces travel into any Province on duty they be met and attended in such Province in the same manner as the Great Dessaves were and are to be attended in their Provinces; likewise the Resident Agents and the Officers Commanding the Troops in each Province are in their Provinces to be similarly attended and receive like Honors.

13. The Chiefs holding the high Offices of 1st and 2nd Adigar will be received by all Sentries whom they may pass in the Day with carried Arms, and by all Soldiers off duty or other Europeans or Persons of European extraction, by touching their Caps or taking off their Hats; and by all Natives whether Kandyans or not, by rising from their Seats, leaving the middle of the Streets clear and bowing to the Adigars as they pass.—And to all other Dessaves and other Chiefs, all Natives coming into their presence meeting or passing them are to make a proper inclination of the Body, in acknowledgement of their Rank.

PROCLAMATION 21st NOVEMBER 1818.

14. The Adigars Dessaves and other Chiefs shall further be entitled to proper attendance of Persons of the different Departments in such numbers as shall be determined by His Excellency on the Report of the Board of Commissioners, provided that where such Persons are not belonging to the Villages or Departments allotted to the Adigar or Dessaves the application for their attendance when required must be made to the Resident in Kandy, or to the Agents of Government in the Provinces in which such Agents may be stationed.

15. The Persons entitled to sit in the Hall of Audience or in the presence of the Agents of Government are those Chiefs only who bear Commissions signed by The Governor, or to whom special License may by the same Authority be given to that effect—Of these only the Two Adigars or Persons having The Governor's Letter of License can sit on Chairs, the others on Benches covered with Mats of different heights according to their relative Rank. In the Courts hereinafter mentioned of the Agents of Government when the Assessors are Mohottales or Corales they may sit on Mats on the Ground.

16. As well the Priest as all the Ceremonies and Processions of the Budhoo Religion give the respect which in former times was shewn them, at the same time no wise to be understood that the protection of Government is to be denied and peaceable exercise by all other Persons of the Religion which they respectively profess, or to the erection under due License from His Excellency of Places of worship in proper situations.

17. The Governor abolishes all fees payable for Appointments either to Government or to the Chiefs, excepting for Appointments in the Temple Villages which will be made by the Resident on the recommendation of the Dewe Nileme or Basnaik Nileme appointed by the Governor; the Dewe Nileme or Basnaik Nileme living the free: also all Duties payable heretofore to the Gabbedawas Arambawas and all other Duties or Taxes whatsoever are abolished, save that now declared and enacted, being a Tax on all Paddy Lands of a Province of the Annual Produce under the following modifications and exceptions and according to the following Rates.

18. The general assessment of Tax on the entire Paddy Lands of the Kandyan Provinces is fixed at One Tenth of the Annual Produce, to be delivered by the Proprietor or Cultivator at such convenient Store House in every Province or Subdivision of a Province as shall be with due regard to the Interest of the subject appointed by or under the Instructions of the Revenue Agent.

19. To mark the just sense which His Excellency has of the loyalty and good conduct of the Chiefs and people of Godanoora, the Four Korles, the Three Korles and the following Korles of Safragam to wit: Kocrocwitti Korle, Nawadoon Korle, Colenna Korle, Kukula Korle, Attakalan Korle, The Uduwak Gampaha of Kadewatte Korle, The Medde Korle except the villages Ulagamme, Gemilande, Kolutotte, Gekototte Mollenore, Piengiria and Mulganna, and the following Korles of the Seven Korles viz. Trigardahaye excepting the village Hewapolla, Katoopittiyee and Torrewatere, Oodapola Korle, Kattugampala Korle Oodookaha, Kattugampola Korle Medapattoo, Petigal Korle, Yagama Korle, Rakawah Pattoo Korle, Aikamme Korle Yatekaha Korle, and of the Villages Pubilia, Kongahawelle and Nikawelle lying in the Oodogodde Korle of Matelle; The Governor declares that the rate of Taxation in those Provinces or Korles shall only be one-fourteenth part of the Annual Produce.

20. But, on the contrary, that it may be known that Persons who are Leaders in Revolt or disobedience shall meet Punishment, all Lands which may have been declared forfeited by the misconduct of the Proprietors shall, if by the Mercy of Government restored to the former Owners, pay a Tax of one-fifth of the Annual Produce.

21. The Governor desirous of shewing the adherence of Government to its stipulation in favour of the Religion of the People, exempts all Lands which now are the Property of Temples from all Taxation whatever—but as certain Inhabitants of those Villages are liable to perform fixed gratuitous services, also to the Crown, this obligation is to continue unaffected.

22. All Lands also now belonging to the following Chiefs whose loyalty and adherence to the lawful Government merits favour, viz.

Mollegodde Maha Nileme  
Mollegodde Nileme  
Ratwate Nileme  
Kadoogamoone Nileme  
Dehiganme Nileme  
Mulliganme Nileme lately Dessave of Welasse  
Eknillgodde Nileme  
Mahawalatene Nileme  
Doloswalle Nileme  
Eheyleyagedde Nileme  
Katugaha the elder  
Katugaha the younger  
Damboolane Nileme  
Godeagedere Nileme  
Gonegodde Nileme formerly Adikaram of Bintenne,

Religion.

Erection of places of worship.

Fees on appointments abolished, except in Temple Villages.

Taxes abolished, except a General Tax on Paddy Lands.

General rate of Tax.

In certain Districts Tax reduced to 1-14.

Tax on Lands forfeited and restored.

Temple Lands exempted from taxation.

Reservation of gratuitous service from certain Inhabitants of Temple Villages.

Lands belonging to certain Loyal Chiefs exempted from Tax.

PROCLAMATION 21st NOVEMBER 1818.

shall be free of duty during their Lives and that their Heirs shall enjoy the same free of duty; excepting with regard to such as paid Pingo duty, which shall now and hereafter pay one-tenth to the Government of the Annual Produce, unless when exempted under the next clause.

Lands of Chiefs holding Office exempted.

23. All Lands belonging to Chiefs holding Offices either of the superior or inferior class and of inferior Headmen shall during the time they are in Office be free of duty.

*§ 23. Not only the lands situated in the District to which he is appointed the Adigar, but all lands. - 11. 2477-62. Heirs: Heirs. - 11. 2477-62. Heirs: 27. Remuneration continues only while he is in Office. - 11. 2477-62. Heirs: 27. 1. He: but. 33.*

24. All Lands belonging to Persons of the Casts or Departments allotted to the Cutting of Cinnamon shall be free of duty, also Lands held by Persons for which they are bound to cultivate or aid in the culture of the Royal Lands; and also the Lands of such Persons who may be allotted to the performance of personal Service to the Dessaves by the Board of Commissioners and of those who perform Katepurale or Atapattoo Service, it being well understood that the persons last mentioned have no right or authority to exact or receive Fees or Fines of any kind when sent on public duty which Government the usual Tribute in Wax.

All presents prohibited.

25. The Veddass who possess no Paddy Lands shall continue to del

Provisions to British Officers, Chiefs, Troops or other Servants of Government travelling to be furnished for payment.

26. All presents to the Governor or other British authorities are strictly prohibited—In travelling every Officer Civil or Military, Chiefs, or other Servants of Government on notice being given of their intended march or movement are to be supplied with the Provisions of the Count, and on payment being made for the same at the current

Remuneration for service of superior Chiefs.

27. All Fees on hearing of Cases to Dessaves or others, except as hereafter which are for the benefit of Government shall be and are abolished.

Remuneration to Inferior Chiefs.

28. The Services of the Adigars, Dessaves and other superior Chiefs to Government shall be compensated by fixed Monthly Salaries in addition to the exemption of their Lands from Taxation.

*10 per centage, can only be claimed on the performance of Services. No per centage is payable whilst revenue grain is outstanding. The official duty in the headman. 1. He: but. 36. Marshall 381. - Marquis Dig. 8.*

29. The Services of the inferior Chiefs shall be compensated as above by exemption from Taxation, and that they also receive one-twentieth part of the Revenue Paddy which they shall collect from the people under them, to be allotted in such portion as the Board of Commissioners shall under the authority of Government regulate.

30. All persons shall be liable to Service for Government on the requisition of the Board of Commissioners and Agents of Government according to their former Customs and Families or Tenure of their Lands; on payment being made for their labour: it being well understood, that the Board of Commissioners under His Excellency's Authority, may commute such description of Service as under present circumstances is not usefully applicable to the Public good, to such other as may be beneficial And—Provided further that the holding of Lands Duty free shall be considered the payment for the service of the Katepurale and Atapattoo Departments, and Persons allotted to the Dessaves Service; and also for the Service to Government of certain persons of the Temple Villages, and in part for those which cut Cinnamon; and also that the duty of clearing and making Roads and putting of and repairing Bridges, be considered a general gratuitous service falling on the districts through which the Roads pass or wherein the Bridges lie, and that the attendance on the Great Feasts which certain persons were bound to give, be continued to be given punctually and gratuitously. The washermen also shall continue to put up white Cloths in the Temples and for the Chiefs gratuitously.

31. All Kadewettes and ancient Barriers throughout the Country shall be from hence forward discontinued and removed and the establishments belonging to them for their maintenance and defence abolished, the services of the persons usually employed therein being applied to such other more beneficial purpose as the Board of Commissioners shall determine.

32. And it being necessary to provide rules for the service of certain persons who were to perform duty to the person of the King of Kandy viz. the Kunamadawe or Palanquin bearers the Talpetawedunakaria or Talpat bearers and Pandankareas or Torch bearers. It is ordered by the Governor, that such persons being paid for the same: shall be bound to serve in their respective capacities, the Governor, the Members of His Majesty's Council, any General Officer on the Staff of this Army, the Commissioners for Kandyan Affairs, the Secretary for the Kandyan Provinces, and the Officer Commanding the Troops in the Interior.

33. And for ensuring the due execution of all the above ordinances relative to the collection of the Revenue and performance of public duty by all Chiefs and others, His Excellency empowers and directs that the Board of Commissioners in Kandy collectively, or in their several departments, and the Agents of Government in the Provinces, shall punish all disobedience and neglect by suspension or dismissal from Office. Fine or Imprisonment as particular Cases may require and deserve. Provided that no person holding the Governor's Commission may be absolutely dismissed but by the same authority; and no other Chief but by the authority of the Honorable the Resident, but as well the Commissioners as other Agents duly authorized by Instructions from the Governor, may suspend Chiefs of the superior or inferior order on their responsibility, for disobedience or neglect of the orders or interest of Government, reporting immediately as the case may require, to the Governor or the Resident, their Proceedings for approval or reversal.

34. And in order that justice may be duly, promptly, and impartially administered throughout the Kandyan Provinces to all classes, His Excellency the Governor is pleased to declare his pleasure to be touching the same, and to delegate and assign the following Jurisdiction to the Public Officers of Government for hearing and determining cases wherein Kandyaus are concerned as Defendants, either Civil or Criminal.

35. Every Agent of Government shall have the power and jurisdiction to hear and determine alone Civil Cases wherein the object of dispute shall not be Land, and shall not exceed

in value Fifty Rix Dollars, and also Criminal Cases of inferior description, such as common Assaults, Petty Thefts, and breaches of the Peace with power of awarding punishment not exceeding a Fine of Rix Dollars Twenty five, Corporal punishment with a Cat and Nine tails or Rattan not exceeding Thirty lashes and imprisonment with or without labour not exceeding Two months, to which terms of imprisonment and Fine such Agents are also limited in punishing neglects or disobedience of orders according to the provisions above detailed.

PROCLAMATION 21st NOVEMBER 1818.

36. The 2d or Judicial Commissioner shall sitting alone have power to hear and determine Civil Cases wherein the object in dispute shall not be Land, and shall not exceed Rix Dollars One Hundred in value, and also Criminal Cases of inferior description with powers of punishment as in the last Clause conferred on Agents of Government.

37. The 2d or Judicial Commissioner and such Agents of Government in the Provinces, to whom the Governor shall delegate the same by his Instructions, shall hold at Kandy and in the Provinces, a Court for the Trial of all other Civil Cases and of Criminal Cases excepting Treason, Murder, Homicide with powers in Criminal matters to assess any punishment, short of Death, or loss hereof of Limbs or Member, which Court shall consist in Kandy of the 2d Commissioner and more Chiefs; and in the Provinces, of the Agent of Government, and one or more Assessors of the Province, and one or more Mohottales or Principal Korals so as there shall be at least one Kandyan Assessor, or of two Mohottales or Korales where no Dessave can attend.

38. The decisions of the Courts in the Provinces shall be by the Agent of Government, the Kandyan Assessor, or their advice, and where the opinion of the majority of such Assessors differs from that of the Agent of Government, there shall be no immediate decision; but the Proceedings shall be transferred to the Court of the 2d Commissioner who may either decide on the Facts or had in the Original Court or send for the parties and witnesses and Order the Agent to take further evidence and shall decide the

person who appeals also shall lie from the decisions of such Agents to the Court aforesaid of the 2d Commissioner in Civil Cases, if the Appeal is entered before the Agent in ten days from his decree, and the object in dispute be either Land or personal property exceeding Rix Dollars One hundred and fifty in value; in which case Execution shall stay, and the Proceedings be transmitted to the said Commissioners Court which shall and may proceed in the same as in the cases mentioned in the former article.—That Appeals also may be allowed upon order of the Governor or the Board of Commissioners although not entered in ten days, if application is made in a year.

40. The decisions in the Court of the 2d Commissioner shall be by the said Commissioner the Kandyan Assessors giving their advice; and if the opinion of the majority of such Assessors shall be different from that of the 2d Commissioner, the Case whether originally instituted or in Appeal or reference from the Agent of Government, shall be transferred to the Collective Board, and by them reported on to His Excellency the Governor, whose decision thereon shall be conclusive and without Appeal but that in Civil cases decided by the 2d Commissioner either in original or brought before him by Appeal or reference, Appeal shall lie to the Governor if entered before the 2d Commissioner in ten days from his Decree, and if the object in dispute be either Land or personal property exceeding in value One hundred and fifty Rix Dollars, in which case Execution of the Decree shall be stayed, and the Proceedings be transmitted to the Governor—but Appeal may be allowed by order of the Governor on application within one year from the date of the Decree.

41. Appeals to the Governor will be disposed of by His Excellency in correspondence with the Board of Commissioners according to Justice.

42. In Criminal cases no sentence either by the 2d Commissioner or the Agents of Government shall be carried into effect, if it awards corporal punishment exceeding One hundred lashes, Imprisonment with or without chains or labour exceeding four months or Fine exceeding Fifty Rix Dollars; unless after reference to the Governor through the Board of Commissioners which will report on the case and sentence; and after His Excellency's confirmation of such sentence.

43. The Honble the Resident may when he thinks needful assist and preside in the Court of the Judicial Commissioner and that the Resident may also hold a Court for hearing Cases to consist of himself and two Kandyan Chiefs or Assessors under the Provisions respecting References and Appeals and limitation of execution of sentences in Criminal cases prescribed to the Judicial Commissioner, and to preserve regularity, the Records of such the Resident's Judicial Proceedings in each case shall be deposited with the Judicial Commissioner on the conclusion of the same.

44. In all cases of Treason, Murder or Homicide the trial shall be before the Courts of the Resident or of the 2d Commissioner and his Kandyan Assessors, whose opinion as to the guilt of the Defendant and the sentence to be passed on any one convicted is to be reported through the Board of Commissioners with their opinion also to His Excellency the Governor, for his determination.

45. All cases Criminal or Civil in which a Superior Chief is Defendant shall be originally instituted and heard before the Resident or the 2d Commissioner; all other cases shall be instituted before the Jurisdiction in which the Defendant resides.—Provided that in Civil cases the Plaintiff may appoint an Attorney to prosecute in his behalf as may the Defendant to defend his case.

46. In Civil cases the losing party may be by the 2d Commissioner or Agent of Government discretionarily ordered to pay a sum to Government of one-twentieth part of the value of the object in dispute not exceeding in any case Rix Dollars Fifty.

47. The 1st and 2d Adigar shall and may execute Civil Jurisdiction over all Katedurales and their property subject to Appeal to the 2d Commissioner and also over such other persons and property as the Governor may by Special Warrant assign to the Jurisdiction of either of these two great Officers subject to Appeal as aforementioned—And the 2d Commissioner or any Agent of Government may reter cases for hearing and report to him in his Court to the Adigars Dessaves, or Mohottales.

PROCLAMATION 51st NOVEMBER 1818.

48. The Adigars shall have Jurisdiction to punish disobedience of their orders and petty offences by inflicting Corporal punishment, not exceeding Fifty strokes with the open hand or Twenty five with a rattan on the back, or by awarding Imprisonment for a term not exceeding Fourteen days.

49. The Dessaves or Chiefs holding the Governor's Commission may also punish Offences by Corporal Punishment not exceeding Twenty five strokes with the open hand, and of imprisonment for a term not exceeding Seven days, and similarly the principal Mohottales Liennerales and Korales being in Office, may inflict Corporal punishment for Offences on persons over whom they might have exercised such Jurisdiction under the former Government not exceeding ten strokes with the open hand, and may imprison such persons for a term not exceeding three days—Provided that the several persons on whom the above power is exercised, shall be duly and lawfully subject to the Orders of such Adigar, Dessave, Chief, Mohottale Liennerale or Korale, and that no such power shall be exercised on persons holding Office or on persons of the Low-Country, Foreigners or on Moormen of the Kandyan Provinces; And Provided that in all cases where imprisonment is awarded for a term exceeding Three days, the Prisoner be sent with a Note of the Sentence to the 2d Commissioner or the nearest Agent, to be confined.

50. To ensure a due and uniform administration of Justice. It is enacted that all Evidence before the Resident the 2d Commissioner or other Agent of Government in a Civil or Criminal case shall be taken on Oath; and in the case of Kandyan or Hindoo Witnesses shall be administered after the Evidence is taken. (The Witnesses being previously warned that such will be the case.) at the nearest to the Agent, Commissioner or Commissioners ordered by the Court, to see that the Witnesses solemnly testify the Evidence He has given is the truth, the whole truth, and nothing but the truth, that no exemption can lie to this mode of giving Evidence except where Buddhis are examined, and that every Person except a Priest, giving evidence, must stand while he gives it.

51. The people of the Low Country and Foreigners coming into the Jurisdiction shall continue subject to the Civil and Criminal Jurisdiction of the Agents of Government, with such extension as His Excellency may by special additional Instructions vest in such Agents, and under the limitation as to execution of Sentences in Criminal cases herein before provided as to Kandyans in the 42d Clause, until Reference to the Governor through the Board of Commissioners, excepting in cases of Treason, Murder and Homicide, in which such persons shall be subject to the same Jurisdiction now provided for Kandyans, and that the same line shall be pursued in cases wherein a Kandyan Moorman shall be Defendant.

52. And His Excellency the Governor takes this occasion to confirm the Provisions of his Proclamation of the 2d March 1818, respecting the Moormen, but to explain that they are nevertheless when living in the Villages, wherein also Kandyans reside to obey the Orders of the Kandyan Chief, or Headman of the Village on pain of punishment by the Agent of Government for disobedience, notwithstanding any thing in the said Proclamation contained.

53. According to such known Rules, Justice will be accessible to every Man High or Low, Rich or Poor, with all practicable convenience, and the confident knowledge of impartiality of decision. And to give effect to this plan for the administration of Justice and to collect the public Revenue, and ensure the execution of public duties; His Excellency is pleased to assign to the immediate controul and exercise of Jurisdiction of the Board of Commissioners the following Provinces: The Four Korles, Matele, Oodapalata including upper Bulatgamme, Oodanoora, Yate-noora, Tumpane, Harissipatoo, Doombere, Hewahette, Kotmale, the part of Walapana lying West of the Kuda and Ooma Oya and the Hooroole, Tamirawawe Maminiya and Ollagalla Pattoos of Nuwera Kalawiye, in all which the Higher Judicial duties and the Collection of Revenues will be made by the Commissioners of the Board, but in those limits there will be besides two Agents of Government to hear minor Cases; at Attappitia in the Four Korles and at Nalende in Matele.

54. There will be an Agent of Government resident in Onva, to whose immediate Jurisdiction are assigned the Provinces of Ouva, Welasse, Bintenne, Weyoloowa and the Royal Village of Madulla: all Civil and Criminal cases will be heard by him with the exceptions mentioned, and under the rules detailed above: He will give Orders to collect Revenue, perform public service, suspend and punish Headmen for disobedience and exercise general powers of Government in those limits subject to the superintendence of the Board of Commissioners

55. Similarly an Agent of Government in the Seven Korles will exercise Jurisdiction over that Province and the Northern and Western parts of Nuwera Kalawiye. An Agent of Government in Saffragam will perform like duties in that Province. An Agent of Government will reside in the Three Korles with like powers and the Collector of Trincomalie will hear all cases and collect the Revenue and cause public service to be performed in the same manner in Tamankadewe.

56. In all matters not provided for by this Proclamation or other Proclamations heretofore promulgated by the authority of the British Government; His Excellency reserves to himself and his successors the power of reforming abuses and making such Provision as is necessary, beneficial or desirable. He also reserves full power to alter the present Provisions as may appear hereafter necessary and expedient, and he requires in His Majesty's name all Officers Civil and Military, all Adigars, Dessaves and other Chiefs, and all other His Majesty's subjects to be obedient, aiding and assisting in the execution of these or other his orders, as they shall answer the contrary at their peril.

*Given at Kandy in the said Island of Ceylon this Twenty-first day of November, One Thousand Eight Hundred and Eighteen.*

By His Excellency's Command,

GEO. LUSIGNAN,  
Sec. for Kandyan Provinces.

Reservation of Powers of making further provisions.

General obedience enjoined.



## P R O C L A M A T I O N .

**W**HEREAS it is necessary to declare what persons in the Kandyan Provinces shall and may lawfully possess Fire Arms. And to enact penalties for the illegal possession of the same or of ammunition viz. Gunpowder, Balls, Shot or of Sulphur and Saltpetre.

We do therefore hereby declare, that it shall not be lawful for any person to have in his or her possession any gingal or other piece of ordnance, save and except the Dessaves of Provinces, in such numbers as shall be regulated by the Board of Commissioners and notified publicly, on pain of any person in whose possession such gingal or other ordnance may be found after forty days from this date, being on conviction punished by banishment for life from Ceylon.

And we do hereby further declare, that from and after the expiration of forty days from this date any person not being licensed thereto by certificate under the hand of an Agent of Government may lawfully possess any Musket, Fowling piece, Pistol, or any sort of small Fire Arm; or any Gunpowder, Balls, Shot, Sulphur or Saltpetre, under penalty on conviction of being corporally punished or imprisoned at the discretion of the Agent of Government before whom the conviction takes place.

And we do further declare, that such license to possess Arms shall only be granted to Chiefs, or others in whose loyalty the Agent of Government can have greater proportion than that of one musket for any such licensed person, unless in special cases wherein licenses shall be granted by our authority for any one to possess a greater number, and under such first mentioned license, it shall be lawful for the person to whom it is granted, to have also in his possession powder not exceeding one lb. and balls or shot not exceeding two lbs. and if any person so licensed shall presume to keep a greater number of fire arms, or greater quantity of ammunition, he shall be liable to transportation, or such other punishment as the Agent of Government convicting him shall award, and we do further peremptorily require all persons who may still possess Gingals or Fire Arms, to deliver the same up, or obtain a license to keep the latter within the period of one month, and do further declare, that any person informing of the possession of Gingals or Fire arms by persons unlicensed, shall on conviction of the offender be entitled to receive from the public Treasury or Stores Ten Rixdollars in Copper, or two Parrahs of Salt for each musket or other small arm, and double the quantity for each Gingal, of which he gives substantiated information.

And we do further confirm and re-enact all the Provisions of our Proclamation of the Nineteenth January last respecting the manufacture of Arms or Gunpowder and the importation or purchase of the same or other ammunition, and the purchase of Soldiers necessaries, and all His Majesty's subjects in these Provinces are peremptorily required to obey the same.

*Given at Kandy, this Twenty-first day of November One Thousand Eight Hundred and Eighteen.*

By His Excellency's Command

GEO. LUSIGNAN,  
*Sec. Kandyan Provinces.*

## R E G U L A T I O N .

*(Repealed by Regulation No. 10 of 1819.)*

*For amending the 10th Clause of the 3d Regulation of the present year and continuing the provisions of the 17th Clause of the 4th Regulation of the same year.*

1. **W**HEREAS it has been found by experience that the Penalty enacted by the 10th Clause of the Regulation No. 3 of the Current year of Ten Rix Dollars for every Gallon of Arrack removed without the Permit therein specified, to be levied from the Owner of such Arrack, is not of sufficient amount to restrain the illicit removal of that Article, from and to places within the Four Gravets of Colombo—And it is therefore expedient that the Penalty enacted by an Advertisement dated the Ninth day of November 1801 to prevent such illicit removals should be revived.

2. And whereas it is expedient to continue for a further term the powers granted in and by the Seventeenth Clause of the Fourth Regulation of the present year to the Collectors in the Malabar Districts of the Maritime Provinces to frame rules for the restriction and Regulation of the Sale of Toddy within the same respectively.

3. It is therefore enacted by His Excellency the Governor in Council that any Owner of Arrack who shall remove Arrack from or to any place within the Four Gravets of Colombo in any manner contrary to the Provisions of the Tenth Clause of the Third Regulation of the Current year shall pay a Fine of Rix Dollars Sixty for every Gallon of Arrack so removed and in proportion for any lesser quantity and be imprisoned till such fine be paid.

PROCLAMATION 21st NOVEMBER 1818.

Preamble.

Dessaves alone may possess ordnance.

Penalty.

Possession of fire arm or ammunition.

Licenses how to be issued.

Reward to informers.

Renewal of Proclamation of 19th January 1818.

Regulation No. 12 of 1818.

REGULATION No. 12 of 1818.

4. And it is further enacted that the Power in and by the Seventeenth Clause of the Fourth Regulation of the Current year granted to the Collectors of the Malabar Districts therein specified to frame rules for the restriction and Regulation of the Sale of Toddy within their respective Districts do continue to be vested in the said Collectors and the Rules made or to be made by them under the provisions of the said Clause, do continue in force till the Thirty first day of December which will be in the year 1819.

*Given at Colombo this Twenty-third day of December One Thousand Eight Hundred and Eighteen.*

By Order of the Council,

Wm. GRANVILLE,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Commissioner, Govt.  
Served thirty  
years, 1819.

## REGULATION.

(Repealed by Regulation No. 6 of 1823.)

*For declaring the duties of Magistrates and others in cases of Homicide or violent death.*

Regulation No. 1 of 1819.

1. WHEREAS it is expedient to declare the duties of Sitting and Police Magistrates, Police Vidahns Native Headmen and others in respect to Cases of Homicide or violent death, or accidental Death in these Settlements.

2. It is hereby enacted and declared by His Excellency the Governor that in all Cases where any Man, Woman, or Child shall come to his or her death by violence, accident, or of a sudden, or unexpectedly, or the body of any such Person shall be found dead, without its being known how such Person came by his or her death, it shall be binding on every Person who may first discover the same, forthwith to make the circumstance known to the nearest Constable, Police Vidahn, or some other Headman of the Village or District in which the Body shall have been discovered.

3. And it is further enacted that the Constable Police Vidahn or other Headman to whom the information shall have been given, shall forthwith repair to the spot and use diligent enquiry to discover the cause of the death of the deceased, and to trace, and apprehend all such Persons who may be reasonably charged or suspected of having caused the said death, and shall, within one hour from receiving the information, dispatch notice thereof, with such further particulars as may have come to his knowledge, to the nearest Sitting or other Magistrate, and shall further within three hours thereafter, unless the said Magistrate shall order otherwise, with an intent to repair himself to the spot or place where the Body was found, convey the said dead Body and all Persons whom he has ascertained to be able to give evidence touching the cause of the death of the deceased, and all Persons charged or suspected, to the said nearest Sitting or other Magistrate—And the said Police Vidahn or Headman shall also, at the same time, if the occurrence shall take place out of the limits of the Towns of Colombo, Galle, Trincomalie or Jaffnapatam, send information of the circumstances to the Modliar or other Principal Native Headman of the Pattoo Corle or Division wherein he resides, who will take immediate measures to discover and apprehend any Persons who may be charged or suspected of having been the cause of the deceased's death, and are still at large, and will report the matter to the Collector of the District, that measures may be resorted to by him for the same purpose, or otherwise for furthering the ends of justice.

4. And it is further enacted, that the Sitting or other Magistrate to whom a dead Body shall be brought as afore directed, shall forthwith proceed to inspect the same, and if possible cause the same to be inspected by a Medical Officer or Practitioner, and take the evidence of such Medical Officer or Practitioner, as to the cause of the death of the deceased, and shall further examine, with as little delay as possible, all Witnesses who can give evidence respecting the death of the deceased and the cause thereof, and shall in every Case, whether there be ground or possibility of proceeding against any Person or Persons for account of the said death, or not, record in his Diary, his conclusion and opinion from such evidence, as to the manner in which such deceased came by his or her death.

5. Provided always, that this shall not be construed to prevent or discourage Magistrates from originating of their own authority proceedings in such Cases.

6. And it is further enacted, that no dead Body under the circumstances set forth in the 2d Clause of this Regulation, shall be buried or otherwise put aside, unless after the examination above directed, unless upon an evident impossibility, that it should be removed, owing to its being in a state of putrefaction, to be proved forthwith thereafter by the Constable or Police Vidahn to the satisfaction of the nearest Sitting Magistrate, with a full report of the circumstances attending the finding of the same, and the death of the deceased as it may have been traced by the said Constable or Police Vidahn.

7. And it is further enacted, that all Breaches of this Regulation, shall be punishable as Misdemeanours, at the discretion and according to the Jurisdiction of the Court before which the Offence may be tried.

*Given at Colombo in the said Island of Ceylon this 6th day of February 1819.*

By Order of the Council,

W. GRANVILLE,  
Sec. to Council,

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For declaring the return of Persons banished by authority of His Excellency the Governor from Ceylon a Criminal offence.*

**W**HEREAS by the Instructions from His Majesty to the Governor of these Settlements, the said Governor is authorized to remove and send away from the said Settlements and Island, such persons as His Excellency shall suspect of adhering to His Majesty's Enemies, and all such other persons, the continuance of whose residence His Excellency shall have reason to imagine, may be inconvenient or prejudicial to the peace, good order or security of His Majesty's settlements.

2. And whereas it is necessary for more certainly giving effect to such the provisions hereof, His Majesty, for the security of these settlements, to declare the return of the said persons, or removal therefrom by the authority of the Governor without due consequence, to be unlawful, and to enact certain penalties against such persons who shall transgress in their behalf.

3. It is therefore enacted by His Excellency the Governor in Council, that any person who shall have been, or shall be hereafter removed from this Island, under the authority of the Governor, shall not be permitted to land in any part of the same without a license from a public officer appointed by this Government as duly warranted to grant such licenses, for the return to the same, such person shall on conviction of being a person removed in manner aforesaid, before any Court having competent jurisdiction, be sentenced to imprisonment with or without being subject to hard labour, for a term not less than Six Months, and not exceeding Seven Years, and shall at the expiration of the said term of confinement, be nevertheless liable to removal again, under the same penalties in case of returning, at the discretion of His Excellency the Governor, and in all cases of persons convicted and sentenced for any offences against this Regulation, the Fiscal to whose custody he or she shall have been committed shall make a special report of the case, three weeks before the term of the sentence against the prisoner should expire, to the Chief Secretary to Government.

4. And it is further enacted, that any person who shall knowingly harbour a person, who shall have been or may hereafter be removed under the authority aforesaid, and shall return to any part of these settlements not being licensed as aforesaid, shall on conviction pay a fine of Rix Dollars not less than One Hundred, nor exceeding One Thousand and in default of payment, shall also at the discretion of such Court be liable to imprisonment at hard labour for a term not less than Two Months, nor exceeding Three Years.

*Given at Colombo this Sixth day of February 1819.*

By Order of the Council,

W. GRANVILLE,  
*Sec. to the Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be proclaimed in the Kandyan Provinces.*

By Order of His Excellency the Governor,

GEORGE LUSIGNAN,  
*Sec. Kand. Prov.*

## REGULATION.

*(Repealed by Regulation No. 3 of 1825.)*

*For repealing the 1st Regulation of 1814 and fixing the payment of Batta to Prisoners in Cash.*

1. **W**HEREAS it has been found by experience, that the mode of issuing the Gaol Allowance to Prisoners in proportions of Rice Salt and Money is productive of great inconvenience in the Public Departments and of many errors in making up the accounts of the same.

2d. It is therefore enacted by His Excellency The Governor in Council, that from and after the First day of March next ensuing, the Provisions of the Regulation No. 1 of the Year 1814 shall stand repealed and annulled, and that the Allowance to Prisoners in the several Gaols of the Maritime Settlements, shall be made in Cash daily, at the rates in the underwritten Schedule mentioned. And that the Charge to every Creditor for the maintenance of a Debtor confined

REGULATION No. 2 of 1819.

Preamble.

Persons removed by authority of Governor and found in the Island how punishable.

Fiscal to give notice before expiration of Sentence.

Penalty on harbouring such persons.

Regulation No. 3 of 1819.

REGULATION No. 3 of 1819.

at his suit shall be according to the rate therein mentioned as payable to Civil Prisoners, and be advanced by such Creditor in manner as by the 33d Clause of the Proclamation of 23d January 1801 is directed; and subject also to the Provisions in the Regulation No. 2 of the Year 1810, by which Courts are authorized to increase, where they shall see reasonable cause, the allowance to such Civil Prisoners.

Given at Colombo this Sixth day of February 1819.

By Order of the Council

WILLIAM GRANVILLE,  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY  
Chief Sec. to Govt.

Schedule of Rates of Gaol Allowance to Prisoners in Custody of the District

				Rds.	F.
To each Civil Prisoner being an European daily	Do.	Do.	a Burgher	0	6
	Do.	Do.	a Native of Ceylon or of India	0	4
To each Prisoner in Custody for Trial being an European	Do.	Do.	a Burgher	0	6
	Do.	Do.	a Native of Ceylon or of India	0	4
To each Prisoner employed at hard labour being a Burgher or Native					1
To each Prisoner under Sentence being an European				6	0
To each Prisoner under Sentence being a Burgher or Native of Ceylon or of India				0	1 2
To each Prisoner at the suit of Government being a Burgher or a Native				0	1 2

By Order of the Council,

W. GRANVILLE  
Sec. to the Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

(Repealed by Ordinance No. 17 of 1844.)

Regulation for the better Police for the Town of Negombo and its Gravets.

Regulation No. 4 of 1819.

- 1st. THE said Town and Gravets shall be divided into such divisions as the Collector of Colombo shall assign for the purposes of this Regulation.
- 2d. There shall be for each of the said divisions a Constable to be appointed by the Collector.
- 3d. Each Constable shall have the power of taking up any suspicious persons who may appear in his division after sunset, and shall send such person to the nearest Military Guard, which shall have the necessary orders for receiving such person, and in like manner the Constable shall be empowered to seize all persons troubling the public repose in any manner whatsoever, either by day or by night.
- 4th. He shall have power after sun set to search suspected houses upon complaint made to him and to take up persons against whom a complaint is made, and in case of urgency, shall afford assistance to any body in his division, either by day or by night.
- 5th. He shall have power of demanding and enforcing entrance at any time, into any house of his division, upon information of disorderly persons being there, or improper conduct going forward.
- 6th. He shall keep a list of all the Inhabitants of his division in which shall be included all the persons composing the family and servants of each house, and any person removing from one division to another, or from one house to another of the same division, shall within twenty four hours inform the Constable of the division, from which and to which he removes, of his removal; any increase, diminution or change in the number of persons of his household, shall also be reported to the constables or police vidahn of the division.
- 7th. The constable shall take up all vagrants in his division, and take care that no beggars infest the streets, nor be allowed to beg without certificate of the constable and headman of his division.
- 8th. He shall report to the Magistrate all disorderly houses and disorderly persons.
- 9th. He shall be overseer of the patrols of his division, who are bound to obey him.
- 10th. Two or three divisions may be joined together, if more convenient, to form a patrol every night from 9 o'clock till 5 in the morning.
- N. B. The arrangements of the different patrols may be made by the constables: subject, however, to the approval of the Magistrate.
- 11th. The patrols shall allow no persons whatever to pass along the streets, after nine o'clock without a light; unless there be bright moon-light, much less permit people to sleep in the streets.

13th. No person shall harbour a stranger without giving notice of it to the constable of his division, to whom he shall also report his departure. REGULATION No. 4 of 1819.

13th. When a thief is discovered, or in any other pressing emergency, the constable may call upon his neighbours and the neighbouring constables to assist him, who shall obey his summons, or attend at the sound of the rattle, with which the constables shall be furnished for the purpose of alarm.

14th. Each constable shall appear before the Sitting Magistrate on the first day of each month, and make a report in writing, of all material occurrences: but where none such shall have taken place, he shall be allowed to send his report, this is not meant to preclude any constable from having more frequent communication with the Magistrate, if necessary.

15th. Any constable who shall annoy vexatiously, and without reason any person, under a pretence of zeal for the police shall be liable to punishment by the Provincial Judge, Sitting Magistrate or Justice of the Peace.

16th. No person shall give or receive, in pawn, any articles whatsoever, without first shewing the same to the constable of his division.

17th. Any person who shall discover, and bring to conviction any one having received goods stolen, or who shall shew the same to the constable of his division, shall have five per cent on the value of the property.

18th. Goldsmiths and brass founders are to give security for their good behaviour, and copper goods, which are bought shall be shewn by the purchaser to the constable of his division, with the exception of those bought at public auction—It is prohibited to buy any goods whatsoever after sunset from persons who offer them for sale.

19th. Goldsmiths and brass founders are to give security for their good behaviour, and shall not melt down any wrought gold, silver, or brass, without shewing the same to the constables of their divisions.

20th. All gambling places not licensed, to be abolished and no person of whatever description, shall be allowed to game either in the streets or under the varandas or piazzas of the houses in any manner whatsoever.

21st. The Constables shall be entitled to ten per cent on all property whatsoever which they may discover and recover; and in like manner five per cent shall be given to person who shall be the means of recovering and restoring to the owner his stolen property.

22d. All persons receiving goods to keep for others, shall give immediate notice to the vidwan of their division.

23rd. All houses and gardens shall be encompassed with walls, or good hedges and be cleared of brush and underwood within, in order to prevent the concealment of thieves; this is to be completed in three Months.

24th. All cattle found straying loose in the streets of the pettah after sunset, shall be seized and lodged in a pound to be constructed for that purpose, and the owners thereof shall be fined six fanams for each buffalo, bullock or cow so found and seized, and one fanam per diem additional for every day that the animal may remain in pound after being seized, and should the owner not appear to claim his property and pay the said fine &c. within twelve full days from the time of seizure and pouncing, then the animal to be sold, and the price thereof after deducting the fine and expenses of keeping, to go to Government.

25th. The Owners of pigs, are strictly prohibited from allowing them to go astray, and the owner of any pig found straying within the gravets shall be liable to a fine of one rixdollar, to be recovered before the Sitting Magistrate; and in case of such fine not being paid, to one week's imprisonment, or such pig to be forfeited at the discretion of the Magistrate and sold for the benefit of Government.

26th. Any person laying down dirt, rubbish, or filth, of any sort in the public streets, or roads or in view of the public streets or roads, shall upon proof thereof upon oath before the Sitting Magistrate be fined two rixdollars, or in default of payment thereof suffer fourteen days imprisonment.

27th. All dirt, rubbish and filth, shall be deposited in places to be pointed out by the Constable of each district, under the order of the Sitting Magistrate.

28th. Every householder is bound to remove all filth, rubbish and dirt from before his or her house, to such place as shall be pointed out by the Constable of the district.

29th. If any householder shall, after notice given by the Constable of his division, neglect for one hour to remove such filth, rubbish and dirt from before his house, he or she shall be fined two rixdollars, or in default of payment shall suffer fourteen days imprisonment; and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt, and having proved before the Sitting Magistrate the amount of the cost of so doing, he shall be entitled to levy the same by sale of the offenders goods, under the warrant of the Sitting Magistrate.

30th. Persons indecently exposing themselves within sight of the public streets or roads shall upon proof made before the Magistrate by one credible witness be fined two Rixdollars, (half thereof to be paid to the person giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

31st. The Magistrate shall be aiding and assisting the Constables in the execution of their functions, against all persons whomsoever, who shall resist their authority.

32nd. They shall inform themselves in what manner the inhabitants of their respective divisions provide for their subsistence, in order to be able to inform the Magistrate thereof on inquiry.

33rd. The discharging of fire arms in the pettah is strictly prohibited, as also the setting off fireworks without a special permission of the Sitting Magistrate in writing.

REGULATION No. 4 of 1819.

34th. In case of fire, the Constables shall use their utmost endeavours to cause the same to be extinguished, the first who shall have notice thereof shall give the alarm, which shall be repeated by all the other Constables and Police Vidahns, when the inhabitants shall come out of their houses, and under the direction of the Constables afford the necessary assistance, both by themselves, and by sending their male servants and slaves where the fire is.

35th. The Constables shall pay great attention that the butchers keep the places where they kill cattle always clean, and that the offal be removed so as not to infect the air.

36th. That they shall also see whenever any buildings are erected that the roads or streets be not encroached upon, and if any encroachment is attempted shall report the same to the Sitting Magistrate.

37th. It shall be one of the principal duties of the Constables to see that the drains of the houses, and also those along the streets, are kept open so as to prevent the stagnation of water in them.

38th. All persons finding any property shall forthwith bring it to the Magistrate, who are required to report the circumstance to the Magistrate, and such finder shall appear on his part, shall receive from the owner of the property one-tenth of the value, and if no claim be made for six months, one-third.

Given at Colombo, this 6th day of March 1819.

	Rds.	F.
By Ord.	0	6
Wm. GR.	0	4
	0	0

By His Excellency  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 7 of 1835.)

*For Regulating the Proceedings of the Provincial and other Inferior Courts in issuing Edictile Citations and other matters of practice of the said Courts.*

REGULATION No. 5 of 1819.

1. **W**HEREAS it is necessary to define the cases in which Edictile Citations to obtain Certificates of quiet possession of Land may be sued for, and the mode of proceeding thereon, in the Provincial and other Inferior Courts in these Settlements; and also to lay down Rules of Practice for such Courts in addition to those in the Proclamation of 22d January 1801 contained.

2. It is therefore hereby enacted by His Excellency the Governor in Council, that no Edictile Citation shall issue, in the nature of those customarily applied for, to call in Claimants to Land previous to the Applicant obtaining a Certificate of quiet possession of the same; unless the Application in writing, shall contain a full description of the Land or Lands or Parcel or Parts thereof, of which the Applicant declares himself in exclusive possession, shewing the extent and boundaries thereof, and unless such Application be accompanied by an Affidavit from the Applicant duly attested, that the contents of the said Application are true.

3. And on such Application, so supported by Affidavit, the Edictile Citations being issued in manner now customary, with a term of two months given to prefer claims; upon any claim being preferred by petition in writing, such petition shall, by rule of Court, be made a libel in a new suit, in which the claimant shall be considered the plaintiff, and the Applicant for Edictile Citation defendant, with liberty to the said plaintiff to amend his petition or libel forthwith or within four days thereafter by leave of the Court, and the defendant shall thereupon be called on to answer such libel, and the suit be proceeded on, in the usual form; the determination of the Court on the original application, being of course suspended till discussion of all the suits originated by claims and the certificates, which after the decision of such suits shall be granted on the original application, shall recite such claims as have been preferred, and the proceedings and decisions had thereon.

4. And it is further enacted, that in any suit before a Provincial or other inferior Court, the plaintiff shall and may, if he pleases, file any one or more instruments or documentary evidence he may have to produce in support of his claim with his libel or summary petition, at the commencement of such suit, in which case the defendant shall by his answer admit or deny the validity of the same, either generally, or as applying to the object in suit and that the defendant may likewise with his answer at his discretion file such documentary evidence on which he may rely in support of such answer, which shall be admitted or denied by the plaintiff by his replication: But that all other documentary evidence be reserved till after the pleadings are concluded, and a day be assigned by the Court, before witnesses are summoned, for filing such documentary evidence, on which day, each document as filed by either party shall be so indorsed, and the adverse party called on to admit or deny the truth or validity of the same, either generally, or as applicable to the suit pending, which admission or denial shall also be noted on each of the said documents. And no documentary evidence shall be allowed to be produced, after the term assigned, by either party, except, such as is produced from witnesses under process of Subpœna duces tecum, or on affidavit, to be admitted by the Court at any time before Judgment pronounced, that such documentary evidence was not known to, or was not in the possession or power of the Party on whose behalf it is applied to be filed: and that all such Documents be subjected to the admission or denial of the adverse Party against whom they are produced, and be endorsed as herein before directed.

5. And it is further enacted that in all cases appealable either to the High or Minor Courts of Appeal, the Evidence of each Witness summoned be heard, unless waived by the party

who summoned him; that the Evidence of each Witness be taken down in writing separately, and distinguishing such part as is given on his examination in chief by the Party who summoned him, and on cross examination either by the adverse Party or by the Court, and do contain nothing but the sayings of the Witness unless the Questions put are by the Court considered necessary to be inserted; that such deposition be signed by the Witness, the Secretary of the Court and Interpreter, and that if the Decree below be appealed from, and the Appeal admitted, each Deposition be copied separately and except when the value of the Suit is under 50 R. Ds. on a Stamp of the Amount and Rates following.

Where the Suit does not exceed R Ds. 150 .....	1	0	0
"      300 .....	1	6	0
"      1500 .....	2	0	0
"      5000 .....	3	0	0
above " 5000 .....	4	0	0

6. And it is further enacted that no Provincial, or other Inferior Court, shall authorize or order the Affidavits hereinafter to any Party or Witness in any Suit before them, of any extraordinary form, and different from that in common and approved use for each Religion or of any other kind, and such Courts are peremptorily required to refuse any Application to them to decree such extraordinary Oaths.

7. It is further declared and enacted that the said Provincial and other Inferior Courts shall be required to either Party in a Suit before them, save and except in the Cases of a Proclamation of the 22d January 1801 set forth, or where the same is not accepted by the other Party, to decide the Suit, without and previous to the addition of Witnesses, or where there being only one Witness to a fact material to the Suit, a strong presumption arising from documentary Evidence, without Witnesses, and required to take the Oath of the Party on whose behalf such Witness or Evidence is adduced.

8. And it is further enacted that no Decree shall be made upon condition that either Party do any Act to make the same conclusive, but that the Court do cause all such things as are requisite to bring a Suit to conclusion to be done by Interlocutory Orders previous to passing a final Decree.

9. And it is hereby declared that no Appeal shall lie from any Interlocutory Order, unless the grievance sustained from its effect, be such, as would not be capable of remedy on subsequent Appeal from the definitive Sentence, and the Provincial and other Inferior Courts are not to delay proceedings in any Suit on pretence of Appeal interposed from Interlocutory Orders as above referred to, unless by directions of the competent Appellate Court, to which Petitions of Appeal from such Orders are however to be sent, but without demand of Security for Costs or stay of Proceedings.

10. And it is further enacted that no blank Stamps shall be attached to pleadings, or Translations, or Copies of Documents filed, to make up the amount of duty payable of on such pleadings Translation or Copy, but that a part of such pleading Translation or Copy shall be written on every Stamp filed as belonging to the same.

Given at Colombo this Nineteenth day of May 1819.

By Order of the Council,  
WM. GRANVILLE,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 10 of 1819.)

For amending the 15th Clause of the 3d and 18th Clause of the 4th Regulation of 1818 and extending the Powers of the Sitting Magistrate of Colombo in reference to the said Third Regulation

Regulation No. 6 of 1819.

1. WHEREAS in the Third and Fourth Regulations of Government of the Year 1818 in the 15th Clause of the former and 18th Clause of the latter the Regulation No. 8 of the Year 1814 being "for preventing the introduction of Arrack and Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon," has been erroneously quoted as the Third Regulation of the Year 1814. Now to prevent any misconception of the real meaning and intent of the said Clauses; It is enacted by His Excellency the Governor in Council that the said Clause, shall stand and be read as follows, in each of the said first recited Regulations "And it is further enacted that nothing in this Regulation contained shall be taken and construed as repealing or altering the Eighth Regulation of the Year 1814. For preventing the introduction of Arrack and Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon, all the Provisions and Enactments whereof are hereby confirmed and declared of full Force."

And Whereas it is necessary to extend the Powers of the Sitting Magistrate of Colombo in respect to levying Forfeitures under the said Regulation No. 3 of 1818. It is therefore enacted that the said Sitting Magistrate shall have and exercise all and singular the same powers of levying Fines and Forfeitures and awarding Corporal Punishment and Imprisonment for breaches of the said Regulation, as under the same, the Provincial Judges in the Cingalese Districts are vested with and may exercise.

Given at Colombo this Nineteenth day of May 1819.

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec. to the Council.

By His Excellency's Command, -  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Expired.)*

REGULATION No. 7 of 1819.

*For giving relief to such Proprietors of Domestic Slaves in the Province of Batticaloa who may have sustained injury from the misconstruction at that Station of the 9th Regulation of 1818.*

1. WHEREAS His Excellency the Governor has been informed, that the Sitting Magistrate of Batticaloa misunderstanding the nature of the Registry, in and by the Ninth Regulation of 1818 created and enacted for the enregistration of Domestic Slaves, has required from persons applying to enregister Slaves, Proof of their Property, and in default of such Proof, hath refused to enregister such Slaves, altho' no Suit was before him on the part of the alleged Slaves claiming Freedom, whereby considerable injury may have been sustained by the Proprietors of Domestic Slaves in that District, and it is therefore necessary to enact a fresh term, within which such Registry as is prescribed by the Regulation <sup>recited</sup> may take place.

2. It is therefore enacted by His Excellency the Governor in Council, that in and by the 5th Clause of the 9th Regulation of 1818 directed to the enregistration of Slaves by the Proprietors of the same, shall and may be made by the Sitting Magistrate in the District of Batticaloa, in the Office of the Sitting Magistrate, on or before the 30th day of September next: and no Penalty shall be incurred by the said 9th Regulation by persons resident in such District, in as much as the said Slaves; till after the said 30th day of September next.

3. And it is further enacted, that the transcript of the Registry of Domestic Slaves in the District of Batticaloa (including the Registry which has hitherto taken place in the Office of the Chief Secretary to Government on or before the 31st day of August next ensuing.

Given at Colombo this 19th day of June 1819:

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Regulation No. 10 of 1819.)*

*A Regulation for further amending the 3d 4th and also to amend the 12th Regulation of the Year 1818.*

REGULATION No. 8 of 1819.

1. WHEREAS it has been, by experience, found necessary, to amend the 5th 8th and 11th Clauses of the Third, and the 5th and 10th Clauses of the Fourth Regulations of Government of the Year 1818, by enacting certain Penalties against the Persons therein Commanded to make and deliver certain returns, failing to deliver the same, at the times therein stated, and also to amend the 10th Clause of the said Third and the 13th Clause of the said Fourth and the 3d Clause of the Twelfth Regulations of the said Year 1818, by giving the Provincial Judge, Sitting Magistrate or Justice of the Peace before whom Convictions of Breaches of the said Clauses are made, power to adjudge, that Owners of Arrack who shall or may be convicted of removing the same without Permits, and do not forthwith pay the Penalty by the said Clauses directed at the rate of 60 Rds. for every Gallon of Arrack so removed within the Four Gravets of Colombo, and 10 Rds. for every Gallon of Arrack removed in other parts of these Settlements, may be at the discretion of such Judge, Magistrate or Justice of Peace, employed at Hard Labour for a certain time to be by him fixed.

2. It is therefore enacted by His Excellency The Governor in Council, that every licensed Distiller of Arrack, who shall not give in to the Collector of the District in which he is licensed on the 1st day of every Month, the return in and by the 5th Clause of the Third, and 5th Clause of the Fourth Regulations of 1818 directed to be given, shall on the Complaint and Information of the said Collector, before any Provincial Judge, Sitting Magistrate or Justice of Peace having local Jurisdiction, be sentenced to pay a Fine of Six Dollars Twenty five, and in default of Payment, shall be liable to be imprisoned and put to hard labour for a term not exceeding Three Months, and shall be liable to a repetition of the same Sentence, if within Four Weeks from the determination of the first Complaint if at large, or from the period of his release from Imprisonment. He or She make further default to deliver such return.

3. And that every registered wholesale Dealer, who shall fail to deliver the Returns in and by the 8th Clause of the said Third, and 10th Clause of the said Fourth Regulations of 1818, required to be furnished to the Collector of the District in which He or She is registered, shall be liable on Complaint or Information of the said Collector to any Provincial Judge, Sitting Magistrate or Justice of Peace having local Jurisdiction, to be Sentenced to pay a fine of One Hundred Six Dollars, and to Imprisonment till such Fine be paid; and to a repetition of the said Sentence, every Month that such return is delayed after the first information, not however exceeding Six Fines for the same neglect.

4. And that any Owner or Renter of any number of Trees from which Toddy may be drawn within the Cingalese Districts, who shall neglect to furnish the Collector of the District, or Renter of an Arrack or Toddy farm acting under the authority of such Collector, on his requisition, with the return in and by the 11th Clause of the Third Regulation above recited, directed to be furnished, shall on the Complaint or information of such Collector or Renter before any Provincial Judge, Sitting Magistrate or Justice of Peace having local Jurisdiction, be



adjudged to pay a Fine of Twenty five Rix Dollars, and in default of payment to be imprisoned and put to hard labour for any term not exceeding Six Months.

5. Provided, that the several Penalties herein before enacted, shall not be leviable for any Offence committed prior to the 1st day of July now current; and that all neglects of delivering the Returns due on that day, shall be saved by the delivery of the same in 14 Days from the publication of this Regulation in the several Districts of these Settlements by the Collectors thereof.

6. And that any Owner of Arrack, which shall be removed without Permit contrary to the directions in the 10th Clause of the Third 13th Clause of the Fourth, and 3d Clause of the Twelfth Regulations of 1818 before recited, who being convicted thereof, shall not forthwith pay the Fine or Penalty in and by the said Regulation directed to be levied on such Persons, He or She shall be at the discretion of the Provincial Judge, Sitting Magistrate or Justice of the Peace before whom the Conviction takes place, liable to be adjudged to be imprisoned till such Fine be paid, or, in case hereof, imprisoned and put to hard labour for any term not exceeding Twelve Months.

Given at Colombo this 3rd day July 1819.

By Order of the Council,

WILLIAM GRANVILLE,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

*A Regulation for further extending the Term in which the Registry of Covia, Nallua and Palla Slaves may be made, in respect only to such Slaves the claims on whom shall have been given in and not decided on, on or before the 31st day of August 1819.*

Regulation No. 9 of 1819.

1. WHEREAS by the 9th Regulation of the year 1818 it is enacted, that all Proprietors of Covia, Nallua, and Palla Slaves, should enregister the same in manner in and by the said Regulation directed, on or before the 12th day of August in the present year 1819, under pain of forfeiture of all Title to such Slave or Slaves and other penalties in and by the said Regulation declared, and Whereas, by the 11th Regulation of 1818, the Term within which such Registry should be made was extended till the 30th day of September 1819.

2. And whereas by the said Regulation, all such Registries are required to be in the name of a single Proprietor for every Slave, and for the more effectual completion of the division of Slaves held in common in the Districts of Jaffnapatam and Trincomale a mode of proceeding before Commissioners was in and by the Tenth Regulation of 1818 established, and the Commissioners named under the said Regulation have sat and received many claims to Slaves and Shares of Slaves, part of which have been decided, but several are still pending, and the Registry of such Slaves, or of others on whom claims may be preferred in manner by the said Regulation directed, cannot take place till after the same are decided on, and it is therefore necessary further to extend the Term in which such Registry shall and may be made of such Slaves, touching whom claims may be pending before the said Commissioners, on the 31st day of August next ensuing.

3. It is therefore enacted by His Excellency The Governor in Council that the Term within which the Registry of Covia, Nallua, and Palla Slaves, is in and by the Seventeenth Clause of the 9th and third Clause of the 11th Regulations of the year 1818, required to be made, shall be and the same is enlarged in respect to such Slaves, respecting whom Claims shall have been given in, in manner in and by the third Clause of the 10th Regulation of 1818 directed, on or before the 31st day of August now next ensuing and on which claims the Commissioners named under the said 10th Regulation shall not have decided before the said 31st day of August, till the 31st day of July in the year 1820, and all penalties consequent on neglect of such Registry, shall, as connected with Slaves respecting whom claims are and shall be pending as aforesaid, only have effect in reference to that date.

4. Provided always and it is further enacted, that in respect to all other Covia, Nallua, and Palla Slaves, the several Enactments and Penalties in and by the 9th and 11th Regulations of the year 1818 directed, shall take full effect from and after the said 30th day of September next.

5. And it is further enacted, that the Transcripts of Registries of Covia, Nallua, and Palla Slaves, and Lists of alterations therein, in and by the Twenty seventh Clause of the said 9th, and Fourth Clause of the said 11th Regulation of 1818, required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the 3rd day of September 1820, and the Lists of alterations in the same, every subsequent quarter of a year.

Given at Colombo this 3rd day of July 1819.

By Order of the Council,

W. GRANVILLE,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## PROCLAMATION.

PROCLAMATION 5TH AUGUST  
1819.

Penalty on forcible Possession  
of Land or removal of property.

**W**HEREAS we are informed, that notwithstanding Our orders to the contrary, notified to the Chiefs assembled in the Kandy in the month of May 1816, the injurious practice of entering forcibly on the possession of Lands to which a person pretends to have a legal claim, and carrying off therefrom the crop thereof, and also the equally illegal practice of taking possession of the Cattle Buffaloes, or other moveable property of a person by whom another thinks himself aggrieved, are still too prevalent in the Kandyan Provinces, to the disturbance of the public peace, and in contempt of the laws of our Lord the King. Now it is hereby declared and ordered that any person or persons who shall on pretence of having a claim to any Land whatever or to any crop or produce of the same, or on any other pretence, take or attempt to take possession of such crop or the crop or produce thereof, while in the occupation of another, without the sanction of a competent Magistrate, British or Kandyan, or who shall take possession of Buffaloes, Cattle, or other moveable property, belonging to another, shall be liable to himself for any injury he or they may consider done to him or her, or to the satisfaction of any demand he or they may consider due to them, in addition to the penalty as aforesaid, such person or persons shall be, and are hereby made, liable by fine and Imprisonment at hard labour, besides making restitution to the person on whose property the violence is committed.

Given at Colombo, in the said Island of Ceylon, this Fifth day of August, one thousand Eight Hundred and Nineteen.

By His Excellency's Command,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.

GOD SAVE THE KING.

## PROCLAMATION.

Proclamation 18th September  
1819.

Preamble.

**W**HEREAS by our Proclamation bearing date the twenty first day of November 1818, We did declare, that all Lands which then were the property of Temples, should be exempted from all taxation whatever, save and except, that such of the inhabitants of those villages, as were liable to perform fixed gratuitous services also to the Crown, should still be liable thereto; And Whereas it is necessary for the security of His Majesty's Revenue, that the extent of the Lands herein above referred to, as the same stood at the date of the said Proclamation, should be correctly ascertained and registered, and that all subsequent donations or bequests to the Temples of every description, should only be made as was heretofore customary by and with the previous consent and license of the sovereign authority in these Provinces.

Temple Lands to be registered.

Now it is hereby enacted and declared, that the persons having the charge of the revenues of every Temple, whether Wihare, Dewale or under any other denomination and whether such persons be the Priest, Dewe-Nileme, Basnaike Nileme, Kapurale, or by what other description they may be called, shall, and they are hereby required, to deliver in to the Revenue Commissioner, or the Agent of Government in the several Provinces, and Districts, according as the Lands are situated, in reference to the Schedule hereto annexed, a list of all Lands, of all descriptions which did belong to the said Temples under their respective charge at the date of the said Proclamation, with the extent thereof, and the mode whereby the same was acquired, within twelve months from this date; whereupon the said Lands shall be registered by the Revenue Commissioner or Agent of Government, if he is satisfied that such Lands are the property of the said Temple, as such Temple property and entitled to the exemption from taxation in and by the said Proclamation granted; and a certificate of such enregistration shall be granted by such Revenue Commissioner or Agent of Government, the production of which shall alone be considered sufficient proof that such Land is exempted from taxation.

Provided always, that if the Revenue Commissioner or Agent of Government is not satisfied, that any Land was the property of such Temple by which it is claimed at the date of the said Proclamation, he shall refer the question to the consideration, of the Board of Commissioners who shall direct a proper course of enquiry into the validity of the claim, and report the same to Us for Our decision how the said Land is to be considered.

And it is further enacted and declared, that it has not been, nor shall be hereafter, lawful to any inhabitant of these Provinces, to make either a donation, or a bequest of any Land whatsoever to or for the use of any Temple, whether Wihare, Dewale or otherwise called; without having first signified to Us, through the Honble the Resident, or through any resident Agent of Government, his or her desire

PROCLAMATION 18TH SEPTEMBER 1819.

to make such bequest or donation, and having received a license in writing to give or bequeath the same—And any Land given or bequeathed contrary to this order shall not be considered as the property of a Temple, but shall be given to the nearest heir of the person who has disobeyed the law by attempting to give and bequeath such Land, provided he sues for the same before the Judicial Commissioner or Agent of Government within twelve months from this date, or from the date of such gift or bequest, or from the time the possession has been taken for any Temple; or else the Land shall become forfeited to the Crown.

*Given at Kornegalle, in the said Island of Ceylon this Eighteenth day of September One Thousand Eight Hundred and Nineteen.*

By His Excellency's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Provs.*

GOD SAVE THE KING.

REGULATION.

*(Repealed by Regulation No. 22 of 1820.)*

*For the security of the Revenue derived from the retail Sale of Arrack and Toddy in the Cingalese Districts.*

1. It is necessary and expedient, that the several restrictions, Enactments, and Ordinances, which have been established by the Authority of Government for the protection of the Revenue derived from the retail sale of Arrack and Toddy within the Cingalese Districts of the Maritime Provinces of this Island extending from the Komekenaar bounding the Mahagampattoo to the Northern limit of the District of Chilaw, should be consolidated into one Regulation.

2. It is therefore enacted by His Excellency The Governor in Council that from and after the first day of January next ensuing, all Laws, Rules, Regulations and Enactments in this behalf, shall be within the Districts and local Limits above defined, and the same are hereby repealed, save and except as to the recovery of Penalties or infliction of punishments for transgressions against the Regulations now in force.

3. And it is further enacted, that from and after such 1st day of January, the retail Sale of Arrack and Toddy of every description, save and except under License or Authority in writing from the Collector of the District, in which the same is retailed, or from some other Revenue Officer or Renter acting under the Authority of such Collector, shall be, and the same is declared unlawful: and that all and every person or persons, who shall be convicted of selling by retail, any Arrack or Toddy without such License or Authority, shall pay a Fine of Rix Dollars Fifty for each offence, and in default of immediate payment, shall be liable to be imprisoned and put to hard labour until such Fine be paid, the term of such imprisonment not, however, exceeding 12 Months.

4. And it is further enacted, that from and after the date aforesaid, no person or persons, shall within the limits afore described, distil Arrack without a License in writing obtained from the Collector of the District or his Assistant, specifying the term for which the same is granted (not exceeding Twelve Months) the number of Stills licensed, and the Places where the same respectively are erected and intended to be worked, which License shall be issued by such Collector or his Assistant, without Fee, Gratuity or Reward, but may be refused to any applicant, the reason of such refusal being certified to the Commissioner of Revenue who may, on application, sanction or reverse the same: And that any person or persons, convicted of distilling Arrack, by whatever name or names the same may be called or described without such License, or contrary to the tenor thereof, shall pay a Fine of Rix Dollars Ten for every Gallon of Arrack which may be proved to have been distilled by him, her or them, and in proportion for any lesser quantity, and in default of immediate payment, shall be liable to be imprisoned and put to hard labour till the said Fine be paid, the term, however, of such imprisonment not exceeding Twelve Months—And that any Still or Stills used for such unlawful distillation with the appurtenances thereof, shall be confiscated.

5. And it is further enacted, that all and every person or persons, Licensed to distil Arrack, shall on the first day of every Month, deliver to the Collector of the District a true and correct return of the quantity of Arrack distilled by him, her or them during the preceding Month and of the quantity of Toddy used therein, and also of the quantity of Arrack sold by him, her, or them during the same period, and to whom by name respectively, and the quantity remaining in his, her, or their possession, which is to be carried over to the next Monthly return; And that any person convicted on the Complaint or Information of the Collector, of not giving in any return by this Clause required to be given, shall be sentenced to pay a Fine of Rixdollars Twenty five, and in default of payment shall be liable to be imprisoned, and put to hard labour, till such fine be paid, the term of imprisonment however not exceeding three Months, and shall be liable to a repetition of the same sentence if within four Weeks from the determination of the first Complaint if at large, or from the period of his or her release from imprisonment, he or she make further default to deliver such return; And that any person convicted of wilfully giving in a false return, shall pay a Fine of One Hundred Rix Dollars, and in default of payment shall be confined at hard labour, till such Fine be paid, the term of imprisonment not, however, exceeding Twelve Months.

6. And it is further enacted that every wholesale dealer in Arrack shall register his name as such with the Collector of the District, and take out a Certificate of such Registry, which shall be in force for One year from the date thereof and shall be issued within Forty eight hours after application, without any Fee, Gratuity, or reward being exacted for the same, and which shall entitle the person to whom the same shall be issued, to have in his or her possession, any quantity of Arrack lawfully purchased, from Licensed Distillers or from another dealer.

*Regulation No. 10 of 1819.*

REGULATION No. 10 of 1819.

7. And it is further enacted, that such wholesale dealers shall at the end of every three Months after the date of their Certificates, respectively, furnish the said Collector with an account of all Arrack purchased or received by them, and of all Arrack sold, exported, or issued during the period preceding, and the quantity remaining on hand, which shall be carried forward to the next periodical account and that any such wholesale dealer who shall fail to deliver in such return, shall be, on the information of the Collector, sentenced to pay a Fine of One Hundred Rix Dollars, and to be imprisoned till such Fine be paid, and shall be liable to a repetition of such sentence every Month, that such return is delayed after the first conviction, not however exceeding six times for the same neglect; And that any such wholesale dealer who shall be convicted of giving in wilfully a false account, shall pay a Fine of Five Hundred Rix Dollars, and be imprisoned till such Fine be paid, and for all Arrack which shall be proved to have been in his possession above the quantity whereof he has rendered an account, he shall be liable to a further Fine at the rate of Three Rix Dollars a Gallon.

8. And it is further enacted that no sale of Arrack shall be considered wholesale unless the quantity sold amount to Fifteen Gallons, and that no sale of Toddy shall be considered wholesale, unless the quantity sold exceeds Twenty five Gallons.

9. And it is further enacted that no Arrack exceeding in quantity two or three private use, the same having been purchased from a Licensed retailer, or Toddy 1819. of District  
 tiller, or retailer from the Gardens in which it was drawn, shall be a  
 permit from the Collector, or other Revenue Officer or Renter, acting u  
 said permit shall be issued for the removal of Arrack in quantities not  
 Gallons, and of Toddy not under Twenty five (25) Gallons, to wholes  
 specify the quantity to be removed, and from and to what places, and fo  
 mits are to be in force, forthwith on application, without Fee Gratuity of  
 lector, Revenue Officer or Renter to whom application is made, on pain of  
 venue Officer or Renter, of Twenty five Rix Dollars for every omission or  
 same, over and above any damages which may be recovered against him, or  
 dealer for loss sustained by such delay or omission, and that all Arrack or Toddy removed,  
 without the permit above mentioned accompanying the same, shall be confiscated, and the  
 Owner of such Arrack shall pay a Fine of Rix Dollars Sixty for every Gallon of Arrack so re-  
 moved, from or to any place within the Towns Forts and Gravets of Colombo and Galle, and  
 of Rix Dollars Ten for every Gallon of Arrack so removed from or to any place out of the  
 said limits and in proportion for any lesser quantity, than a Gallon with the exception first above  
 mentioned, and in default of immediate payment, shall be imprisoned till such Fine be paid,  
 the term of imprisonment not exceeding 12 Months, and such offender may be sentenced at the  
 discretion of the Magistrate before whom the conviction takes place, to be put to hard labour  
 during such imprisonment. And that all and every other person employed or concerned in such  
 removal, who shall not give up the name and place of abode of the persons by whom he or  
 she was employed in such removal, so that such person may be convicted, shall pay a Fine of  
 Twenty five Rix Dollars for each offence, and in default of payment, shall be confined at hard  
 labour till the said Fine is paid, the term of imprisonment not however exceeding Six Months,  
 or may in default of payment be sentenced to receive Corporal Punishment not exceeding  
 Fifty Lashes—And that all Carts, Waggons, Donies Vessels or other conveyances employed in such  
 removal, with knowledge of the owners thereof or of the Masters or Tindals of such Donies or  
 Vessels shall be confiscated.

10. And it is further enacted that all owners or Renters of any number of Trees, from which  
 Toddy may be drawn shall, on requisition from the Collector of the District, or a Renter of an  
 Arrack or Toddy Farm acting under the authority of the Collector, in any particular part thereof,  
 furnish a true and correct statement of the number of Trees, from which Toddy is drawn, and  
 the quantity which has been drawn during three months preceding, and the manner of disposal  
 of the same and that any such person neglecting to deliver such return on requisition, shall on  
 Complaint of the Collector to the competent Jurisdiction, be adjudged to pay a Fine of Twenty  
 five Rix Dollars, and in default of payment, shall be Imprisoned at hard labour till such Fine  
 be paid, the term of Imprisonment not however exceeding six months; and any such person con-  
 victed of wilfully giving in a false statement, shall pay a Fine of Rix Dollars Fifty, and in de-  
 fault of payment, shall be Imprisoned at hard labour till such Fine be paid, the term of Im-  
 prisonment not however exceeding Twelve months.

11. And it is further enacted, that all Arrack or Toddy which shall be found in any place  
 not belonging to a person Licensed to possess the same in manner above mentioned, according  
 to the Tenor of their Licenses or Certificates respectively, and during the time for which the  
 same are issued, shall be confiscated, excepting Toddy found in the Garden where the same is  
 drawn—and the owner of or occupier of any House, out House or other Building wherein the  
 same may be found, with the exception aforesaid, shall pay a Fine at the rate of Five Rix  
 Dollars for every Gallon of Arrack and Two Rix Dollars for every Gallon of Toddy so found  
 and in default of payment, shall be Imprisoned and put to hard labour till such Fine is paid,  
 the term of Imprisonment not however exceeding Twelve months.

12. And it is further enacted, that it shall and may be lawful for any Magistrate or Jus-  
 tice of Peace, upon affidavit made before him, stating just grounds of suspicion, to issue his  
 Warrant to search and seize, wherever the same may be found, stills used for the distillation  
 of Arrack without License, together with all Liquor therewith found, and also all Liquor being  
 in places, wherein the same is not Licensed to be by the provisions of this Regulation or being  
 removed without the Licenses required by the same which Warrants shall be executed in com-  
 pany of, and attended by the Constable or Police Vidahn of the place: and such Constables or  
 Police Vidahns are hereby authorized on request made and cause declared, to enter Houses in  
 search of such unlicensed stills and Liquor—and it is further enacted, that the same authority  
 shall be vested in the several Constables or Police Vidahns, without Warrant, on information laid  
 before them, and they are hereby required to exercise the same and to report in every instance  
 that they shall do so, their proceedings and the result of their search to the nearest Magistrate  
 within Twenty four Hours from the time it shall have taken place, under Penalty on any Police  
 Vidahn or Constable who shall fail to make such report in the time specified, of a Fine of Rix  
 Dollars Fifty, and Imprisonment at hard labour till such Fine be paid, the term of Imprisonment  
 not however exceeding Three Months—and it is further provided that any stills or Liquor seized  
 shall only be sold to person Licensed to possess the same.

13. And it is further enacted that any person who shall forge or Counterfeit any permit or Certificate to be used or issued under this Regulation, or shall knowingly and wilfully utter any such forged or Counterfeit permit or Certificate, shall on Conviction be sentenced to Imprisonment for any term not exceeding Twelve Months, and to be employed at hard labour during such Imprisonment.

REGULATION No. 10 of 1819

14. And it is further enacted, that all offences against the Provisions of this Regulation, shall and may be tried and decided on, and the several Penalties awarded, by and before any Provincial Judge, Sitting Magistrate or Justice of the Peace throughout the said Cingalese Districts, according to their local Jurisdictions, save and except, that no Sitting Magistrate except the Sitting Magistrate of Colombo, or Justice of the Peace, shall have authority to declare Confiscated, any Ship Vessel, or Doney, or to impose any Fine exceeding One Hundred Rix Dollars, and that no Provincial Judge, shall have authority to declare Confiscated any Ship or Vessel, exceeding in burthen Thirty Tons, but shall remit the Parties in any case wherein Confiscation of a Ship or Vessel of larger burthen is prayed, to remedy before the Supreme Court of Judicature, according to the course of Revenue Prosecution before the said Court—and that the one half of all Fines herein before directed to be levied, and the one half of the value or produce of all Confiscations under this Regulation, shall go to Our Lord The King, and the other half to the persons prosecuting the offender to Conviction. Provided always, that in the event any Defendant pay the Fines above directed and sentence of Imprisonment being awarded for any offence, the Collector of the District shall never Prosecute the full amount of the share, he would be entitled to, of the said offence, by any clause of this Regulation where such share does not exceed Fifty Rix Dollars, and shall pay to such informer the proportion of said share, where such share does not exceed Three Hundred Rix Dollars, and where such share does not exceed Five Hundred Rix Dollars, One half where it does not exceed One Thousand Rix Dollars and one third in all other Cases.

And it is further enacted that nothing in this Regulation contained, shall be taken and construed as repealing or altering the Eighth Regulation of 1814 "For preventing the Introduction of Arrack and Toddy into His Majesty's Principal Forts and Fortresses in the Island of Ceylon," all the Provisions and Enactments whereof, are hereby confirmed and declared of full force.

16. And it is further enacted that any Arrack found in the Estate of any deceased person, who shall during his life time have been duly qualified to possess the same, shall and may be sold by Auction. Notice of the Sale being given to the Collector of the District and the Lots exposed not being of less than Fifteen Gallons at a time, and with respect to smaller quantities found in any such Estate, the Collector shall and may direct the Renter or Licensed Retailer of Arrack nearest the place of Sale, to receive and pay for the same to the Representatives of the Deceased, at a rate of Twenty per Cent under the authorized retail price.

*Given at Colombo, the Seventeenth day of December 1819.*

By Order of the Council,

W. GRANVILLE,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.*

*For the more effectual security of the Revenue derived from the Retail Sale of Arrack in the Malabar Districts, and for regulgning the Sale of Toddy in the said Districts.*

1. WHEREAS it is necessary and expedient, that the several restrictions, Enactments and Penalties which have been established by the authority of Government, for the protection of the Revenue derived from the retail Sale of Arrack, and for regulating the Sale of Toddy within the Malabar Districts of the Maritime Provinces of this Island, extending from the Komekensar bounding the Mahagampattoo, to the Northern limit of the District of Chilaw, round by Jaffnapatam, should be consolidated into one Regulation.

Regulation No 11 of 1819

2. It is therefore enacted by His Excellency The Governor in Council, that from and after the 1st day of January next ensuing, all Laws, Rules, Regulations and Enactments affecting the Revenue from Arrack and Toddy, shall be within the Districts and local limits above defined, and the same are hereby repealed, save and except as to the recovery of Penalties, or infliction of Punishments, for transgressions against the Regulations now in force.

3. And it is further enacted, that from and after such First day of January, the retail Sale of Arrack of every description, save and except under License or Authority in writing, from the Collector of the District, in which the same is retailed, or from some other Revenue Officer or Renter acting under the authority of such Collector, shall be, and the same is declared unlawful: And that all and every Person or Persons, who shall be convicted of selling by retail any Arrack without such License or Authority, shall pay a Fine of Rix Dollars Fifty for each Offence, and in default of immediate payment shall be liable to be imprisoned and put to hard labour, until such Fine be paid, the term of such imprisonment not however exceeding Twelve Months.

4. And it is further enacted that from and after the date aforesaid no Person or Persons shall within the limits afore described, distil Arrack without a License in writing, obtained from the Collector of the District, or his Assistant, specifying the term for which the same is granted (not exceeding Twelve Months) the number of Stills licensed, and the Places where the same respectively are erected, and intended to be worked, which License shall be issued by such Collector or his Assistant, without Fee, Gratuity, or Reward, but may be refused to any Applicant, the reason of such refusal being certified to the Commissioner of Revenue, who may, on application, sanction or reverse the same—And that any Person or Persons convicted of distilling Arrack by whatever Name or Names the same may be called or described, without such

REGULATION No. 11 of 1819.

License, or contrary to the tenor thereof, shall pay a Fine of Rix Dollars Ten for every Gallon of Arrack, which may be proved to have been distilled by him, her or them, and in proportion for any lesser quantity, and in default of immediate payment, shall be liable to be imprisoned and put to hard labour, till the said Fine is paid, the term of imprisonment not however exceeding Twelve Months, and, that any Still or Stills used for such unlawful distillation with the Appurtenances thereof, shall be confiscated.

5. And it is further enacted, that all and every Person or Persons licensed to distil Arrack, shall on the first day of every Month, deliver in to the Collector of the District, a true and correct return of the quantity of Arrack distilled by him, her or them, during the preceding Month, and of the quantity of Toddy used therein, and also the quantity of Arrack sold by them during the same period, and to whom by Name respectively, and the quantity remaining in his her or their possession which is to be carried over to the next Monthly return, and that any Person convicted, on the Complaint or information of the Collector, of not giving in any return by this Clause required to be given, shall be sentenced to pay a Fine of Rix Dollars Twenty five, and in default of payment shall be imprisoned and put to hard labour till such Fine be paid, the term of imprisonment however not exceeding Three Months, and shall be liable to a repetition of the same Sentence, if within Four Weeks from the determination of the first Complaint, if at large, or from the period of his or her release from imprisonment. He or she may be ordered to deliver such return, and that any Person convicted of wilfully giving in a false return, shall pay a Fine of One Hundred Rix Dollars, and in default of payment, shall be sentenced to hard labour till the said Fine is paid, the term of imprisonment not however exceeding Three Months.

6. And it is further enacted, that within the Districts aforesaid no Arrack shall be used or kept for private use, by any Person whomsoever, not being a licensed Retailer, unless the same shall have been purchased from some Person duly authorized to sell Arrack at Retail, within the District or Sub Division in which the same is to be used, or used by a licensed Retailer shall have, by Certificate in writing, authorized the Person to whom such Certificate is granted, to purchase elsewhere, for use, a certain quantity of Arrack, to be specified in such Certificate, and not to be less than Fifteen Gallons at one time, and any Person who shall be convicted of keeping or using any Arrack not purchased in manner aforementioned, with the exceptions above specified shall pay a Fine of Twenty five Rix Dollars for each Offence, and in default of payment, shall be imprisoned and put to hard labour till the same be paid, the term however of such imprisonment not exceeding Three Months.

7. And it is further enacted, that no Wine or Spirits, save and except genuine Arrack of good quality and proof, shall be sold by Retail, in any part of the said Malabar Districts, at a lower rate than Nine Rix Dollars per Gallon, under a Penalty on any Person selling by retail any such Wine or Spirits, save and except Arrack, in less quantities than One Gallon, or retailing bad or adulterated Arrack, of Fifty Rix Dollars for every Offence, and in default of immediate payment of such Penalty, such Person shall be confined, and put to hard labour till the said Fine is paid, the term of imprisonment not however exceeding Twelve Months.

8. And it is further enacted, that every Wholesale Dealer in Arrack, shall register his Name as such with the Collector of the District, and take out a Certificate of such Registry, which shall be in force for One Year from the date thereof, and shall be issued within Forty eight hours after application, without any Fee, Gratuity or Reward being exacted for the same, and which shall entitle the Person to whom the same shall be issued, to have in his or her possession, any quantity of Arrack lawfully purchased, or imported from other parts of the Island for exportation, or for Sale again by wholesale.

9. And it is further enacted, that such wholesale dealers shall at the end of every Three Months after the date of their Certificates respectively, furnish the said Collector with an Account of all Arrack purchased or received by them, and of all Arrack sold, exported or issued during the period preceding, and the quantity remaining on hand, which shall be carried forward to the next periodical Account; And that any such wholesale dealer, who shall fail to deliver in such return shall be on the information of the Collector sentenced to pay a Fine of One Hundred Rix Dollars, and to be imprisoned till such Fine be paid, and shall be liable to a repetition of such Sentence every Month, that such return is delayed after the first conviction, not however exceeding six times for the same neglect—And that any such wholesale dealer who shall be convicted of giving in wilfully a false Account, shall pay a Fine of Five Hundred Rix Dollars, and be imprisoned till such Fine be paid, and for all Arrack which shall be proved to have been in his possession, above the quantity whereof he has rendered an Account, he shall be liable to a further Fine, at the rate of Three Rix Dollars a Gallon.

10. And it is further enacted, that no Sale of Arrack shall be considered wholesale, unless the quantity sold amounts to Fifteen Gallons.

11. And it is further enacted, that it shall and may be lawful for the Collector of every District, or his Assistant to direct by order in writing, that any wholesale dealer in Arrack, shall permit one or more Locks to be put upon his Storehouse or Storehouses, wherein Arrack shall be lodged, and the Keys thereof kept by such Person as the said Collector or his Assistant shall from time to time appoint—Provided always that the Owner of such Arrack shall at all times during the day have free access thereto for lawful purposes and the Collector or his Assistant, shall direct that an application to the Person keeping the Keys by his Authority, such Person shall within a reasonable time attend with the Keys for that purpose. And it is further enacted, that any such dealer disobeying the directions in writing of any such Collector or his Assistant in this behalf, shall pay a Fine not exceeding Five Hundred Rix Dollars, and be imprisoned till such Fine be paid.

12. And it is further enacted, that no Arrack exceeding in quantity two quarts for private use, the same having been purchased from a licensed retailer, shall be removed, except upon a Permit signed by the Collector or other Revenue Officer or Renter acting under his Authority, which said Permit, shall be issued for the removal of Arrack in quantities, not under Fifteen Gallons by wholesale dealers on application, without Fee, Gratuity or Reward by the Collector, Revenue Officer, or Renter to whom application is made, on pain of a Fine on such Revenue

of District

Rds.	F.
0	6
0	4
0	0
0	0

Officer or Renter, of Twenty five Rixdollars for every omission or delay in issuing the same, over and above any damages which may be recovered against him by any wholesale dealer, for loss sustained by such delay or omission, and such Permit shall specify the quantity to be removed, and from and to what places, and for what period such Permit is to be in force and that all Arrack removed without the permit abovementioned accompanying the same, shall be confiscated, and the Owner of such Arrack shall pay a fine of Rixdollars Ten for every Gallon of Arrack so removed, and in proportion for any lesser quantity, than a Gallon with the exception first above mentioned, and in default of immediate payment, shall be liable to be imprisoned till such Fine be paid, the term of Imprisonment not however exceeding Twelve Months and such offender may be sentenced to be put to hard labour during such Imprisonment at the discretion of the Magistrate, before whom the Conviction takes place; And that all and every other Person employed or concerned in such removal, who shall not give up the name and place of abode of the Person by whom he or she was employed in such removal, so that he or she may be convicted, shall pay a Fine of Twenty five Rixdollars for each offence, and in default of payment, shall be confined at hard labour till the said Fine is paid, the term of Imprisonment not however exceeding Six Months, or in default of Payment may be sentenced to receive Corporal Punishment, not exceeding Fifty Lashes.—And that all Carts, Waggon, Donies, Vessels, or other Conveyances employed in such removal with the knowledge of the Owners thereof, or of Tindals of such Donies or Vessels, shall be confiscated.

And it is further enacted, that all Arrack which shall be found in any place, not being licensed to possess the same in manner above mentioned, according to the Licenses or Certificates respectively, and during the time for which the same are granted, and the Owner of, or occupier of any House.—Out house or other place, in which the same may be found with the exception aforesaid, shall pay a Fine at the rate of Five Rixdollars for every Gallon of Arrack found, and in default of payment shall be liable to be imprisoned at hard labour till the said Fine is paid the term of Imprisonment, not however exceeding Twelve Months.

14. And it is further enacted that it shall and may be lawful for any Magistrate or Justice of Peace upon Affidavit made before him, stating just grounds of suspicion, to issue his Warrant to search, and seize wherever the same may be found, stills used for the distillation of Arrack, without License, together with all Liquor therewith found, and also all Liquor being in places wherein the same is not Licensed, to be by the Provisions of this Regulation, or being removed without the Licenses required by the same, which Warrants shall be executed in company of and attended by the Constable or Police Vidahn of the place, and such Constable or Police Vidahn are hereby authorized on request made and cause declared, to enter Houses in search of unlicensed stills and Liquor. And it is further enacted, that the same authority shall be vested in the several Constables or Police Vidahns without Warrant, or information laid before them, and they are hereby required to exercise the same, and to report in any instance, that they shall do so, their proceedings and the result of their search to the nearest Magistrate within Twenty four hours from the time, it shall have taken place, under penalty on such Constable or Police Vidahn failing to make such report within the time specified, of a Fine of Rixdollars Fifty—and Imprisonment at hard labour till the said Fine is paid, the term of Imprisonment not however exceeding three months.—And it is further provided, that any stills or Liquor seized shall only be sold to persons Licensed to possess the same.

15. And it is further enacted, that any Person who shall forge or counterfeit any Permit or Certificate required to be used or issued under this Regulation or shall knowingly and willfully utter such forged or counterfeit permit or Certificate, shall on Conviction be sentenced to Imprisonment for any term not exceeding Twelve months, and to be employed at hard labour during such Imprisonment.

16. And it is further enacted that all Offences against the Provisions of this Regulation, shall and may be tried and decided, on, and the several penalties, awarded, by and before any Provincial Judge, Sitting Magistrate, or Justice of the Peace, throughout the said Malabar Districts, according to their local Jurisdictions, save and except that no Sitting Magistrate or Justice of the Peace shall have authority to declare confiscated, any Ship Vessel or Doney, or to impose any Fine exceeding One Hundred Rixdollars, and that no Provincial Judge, shall have authority to declare confiscated, any Ship or Vessel exceeding in Burthen Thirty Tons, but shall remit the Parties in any Case, wherein Confiscation of a Ship or Vessel of larger Burthen is prayed, to remedy before the Supreme Court of Judicature, according to the course of Revenue Prosecution before the said Court, and that one half of all Fines herein before directed to be levied, and the one Half of the value or produce of all Confiscations under this Regulation shall go to Our Lord The King, and the other Half to the Person or Persons prosecuting the Offender to Conviction. Provided always that in the event of the inability of any Defendant to pay the Fines above directed, and Sentence of Imprisonment or Corporal Punishment being awarded for any Offence, the Collector of the District shall nevertheless pay to such Prosecutor the full amount of the share he would be entitled to, of the Fine prescribed for such Offence by any Clause of this Regulation, where such share does not exceed One Hundred and Fifty Rixdollars, and shall pay to such Informer, the proportion of three fourths of the said share, when such share does not exceed Three Hundred Rixdollars, two thirds where such share does not exceed Five Hundred Rixdollars, One Half where such share does not exceed One Thousand Rixdollars, and One third in all other Cases.

17. And it is further enacted, that the Collectors in the several Malabar Districts aforesaid, may and shall frame Rules for the restriction and Regulation of the sale of Toddy within their respective Districts, which said Rules respectively being approved, and the sanction of His Excellency the Governor being notified thereon by the signature of the Chief or Deputy Secretary to Government, and true Copies thereof lodged in the Supreme Court of Judicature and the High Court of Appeal, and in the several Courts of the Provincial Judges and Sitting Magistrates in the respective Districts, and having been duly published within and throughout the said Districts respectively by the Collectors, shall, until further provision is made therein, have the force and effect of local Law and Regulation within the said Districts, and be obeyed accordingly, and such Fines and Imprisonments as the same may prescribe for breach of any of the said Rules, be levied and inflicted by all Courts and Magistrates, according to their local Jurisdictions.—Provided always, that no Fine shall be levied under such Rules exceeding Fifty Rixdollars, and no Imprisonment awarded exceeding Six Months at hard labour.

18. And it is further enacted that nothing in this Regulation contained, shall be taken and construed as repealing or altering the Eighth Regulation of the Year 1814, “for preventing the

Regulation No. 11 of 1819.

~~Eighth Regulation of the Year 1814, "for preventing the Introduction of Arrack and Toddy into His Majesty's principal Forts and Fortresses in the Island of Ceylon," all the Provisions and Enactments whereof, are hereby confirmed and declared of full force.~~

19. And it is further enacted that any Arrack found in the Estate of any deceased Person, who shall during his life time have been duly qualified to possess the same, shall and may be sold by Auction, Notice of the Sale being given to the Collector of the District, and the Lots exposed not being of less than Fifteen Gallons at a time; and with respect to smaller quantities found in any such Estate, the Collector shall and may direct the Renter or licensed Retailer of Arrack nearest to the place of Sale, to receive and pay for the same to the Representatives of the deceased, at a rate of Twenty per Cent. under the authorized retail price.

*Given at Colombo this Seventeenth day of December 1819.*

By Order of the Council,

W. GRANVILLE,  
*Sec. to the Council.*

By His Excellency's Command of District

JOHN	Rds.	F.
CA	0	6
	0	4
	0	
	0	

REGULATION

(Nullified by Charter of 18th February 1833.)

*For repealing the 13th Regulation of 1814.*

Regulation No. 13 of 1819

1. WHEREAS by the submission of that Part of the Island of Ceylon which was formerly under the Dominion of the Kings of Kandy to the British Government, and the establishment of British Agents with Judicial powers in the various Provinces and Districts of the Kandyan Provinces, the difficulty of procuring evidence in Suits wherein the causes of action are alleged to have arisen in the said Provinces has ceased, and it is therefore expedient to repeal the Thirteenth Regulation of 1814 entitled "to prohibit the entertaining of Suits before any Courts of Judicature within the British Settlements in Ceylon, on causes of action which have arisen, or may hereafter arise, in parts of the Island not comprehended within the limits of the British Territories."

2. It is therefore enacted by His Excellency The Governor in Council that the Thirteenth Regulation of the year 1814 shall be and the same is hereby repealed—and it is further enacted that where the evidence of any witness or witnesses resident in the Kandyan Provinces is required in any Civil Suit which has been or shall be, instituted before any Court of Judicature in the Maritime Settlements of His Majesty in the Island of Ceylon, the same shall, and may be, taken upon Interrogatories under Letters requisitory issuing from such Court to any Agent of Government in the said Provinces, in like manner as is practised within the said Maritime Settlements, to take the evidence of Witnesses resident out of the Jurisdiction of the Court in which any action may be brought.

*Given at Colombo the Seventeenth day of December 1819.*

By Order of the Council,

W. GRANVILLE,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

(Repealed by Regulation No. 7 of 1823.)

*For amending the 2d Regulation of 1817 and for simplifying the collection of Stamp duties.*

Regulation No. 1 of 1820.

1. WHEREAS it is expedient that the collection of the revenue from stamps should be simplified and that the extra charge for the price of the paper on which the stamp is impressed should be abolished.

2. It is therefore enacted by the Honble the Lieutenant Governor in Council, that from and after the first day of April next, no other sum shall be demanded or received, on any pretence, whatsoever, from persons purchasing stamps of any description, save and except the sum expressed in the Stamp itself.

3. And it is further enacted, that the schedule B. annexed to the 2d Regulation of the year 1817 entitled "a Regulation for repealing the Regulation No. 1. of 1806 and No. 1 of 1809 and making a new enactment respecting Stamp duties" be amended and the Stamp duty on all conveyances of moveable property, and other debts enumerated in the eighth clause of the said Regulation, at the rate of one half of a Rix Dollar for every Hundred Rix Dollars of value which shall be the subject matter thereof, shall be assessed and levied according to the annexed table marked A. and that where the said value does not exceed ten Rix Dollars, no stamp shall be required: And that the Schedule C. annexed to the said Regulation be also amended, and the stamp duty on all bills of exchange, and promissory notes drawn within the



Island of Ceylon enacted by the twelfth clause of the said Regulation at the rate of one quarter of a Rix Dollar for every hundred Rix Dollars shall be assessed and levied according to the annexed table marked B. provided that where such bill or note shall be drawn for a sum not exceeding ten Rix Dollars no stamp be required.

REGULATION No 1. of 1820.

4. And it is further enacted, that from and after the first day of April next ensuing, all receipts, discharges or acquittances for money, and all vouchers, shop bills, auction bills and bills of parcels, purporting to be such receipts, discharges, or acquittances, shall, where the amount expressed in such receipts or other paper exceed Rix Dollars ten, be subjected to a stamp duty of one quarter of a Rix Dollar for each hundred Rix Dollars, to be assessed and levied according to the Schedule B. herunto annexed: provided, that the said stamp duty shall in no instance exceed the sum of fifteen Rix Dollars, but that a stamp of fifteen Rix Dollars, shall be sufficient for any amount whatever of such last recited instrument; and provided further, that receipts for the payment of interest when endorsed on any security carrying interest, shall be exempted from the payment of any of the stamp duties abovementioned; but such stamp duties shall be paid and payable whenever such receipt shall be given upon any piece of paper or old detached from the security itself, unless where for want of room to execute such security, such receipt shall have been annexed in the presence of, a school-master or notary public.

5. And it is further enacted, that the provision in and by the twenty-second, twenty-third, twenty-fourth clauses of the said 2d Regulation of 1817 enacted, whereby the stamp duty on conveyances of immovable property may be, under the restrictions therein set forth, stamped on of the same, be strictly construed as applying to the cases stated in the said clause "where it may be impracticable to procure the necessary stamp at the time of executing such conveyances of immovable property" and that no other deeds be stamped after the same are prepared or executed on blank paper.

6. And it is further enacted, that the several rates of stamp duty contained in the Schedules or tables A. and B. respectively herunto annexed, shall be deemed and taken to be the rates of stamp duty enacted by this Regulation; and that all and singular the enactments of the 2d Regulation of 1817, and the penalties and other directions therein contained, in so far as the same are not altered by this Regulation, shall be and remain in full force.

Given at Colombo this 9th day of February 1820.

By Order of the Council,

WILLIAM GRANVILLE,  
Sec. to the Council.

By the Lieutenant Governor's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

SCHEDULE A.

Being the rate of duty at  $\frac{1}{2}$  per cent on all conveyances of moveable property mortgages, mortgage bonds, bonds, obligations, leases of land or tenement, contracts for the future sale or purchase of goods, assignments of ships, assignments of securities, excepting Government securities, and bills and promissory notes indorsed, and exclusive of judicial proceedings.

	Rds.	Fs.	Rds.	Fs.	Rds.	Fs.	P.
On every amount not exceeding.....	10	0	.....	.....	.....	.....	no Stamp
On every amount exceeding.....	10	0	and under	33	4	.....	0 1 0
On .... Rds. .... "	33	4	and under	50	0	.....	0 2 0
On .... " .... "	50	0	and under	66	8	.....	0 3 0
On .... " .... "	66	8	and under	83	4	.....	0 4 0
On .... " .... "	83	4	and under	100	0	.....	0 5 0
On .... " .... "	100	0	and under	116	8	.....	0 6 0

And so on at the rate of one fanam for every additional Rds. 16 8 of amount, but the duty in no instance required to exceed Rds. 100.

SCHEDULE B.

Being the rate of duty at  $\frac{1}{2}$  per cent on all bills of exchange and promissory notes drawn within the Island of Ceylon and on all receipts discharges or acquittances for money, vouchers, shop bills, auction bills, and bills of parcels purporting to be receipts &c.

	Rds.	Fs.	Rds.	Fs.	Rds.	Fs.	P.
On every amount not exceeding.....	10	0	.....	.....	.....	.....	no Stamp
On every amount exceeding.....	10	0	and under	33	4	.....	0 0 2
On .... Rds. .... "	33	4	and under	66	8	.....	0 1 0
On .... " .... "	66	8	and under	100	0	.....	0 2 0
On .... " .... "	100	0	and under	133	4	.....	0 3 0
On .... " .... "	133	4	and under	166	8	.....	0 4 0
On .... " .... "	166	8	and under	200	0	.....	0 5 0
On .... " .... "	200	0	and under	233	4	.....	0 6 0

And so on at the rate of one fanam for every additional 3 7 Rds. 4 Fs. of amount, but the duty is not required to exceed Rds. 25 in any instance on Bills of Exchange or Promissory notes, or Rds. 10 on receipts &c.

By Order of the Council,

WILLIAM GRANVILLE,  
Sec. to Council.

## REGULATION.

*To prevent the spreading of Small Pox within these Settlements.*

REGULATION No. 3 of 1820.

Preamble.

Warrant for removal of person infected.

1. **W**HEREAS it is the duty of Government to prevent, in as far as is possible, the spreading of Small Pox in these Settlements.

2. It is therefore declared and enacted by the Lieutenant Governor in Council, that it shall and may be lawful for any Collector, Provincial Judge, Agent of Government, Sitting Magistrate or Justice of the Peace, and such Officers are hereby required (subject to any Instructions from Government they may be directed to make) on receiving notice that any person within the District or Jurisdiction of any of them respectively has been seized with Small Pox, instantly by warrant under his hand, directed to such person or persons whom he shall select, to cause such person to be removed from any place where he or she may be, to a proper, convenient and separate building to be provided by the Collector or Agent of Government, and to be vaccinated or if already vaccinated, to be re-vaccinated, and to be kept in such building until he or she has been effectually vaccinated, until such infected person shall be con-

Penalty on disobedience.

3. And it is further enacted, that any person or persons, having Small Pox or having been effectually vaccinated, who shall disobey neglect the execution of the order of such Collector, Provincial Judge, Agent of Government, Sitting Magistrate or Justice of the Peace, shall be punished by imprisonment, at the discretion and according to the extent of Jurisdiction of such Court or Magistrate, before whom any such person shall be convicted.

Collectors &c. to report to Government.

4. And it is further enacted that Collectors, Provincial Judges, Agents of Government Sitting Magistrates or Justices of the Peace shall in every instance, where they find it necessary to act under this Regulation, report the same to Government.

*Given at Colombo this Second day of March 1820.*

By order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be Proclaimed in the Kandyan Province.*

By Order of the Lieutenant Governor,  
GEO. LUSIGNAN,  
*Sec. Kand. Provinces.*

## REGULATION.

*(Repealed by Regulation No. 7 of 1820.)*

*For calling in all Government Notes not bearing the value of the same impressed thereon by a dry Stamp.*

REGULATION No. 3 of 1820.

1. **W**HEREAS it has been deemed expedient, for the better prevention of the Forgery of Government Notes, to add to the signatures and impressions in the said notes, the value of the same impressed by a dry stamp, and it is also expedient that no other Government notes, save and except such as bear this impression, should be kept in circulation.

2. It is therefore enacted, by His Honor the Lieutenant Governor in Council that all Government notes not bearing the impression of their value stamped on the same, with the dry stamp in use for stamped paper, shall on being presented at the General Treasury, or any of the Cutcheries of the Collectors or Agents of Government in this Island, be taken in payment or exchanged for notes of the same value and being duly stamped with the dry stamp, at any time before the first day of July next—and the holders of such unstamped notes are hereby required to present them accordingly.

3. And it is further enacted that notes unstamped not presented accordingly before the said first day of July next, shall not be current or in any way received in payment, except at the General Treasury in Colombo.

*Given at Colombo this 6th day of March 1820.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be Proclaimed in the Kandyan Provinces.*

By Order of the Lieutenant Governor,  
GEORGE LUSIGNAN,  
*Sec. Kand. Provinces.*

REGULATION.

*For prohibiting the cutting off hair by way of punishment.*

REGULATION No. 4 of 1820.

Preamble.

1. **W**HEREAS it has been reported to Government that a practice exists of cutting off the hair of Men and Women by way of punishment for offences, and whereas it is desirable to do away any idea of disgrace, which may exist in the minds of the people, as to persons wearing their hair cut short.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the publication of this Regulation no person shall be sentenced by any Court or Magistrate of this Island, to have his or her hair cut off in punishment for any offence whatever.

Cutting off the Hair by way of punishment prohibited.

*Given at Colombo this Sixth day of March 1820.*

By Order of the Council,  
W. GRANVILLE,  
*Sec. to the Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*



*To be proclaimed in the Kandyan Provinces.*

By Order of the Lieutenant Governor

GEORGE LUSIGNAN,  
*Sec. Kand. Prov.*

REGULATION,

*(Repealed by Ordinance No. 4 of 1834.)*

*For establishing an assessment on houses in the Fort, Town and four Gravets of Colombo for the purpose of keeping the roads in the same in good repair, and providing lights therein, and also for transferring to the Collector's Department for the same purposes, the amount collected for licenses on bullock bandies.*

Regulation No. 5 of 1820.

1. **W**HEREAS it is expedient to provide a fund for the repairs of the roads in the Fort, Pettah and Gravets of Colombo, and for lighting the streets of the Pettah, and it is just that the same should be established by contributions from the owners or occupiers of houses within such limits, and by the owners of bullock carts plying within the same.

2. It is therefore enacted, by the Lieutenant Governor in Council, that a tax shall be levied on all dwelling houses or shops in the said Fort and Pettah of Colombo and within the Gravets thereof, to the amount of five per cent on the annual rent of the same, provided that such assessment shall in no instance exceed the rate of one hundred Rix Dollars per annum.

3. That the assessment shall be made by a Committee of five respectable persons, of whom two at least shall be Burghers, to be annually nominated by the Governor, for which purpose the Sitting Magistrate of Colombo shall annually, on the 15th day of December, present a list of six burghers to the Governor for his selection.

4. That the assessment shall be reported to the Collector of Colombo and by his authority notified to each person liable, through the Constable or Police Vidan of the Division, and the same shall be subject to appeal to the said Collector within ten days after notice, but the decision of the said Collector shall be final.

5. That the rent of houses occupied by the Proprietors shall be estimated by the rent paid on houses of the same description in the neighbourhood.

6. That no Tax shall be levied on unoccupied houses nor on Buildings appropriated to Religious worship, or on houses the annual rent of which does not exceed ten Rix Dollars.

7. That the tax shall be paid to the Collector quarterly and in case of refusal or evasion of payment, the Collector may levy the same by distress of the property of the occupant of the house at the end of the quarter, or the occupant may be called on at his option, to work on the roads or find a labourer for one day, if his tax for the quarter does not exceed three fanams, for two days if it does not exceed six fanams, and so on for an additional day for every additional three fanams of quarterly tax.

8. That the tax shall be considered as having effect from the first day of April next and shall be collected for the three quarters of the current year, and the list of assessors presented on the fifteenth day of March current.

9. That the amount of collections under this Regulation be exclusively applied, under the superintendence of the Committee, subject to the controul and direction of the Collector, to the substantial repair of the roads in the Fort, Town and Gravets, including paving where necessary, and to lighting the streets of the Town.

10. That the annual tax on licensed bullock carts be increased to four Rix Dollars and in future be paid to the Collector, and the proceeds thereof, deducting the expense of the board affixed to the cart, be applied to the purposes of this Regulation.

REGULATION No. 5 of 1820.

11. That the accounts of the fund be made up by the Committee at the end of each quarter and delivered to the Collector who shall examine and authenticate the same and transmit them to the Auditor General for final audit, under such instructions as shall be given by Government to that officer.

Given at Colombo this 6th day of March 1820.

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec to the Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Repealed by Regulation No. 9 of 1825.)

For the better collection of Import and Export duties, and repealing all laws relating thereto, and for enforcing the registration of Donies and other Vessels in Ceylon, and for prohibiting the debarkation of persons having small Pox or disorders from vessels arriving in any port of the Island.

Regulation No. 6 of 1820

(The repealed enactments relating to the Customs are not published)

of District	
Rds.	F.
0	6
0	4
0	0
0	3

### REGULATION.

For repealing the Third Regulation of 1820 and for calling in all Government Notes the value whereof shall not be impressed thereon by a Stamp in Black Ink.

REGULATION No. 7 of 1820.

Preamble.

1. WHEREAS owing to the thinness of texture of the paper, on which the Notes of this Government are engraved, it is found that the impression of the value of the Note by the Dry Stamp as stated in the Third Regulation of the present year, One Thousand Eight Hundred and Twenty, and required by the same, to render such Government Notes after the First day of July next current, is soon obliterated.

The Reg. No. 3, of 1820 repealed.

2. It is therefore hereby enacted by the Lieutenant Governor in Council, that the said Third Regulation of the present year shall be and the same is hereby repealed.

Value of Notes to be stamped in black ink.

3. And Whereas it is expedient that, in lieu of the precaution hereby intended to be provided against forgery, the said Notes should bear their value stamped thereon in black ink, and it is expedient that no other Government Notes save and except such as bear this last mentioned stamp or impression should be kept in circulation.

Notes not stamped to be exchanged.

4. It is therefore further enacted, that all Government Notes not bearing the impression of the value thereof, stamped on the same by a stamp in black ink, shall on being presented at the General Treasury or any of the Cutcheries of the Collectors or Agents of Government in this Island be taken in payment or exchanged for Notes of the same value and being duly stamped with their value in black ink, at any time before the 31st day of October next, and the holders of such Notes as are not stamped are required to present the same accordingly.

Unstamped not to be received in payment except at the General Treasury.

5. And it is further enacted, that Notes not having their value stamped on them in black ink, which shall not be presented accordingly, before the Thirty first day of October next, shall not be current or in any way received in payment, except at the General Treasury in Colombo.

Given at Colombo, this 17th day of June 1820.

By order of the Council,  
W. GRANVILLE  
Sec. to the Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

To be Proclaimed in the Kandyan Provinces,

By Order of the Lieutenant Governor

GEO. LUSIGNAN  
Sec. Kand. Provinces.

## REGULATION.

(Expired.)

*A Regulation for further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place till the 31st December 1821.*

REGULATION No. 8 of 1820.

1. WHEREAS it appears by the reports of the several Commissioners, Judges and Magistrates, acting under the 9th and 10th Regulations of 1818, that all the claims to Covia, Nallua and Palla Slaves, pending before the Commissioners in and by the said 10th Regulation established, cannot be decided so as that the Registration of the said Slaves may take place on or before the 31st day of July next as by the 9th Regulation of 1819, is directed and required.

2. It is therefore enacted by the Honble the Lieutenant Governor in Council, that the term within which the Registry of Covia Nallua and Palla slaves is in and by the said third Clause of the 9th Regulation of 1819, and Clauses of other Regulations therein referred to required to be made; shall be the same is, in respect to such slaves respecting whom claims have been given in the said day of August 1819, and on which claims the Commissioners named under the said 9th Regulation of 1818 have not yet decided, enlarged till the 31st day of December in the said year, and all penalties consequent on neglect of such Registry, shall as connected with the said Regulations respecting whom claims are and shall be pending as aforesaid, only have effect in date.

3. It is further enacted that the Transcript of Registries of Covia, Nallua, and Palla slaves, under the fifth Clause of the said 9th Regulation of 1819, and the several Regulations therein referred to required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the 31st day of March 1822, and the Lists of alterations in the same every subsequent quarter of a year.

Given at Colombo this 17th day of June 1820.

By Order of the Council,

W. GRANVILLE,  
Sec. to the Council.

By the Lieut. Governor's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For amending the 1st Regulation of 1815 entitled "For regulating the sale and possession of Arms and Ammunition, and for prohibiting the sale, gift or disposal of Horses to Natives of India on Ceylon not Subjects of the British Government," and for repealing so much thereof as prohibits the sale of Horses to Natives of India, not being Subjects of the British Government. \**

1. WHEREAS some of the Provisions of the 1st Regulation of the year 1815 "for regulating the sale and possession of Arms and Ammunition and for prohibiting the sale, gift or disposal of Horses to Natives of India on Ceylon not Subjects of the British Government" have been found insufficient, or are become unnecessary.

Regulation No. 9 of 1820.

Preamble.

2. It is therefore enacted by the Lieutenant Governor in Council that the fifth Clause of the said 1st Regulation of the year 1815 shall be and the same is repealed.

Fifth Clause of the 1st Regulation of 1815 repealed.

3. And it is further enacted that no person whatever, excepting the Judicial, Civil, and Military Servants of His Majesty, and excepting the persons in the sixth Clause of the said 1st Regulation of 1815, provided for and mentioned, shall have, possess, or sell any Gunpowder, Bullets, Shot, Sulphur, Saltpetre, Flints; or other warlike Stores, or Ammunition, without license from some person duly authorized by Government to grant licenses for that purpose; under a penalty of Fifty Rix Dollars for each and every pound weight of such articles which shall or may be found in his or her possession, or shall have been sold by him or her, and in proportion for any quantity less than a pound weight: and the said articles shall further be forfeited to His Majesty's use

What persons to possess Ammunition.

Penalty.

4. And it is further enacted that in default of payment of the penalty herein above specified, or of any of the fines or penalties by the said 1st Regulation of 1815 enacted which are not hereby repealed, the person sentenced to pay the same, shall be imprisoned till such fine or penalty be paid, the term of imprisonment however not exceeding twelve months; and such person, may be sentenced, at the discretion of the Court or Magistrate before whom he or she shall be convicted, to be put to hard labour during such imprisonment.

Imprisonment in default of payment.

*Nota.*—Repealed in so far as relates to the possession and use of Arms by Ordinance No. 13 of 1847.

REGULATION No. 9 of 1820.  
 Repeal of Restrictions on sale  
 of Horses.

5. And it is further enacted, that so much of the said 1st Regulation of the year 1815 as relates to the sale of Horses to Natives of India, not being Subjects of the British Government, be and the same is repealed.

Given at Colombo the Twenty-ninth day of July 1820.

By order of the Council,  
 WILLIAM GRANVILLE,  
 Sec. to Council.

By the Lieutenant Governor's Command,  
 JOHN RODNEY,  
 Chief Sec. to Govt.

### REGULATION.

For preventing the concealment or harbouring of Deserters from His Majesty's Service.

Regulation No. 10 of 1820.  
 Preamble.

Penalty on concealing Deserters.

Imprisonment in default of payment.

1. **W**HEREAS it is necessary to enact certain penalties against any person harbouring, concealing, or assisting Deserters from His Majesty's Service.
2. It is therefore hereby enacted by the Lieutenant Governor in Council, that if any person shall harbour, conceal, or assist, any Deserter from His Majesty's Service, knowing him to be such, the person so offending, shall forfeit for every such offence the sum of Two Hundred Rix Dollars: And upon conviction by the oath or oaths of one or more credible witness or witnesses, before any Justice of the Peace or Agent of Government within this Island, having local jurisdiction, the said Penalty of Two Hundred Rix Dollars shall be levied, by warrant under the hand of such Justice of the Peace, or Agent of Government, by distress and sale of the Goods and Chattels of the offender—one moiety of the said Penalty to be paid to the informer, and the other moiety to the Crown: And in case any such offender who shall have been convicted as aforesaid, of harbouring, concealing, or assisting any such Deserter, shall not have sufficient Goods and Chattels whereon distress may be made to the value of the Penalty awarded against him or her for such offence, or shall not pay such Penalty within four days after such conviction, then, and in such case, such Justice of the Peace, or Agent of Government, shall by warrant under his hand and seal, commit such offender to Prison, there to remain, and to be employed at hard labour, for the space of six months.

Given at Colombo the Twenty-ninth day of July 1820.

By Order of the Council,  
 W. GRANVILLE,  
 Sec. to the Council.

By the Lieutenant Governor's Command,  
 JOHN RODNEY,  
 Chief Sec. to Govt.

To be proclaimed in the Kandyan Provinces.

By Order of the Lieutenant Governor  
 GEORGE LUSIGNAN,  
 Sec. Kand. Prov.

### REGULATION.

(Repealed by Ordinance No. 6 of 1835.)

For the relief of Insolvent Prisoners for Debt.

Regulation No. 11 of 1820.

1. **W**HEREAS it is highly expedient to mark the accession of His Most Gracious Majesty by acts of Grace, and among other such Acts, to pass a Regulation for releasing, from Gaol, Persons imprisoned for Debts which they are unable to discharge.
2. It is therefore enacted by the Lieutenant Governor in Council, that all such Persons, who on the Twelfth day of August now current, being the Anniversary of His Majesty's Birth day, shall remain confined in Gaol for any Debt, shall be discharged from custody, upon, and subject to the following conditions and limitations.
3. Every Person so in custody, shall cause to be made out, a full and perfect Statement of all such Property, moveable or immoveable, as he, or she shall be possessed of, or entitled to, or which any Person in trust for him, or her, shall be so possessed of, or entitled to, of which statement, one Copy shall be delivered to each and every Creditor at whose suit such Person is detained, at least six days before application for the discharge of such Prisoner, and another Copy shall be delivered to the Judge or Magistrate by whom, or by whose

authority such Prisoner stands committed, who shall thereupon appoint a day not earlier than Six, or later than Ten, from the receipt thereof, for the Prisoner to be brought before him, to apply for his discharge: Upon which day, if it shall appear to the Judge or Magistrate, that such notice has been duly given, he shall proceed to discharge the Prisoner; unless any Creditor, or Person in behalf of a Creditor, shall be able to prove to the satisfaction of the Judge or Magistrate, by legal Evidence, that the Debt was contracted, either by means of fraud practised by the Prisoner or by breach of any trust reposed in him, or that the Prisoner has concealed, or omitted in his Statement, any Property of any kind whatever, necessary wearing apparel and the Instruments of his or her Trade or occupation excepted: Then and in any of these cases, the Prisoner shall not be entitled to any benefit from this Regulation.

4. But if on the contrary, no such charge is either made or proved, and the Prisoner shall swear to the truth of the Statement so delivered to the Creditor and Judge or Magistrate, and shall in the presence of such Judge or Magistrate, make and execute an assignment of all the Property contained in such Statement (excepting only his or her necessary wearing apparel and the instruments of his or her Trade or occupation) to his or her Creditor if there be only one, and if more than one, to a Person to be named by the said Judge or Magistrate as a Trustee for his or her Creditors, such Prisoner shall be immediately discharged, and shall be liable to arrest for the debt for which he or she shall have been so in Custody.

5. It is further enacted, that in the case of Prisoners, at the suit of whom a Statement is required by the 3d Clause of this Regulation, shall be delivered to the Judge or Magistrate in the District in which such Prisoner is confined, and the day to be appointed, for bringing such Prisoner before him, shall not be later than the day of the delivery thereof, when similar objections may be taken by the Collector of the Revenue on behalf of the Crown, as is above directed in respect to other Creditors, and similar Proceedings had thereupon, as in cases of individual Creditors.

6. Provided nevertheless, that if it shall appear expedient to the Judge or Magistrate, to postpone the hearing of any prisoner from the day first appointed, He may appoint any farther day or days, at an interval of not more than Twenty from the first day of hearing; before the expiration of which last period, he shall proceed as is herein before directed.

7. And it is further enacted, that all and every prisoner who shall be excluded from the benefit of this Regulation, for default of giving six days notice to his Creditor, shall and may be entitled to renew his application, after the expiration of twelve days from the date on which he may be remanded, and on then complying with the exigencies of this Regulation, shall be discharged according to its Provisions.—And that any prisoner who shall be excluded from relief under this Regulation, on proof that the debt was contracted by means of fraud practised by him the prisoner, or by breach of any trust reposed in him or her, or that the prisoner has concealed or omitted in his or her statement any property of any kind whatever, save necessary wearing apparel and the instruments of his or her trade and occupation, shall and may be discharged from confinement, at the expiration of seven years from the time of his or her commitment in execution, for the debt on which he or she is confined.—Provided, that he or she shall have been during the whole time in confinement under such commitment, and Provided further that such Debtor shall comply with such part of the exigencies of this Regulation as relates to delivering on Oath a Statement of his or her Property as above detailed, and to the assignment of the same for the benefit of his or her Creditor or Creditors.

8. But it is hereby declared and enacted, that the future Property of every person so discharged, shall be and continue liable to such debts, until the same shall be fully satisfied. And the following is directed to be the form of the assignment to be executed by the Prisoner.

" I do hereby assign and make over to all the Property moveable or immovable contained in a Statement by me delivered upon Oath to the Judge (or Magistrate) of this day, in pursuance of the 11th Regulation of the year 1820, excepting my necessary wearing apparel and the instruments of my Trade or occupation."

9. And it is further declared and enacted, that such assignment shall not be subject to Stamp duty, and that this Regulation be forthwith translated as usual, and that one Copy in each language be posted, and set up within the limits of every Gaol in the Island.

*Given at Colombo this Tenth day of August One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

*To be Proclaimed in the Kandyan Provinces.*

By Order of the Lieutenant Governor,  
GEORGE LUSIGNAN,  
Sec. Kand. Provinces.

## REGULATION.

*For increasing the rates of Fees on Port Clearances in order to defray the expense of erecting and repairing the Custom Houses in the Island; and for removing doubts as to the rate of duty on exports in foreign bottoms and for explaining and relaxing the 19th Clause of the 18th Regulation of the current year; and for enforcing the delivery of full and correct Manifests of the Cargoes of Vessels entering the Ports of the Island.*

*(Repealed by Regulation No. 9 of 1825.)*

*(The repealed enactments relating to the Customs are not published at length.)*

## REGULATION.

*(Nullified by Charter of 18th February 1833.)**For affording a remedy by Appeal in Revenue cases wherein the value in Suit does not exceed Three Hundred Rix Dollars.*

REGULATION No. 13 of 1820.

1. WHEREAS by the 5th Regulation of the year 1809, the Minor Courts of Appeal thereby created, are not authorized to receive Appeals in cases touching His Majesty's Revenue; and whereas it is expedient to provide a remedy by appeal, from the decisions of Provincial and other Inferior Courts, in cases touching His Majesty's Revenue, wherein the value in Suit is under the amount appealable to the High Court of Appeal.

2. It is therefore enacted by The Lieutenant Governor in Council, that Commissions or Warrants will from time to time be issued by The Lieutenant Governor, appointing two or more Civil Servants or others, to form a Court to be called "the Minor Court of Appeal for Revenue cases" with power and jurisdiction, to receive Appeals from the decisions of all the Provincial and Revenue Magistrates Courts within these Settlements, in all cases touching His Majesty's Revenue, under the amount appealable to the High Court of Appeal; and to hear and try the merits of such Appeals, and determine the same, affirming, reversing, or by District mandating the Original decree, according to justice and right: And also, if they think it proper to remand any such cases brought before them to the Courts below respectively where decrees were passed, with such direction or directions as they may think proper for fuller or further investigation of the merits of such cases respectively, or of any matter of enquiry and contest in such case; or the said Court may, if they shall think it conducive to justice, retain the Suit before themselves, and order, direct, and receive additional proof therein, as may enable them to decide the same, according to justice.

3. And it is further enacted, that the applications for Appeal to, and forms of proceeding in the said Court, shall be conformable to the Provisions in the said 5th Regulation of 1809 provided, for the regulation of the Courts thereby created: Provided, that any cases now pending before Government, in which Appeal may have been requested in Revenue cases, may by order of Government, be referred to the said Court, notwithstanding any lapse of time which might otherwise deprive the parties of the benefit of Appeal: And provided further, that the said Court shall in no wise take cognizance of any suit, the amount whereof may be competent to the Jurisdiction of the High Court of Appeal.

*Given at Colombo this Twenty first day of August One Thousand Eight Hundred and Twenty.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 17 of 1844.)**Regulation for the better Police for the Town of Matura and its Gravets.*

Regulation No. 14 of 1820.

1st. THE said Town and Gravets shall be divided into such divisions as the Collector and Provincial Judge of Matura shall assign for the purposes of this Regulation.

2nd. There shall be for each of the said division a Constable, to be appointed by the Provincial Judge for the Town, and by the Collector for the Gravets.

3rd. Each Constable shall have the power of taking up any suspicious person who may appear in his division after sunset, and shall send such person to the nearest Military Guard, which shall have the necessary orders for receiving such persons, and in like manner the Constable shall be empowered to seize all persons troubling the public repose in any manner whatsoever, either by day or by night.

4th. He shall have power after sunset to search suspected houses upon complaint made to him, and to take up persons against whom a complaint is made, and in case of urgency, shall afford assistance to any body in his division, either by day or by night.

5th. He shall have the power of demanding and enforcing entrance at any time, into any house of his division, upon information of disorderly persons being there, or improper conduct going forward.

6th. He shall keep a list of all the Inhabitants of his division, in which shall be included, all the persons composing the family and servants of each house, and any person removing from one division to another, or from one house to another of the same division, shall within twenty four hours inform the Constable of the division, from which, and to which he removes, of his removal; Any increase, diminution or change in the number of persons of his household, shall also be reported to the Constable of the division.

7th. The Constable shall take up all vagrants in his division and take care that no beggars infest the streets, nor be allowed to beg without certificate of the Constable and Headman of his division.

8th. He shall report to the Provincial Judge all disorderly houses and disorderly persons.

9th. He shall be overseer of the patrols of his division, who are bound to obey him.



10th. Two or three divisions may be joined together, if more convenient, to form a patrol every night from 9 o'clock till 5 in the morning—  
N. B. The arrangements of the different patrols may be made by the Constables, subject, however to the approval of the Provincial Judge.

11th. The patrol shall allow no persons whatever to pass along the streets after nine o'clock without a light, unless there be bright Moon light, much less permit people to sleep in the streets.

12th. No person shall harbour a stranger without giving notice of it to the Constable of his division, to whom he shall also report his departure.

13th. When a thief is discovered, or in any other pressing emergency, the Constable may call upon his neighbours, and the neighbouring Constables, to assist him, who shall obey his summons, or attend at the sound of the Rattle, with which the Constables shall be furnished for the purpose of alarm.

14th. Each Constable shall appear before the Provincial Judge on the first day of each month, and make a report in writing of all material occurrences, but where none such shall have taken place, he shall be allowed to send his report; This is not meant to preclude any Constable having more frequent communication with the Provincial Judge if necessary.

15th. Any Constable who shall annoy vexatiously and without reason, any person, under a warrant issued by the Police, shall be liable to punishment by the Provincial Judge, or Justice of the Peace.  
16th. No person shall give or receive, in pawn, any articles whatever, without first shewing the same to the Constable of his division.

17th. Any person who shall discover and bring to conviction any one having received goods in pawn, who had not shewn the same to the Constable of his division, shall have five per Cent, on the amount of the said property.

18th. All gold, silver and copper goods, which are bought shall be shewn by the purchaser to the Constable of the division, with the exception of those bought at public auction—it is prohibited to purchase any goods whatsoever after sunset from persons who offer them for sale at the doors.

19th. Silversmiths, Goldsmiths, and Brass founders, are to give security for their good behaviour to the Provincial Judge, and shall not melt down any wrought gold, silver or brass, without having shewn the same to the Constable of their division.

20th. All gambling places not licensed, to be abolished, and no person of whatever description, shall be allowed to game, either in streets or under the varandas or piazzas of the houses, in any manner whatsoever.

21st. The Constable shall be entitled to ten per Cent on all property whatsoever which he may discover and recover, and in like manner five per Cent shall be given to persons, who shall be the means of recovering and restoring to the owner his stolen property.

22nd. All persons receiving goods to keep for others, shall give immediate notice to the Constable of their division.

23rd. All houses and gardens, shall be encompassed with walls or good hedges, and be cleared of brush and underwood within, in order to prevent the concealment of thieves—this is to be completed in three months.

24th. All cattle found straying loose in the streets of the pettah after sunset, shall be seized and lodged in a pound to be constructed for that purpose, and the owners thereof shall be fined six fanams for each Buffalo, Bullock or Cow so found, and seized, and one fanam per diem additional for every day that the animal may remain in pound, after being seized, and should the owner not appear to claim his property and pay the said fine &c. within twelve full days from the time of seizure and pounding, then the animal to be sold, and the price thereof, after deducting the fine and expenses of keeping, to go to Government.

25th. The owners of pigs are strictly prohibited from allowing them to go at large, and the owner of any pig found straying within the gravets shall be liable to a fine of one Rix Dollar, to be recovered before the Provincial Judge, and in case of such fine not being paid, to one week's imprisonment, or such pig to be forfeited, at the discretion of the Provincial Judge and sold for the benefit of Government.

26th. Any person laying down dirt, rubbish, or filth, of any sort in the public streets, or roads, or in view of the public streets, or roads, shall upon proof thereof upon oath before the Provincial Judge be fined two Rix Dollars, or in default of payment thereof suffer fourteen days imprisonment.

27th. All dirt, rubbish, and filth, shall be deposited in places to be pointed out by the Constable of each division, under the order of the Provincial Judge.

28th. Every householder is bound to remove all filth, rubbish and dirt from before his or her house, to such place as shall be pointed out by the Constable of the district.

29th. If any householder shall after notice given by the Constable of his division, neglect for one hour to remove such filth, rubbish and dirt from before his house, he or she shall be fined two Rix Dollars, or in default of payment shall suffer fourteen days imprisonment, and the Constable of the district is hereby empowered to employ persons to remove such filth, rubbish and dirt, and having proved before the Provincial Judge the amount of the cost of so doing, he shall be entitled to levy the same by sale of the offenders goods; under the warrant of the Provincial Judge.

30th. Persons indecently exposing themselves within sight of the public streets or roads, shall upon proof made before the Provincial Judge by one credible witness be fined two Rix Dollars (half thereof to be paid to the persons giving information) or in default of payment of such fine shall be imprisoned at hard labour for fourteen days.

REGULATION No. 14 of 1890.

31st. The Provincial Judge shall be aiding and assisting the Constables in the execution of their functions against all persons whomsoever, who shall resist their authority.

32nd. They shall inform themselves in what manner the Inhabitants of their respective divisions provide for their subsistence, in order to be able to inform the Provincial Judge thereof on enquiry.

33rd. The discharging of fire arms in the pettah is strictly prohibited, as also the setting off fireworks without a special permission of the Provincial Judge in writing.

34th. In case of fire the Constables shall use their utmost endeavours to cause the same to be extinguished; the first who shall have notice thereof shall give the alarm, which shall be repeated by all the other Constables and Police Vidahns, when the Inhabitants shall come out of their houses and under the direction of the Constables afford the necessary assistance, both by themselves and by sending their male servants and slaves where the fire is.

35th. The Constables shall pay great attention, that the Butchers keep the places where they kill cattle always clean, and that the offal be removed so as not to infect the air.

36th. They shall also see whenever any buildings are erected, that the roads or streets be not encroached upon, and if any encroachment is attempted shall report the same to the Provincial Judge.

37th. It shall be one of the principal duties of the Constables to see that the Rds. P.  
the houses, and also those along the streets, are kept open so as to prevent the  
water in them.

38th. All persons finding any property shall forthwith bring it, to the Com. P.  
required to report the circumstance to the Provincial Judge, and such finder if no fraud appears  
on his part, shall receive from the owner of the property one tenth of the value, and if no  
claim be made for six months, one third.

*Given at Colombo this Twenty first day of August One Thousand Eight Hundred and Twenty.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

### PROCLAMATION.

*Proclamation 7th September 1890.*

Preamble.

Four feet from the road to remain uncultivated.

No pipes to be laid across the road.

Penalty.

Drains will be made for agricultural purposes.

**WHEREAS** good and permanent roads have been and are now making in the Kandyan Provinces for public convenience, and it is highly necessary the same should be preserved from any damage or encroachment.

It is therefore hereby ordered, that all persons having Paddy land on either side of a road, shall in cultivating the same, leave a space of not less than four feet between the road and the cultivated land—and that it shall not be lawful for any person to lay across the road pipes or other machinery for conveying water, or to fence across or over any part of the road, or otherwise encroach thereon; on pain of fine and imprisonment at hard labour, at the discretion of any Agent of Government before whom he may be convicted; in addition to being obliged at his own cost and labour to repair all damage.

And it is further declared, that it being the intention of Government by all means in its power to encourage Agriculture, orders have been given, wherever the conveyance of water is required from one side of the road to the other, to leave sufficient drains or channels for the same, the situations of which it is the duty of the different Headmen to point out to the Agents of Government or other Officer superintending the working Parties—and that where any such are found to be wanting the Headman or the proprietor of the land adjacent is at full liberty and is invited to make the same known to the Agent of Government in the District, who will take measures for affording the accommodation required if he considers the application reasonable. But no person is of his own authority, to presume to cut across or otherwise damage the road on pain of punishment as above directed.

*Given at Colombo in the said Island of Ceylon this Seventh day of September in the Year of our Lord One Thousand Eight Hundred and Twenty.*

By the Lieutenant Governor's Command,

GEO. LUSIGNAN,  
*Sec. Kand. Provs.*

GOD SAVE THE KING!

## REGULATION.

*(Annulled by Charter of 18th February 1853.)*

*For repealing the 2d Regulation of 1816, and for establishing a due course of proceeding in cases of contempts before Provincial Judges and other Magistrates, and for the more speedy Trial of certain charges of Perjury.*

REGULATION No. 16 of 1820.

1. WHEREAS it has been represented to Government, that the prohibition contained in the Second Regulation of 1816, to Provincial Judges, as well as other Magistrates, to punish for Contempts or Perjuries committed before themselves, is productive of inconvenience and tends to bring the administration of Justice by the said Judges and Magistrates, into contempt, and to encourage the commission of offences of these descriptions.

2. It is therefore enacted by the Lieutenant Governor in Council, that the said Regulation No. 2. of the year 1816, entitled "For regulating the administration of Justice in Criminal Proceedings before Provincial Judges, Sitting Magistrates, and Justices of the Peace" shall be and the same is repealed. And the several Provincial Judges, and the Sitting Magistrate for the Town, Fort, and District of Colombo are hereby severally authorized to punish, by Fine or Imprisonment, or both, to the extent of their general powers in this respect, all Contempts committed by any person or persons upon their own view, and also upon due proof, all contempts of their officers acting in the execution thereof: And all other Sitting Magistrates, and Justices of the Peace, are hereby authorized to punish such Contempts as aforesaid, by Fine, not exceeding ten Rixdollars, or by Imprisonment not exceeding Eight days: Provided, that the proceeding in all cases of contempt, shall be invariably, that the party charged, shall be committed to prison till the next day, unless it is Sunday, and in that case till the ensuing Monday, or admitted to bail for his appearance at that period either on his own recognizance or on security, as may seem necessary to the Judge or Magistrate: and shall on such day, be called to answer Interrogatories to be framed by the Judge or Magistrate touching his alledged contempt, and if he shall fail by his answers to such Interrogatories, where the contempt is charged as committed in the view of the Judge or Magistrate, to satisfy the Court that no contempt was intended; or where the said answers are rebutted by the evidence adduced and to be then heard on oath in proof of the contempt committed of the process or officers of the Court or Magistrate, then the Judge or Magistrate shall proceed to pass judgment of fine and imprisonment as herein before is provided. And a full record of such proceedings shall be made in the Criminal Diaries of the said Judges and Magistrates. Provided further, that any person refusing to answer the Interrogatories herein above directed, when the same are tendered, shall be committed to prison, there to remain, without bail or mainprize, till he declares his willingness to answer the same.

3. And it is further enacted, that the said Provincial Judges and Sitting Magistrate of Colombo may, whenever they consider a case of Perjury committed before themselves, not of sufficient importance to reserve the same for trial before the Supreme Court of Judicature, hear try and determine the same similarly as any other Case competent to their Criminal Jurisdiction— Provided that no person shall be convicted of Perjury but on the testimony of two witnesses to the very fact whereby the said Crime is charged to have been committed; and such fact shall be material to the point at issue on the trial in which the Perjury is charged to have been committed; and that the party charged with Perjury shall have due opportunity of rebutting the same by evidence in support of his former testimony.

4. And it is further enacted that all trials on charges of Perjury or contempt alledged to have been committed before any Sitting Magistrate other than the Sitting Magistrate of Colombo, or before any Justice of the Peace, shall be had before the Provincial Judge of the District in which the same is charged to have been committed, unless the Magistrate before whom the Perjury is charged to have been committed, shall specially commit the persons charged, or hold them to bail for trial before the Supreme Court; or unless the Provincial Judge on consideration of the case, shall deem it of too important a nature to be tried before him, in which cases, the same shall remain for trial before the Supreme Court, unless referred back from it to the Provincial Judge.

5. And it is further enacted, that no contempt of Court committed before, or of the Process, or officers of any Provincial Judge, Sitting Magistrate or Justice of the Peace, shall subject the offender to Corporal punishment by lashes.

6. Provided always that nothing herein shall be construed to extend to or in any wise affect the proceedings or authority of the Supreme Court.

*Given at Colombo this Ninth day of September One Thousand Eight Hundred and Twenty.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 9 of 1825.)*

*For fixing the duty on Tortoise-shell imported and increasing the Import duty on Spirits.*

1. WHEREAS it is expedient to fix the rate of duty on Tortoise-shell imported into this Island, instead of levying the same in manner in and by the fourth and fifth Clauses of the Sixth Regulation of the current year directed: And also to increase the duty on all Spirits imported into the same.

REGULATION No. 16 of 1820.

REGULATION No. 16 of 1820.

2. It is therefore enacted, that the duty on Tortoise-shell which shall be imported into this Island in British vessels as described in the said Sixth Regulation, shall be levied at the rate of Two Rix Dollars for every Pound weight thereof. And that the duty on all Spirits of whatever denomination or proof which shall be imported in British vessels as above described, shall be levied at the rate of Three Rix Dollars for every Gallon of such Spirits; and that on such Tortoise-shell and Spirits which shall be imported in any other than a British vessel one half more than the rates above specified, shall be levied, as the Import duty thereon.

3. Provided that it shall be lawful to the Importer of any such Spirits, to leave the same in the Custom house of the Port into which the same is imported, in the Cask or Package in which the same is imported, as long as he finds it necessary, free of all charge of duty or warehouse rent; such Importer paying the full duty on removing the same for sale or use in the Island, and one tenth of the duty on re-exporting the same: It being however understood, that such Spirits are not to be removed or re-exported in smaller quantities than the contents of one of the Casks or Packages in which the same were imported, or, (save and except in cases of damage) in other than the same Casks or Packages—and further that such Spirits shall, while in the Custom house, be at the sole risk of the Importer.

4. And it is enacted, that this Regulation shall have effect from the date of its publication at each Custom house, and shall apply to all Tortoise-shell and Spirits which may be imported before such publication have been cleared out of the said Custom house.

Given at Colombo, this Ninth day of September, One Thousand Eight Hundred and

Rds. F.  
0 6  
0 4

By Order of the Council

WILLIAM GRANVILLE  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION

(Repealed by Regulation No. 12 of 1825.)

Regulation concerning Auctioneers.

Regulation No. 17 of 1820.

1. WHEREAS it is found necessary to amend the 8th Regulation of 1813 entitled a "Regulation concerning Auctioneers.

2. It is therefore enacted by the Lieutenant Governor in Council, that no person whatever within these Settlements shall act as an Auctioneer unless authorized thereto by a License under the Hand and Seal of the Governor or Lieutenant Governor, except in the instances herein after excepted.

3. Every such License shall specify the district within which such person shall be authorized to act as an Auctioneer—it shall be in force for Twelve months, and shall be subject to a Stamp Duty of One Hundred Rix Dollars.

4. No License shall in future issue to any person, unless he shall tender such sufficient securities for his due performance of the functions of an Auctioneer and for rendering a due account of the Proceeds of Sale and the duty to Government, as shall be approved by the Collector of the district in which he is to act; and at the time of delivery of such License, the person licensed shall enter into Bond (with his said Securities) to the said Collector and his Successors or Assigns, the said Securities expressly renouncing the privileges which otherwise they are entitled to under the existing laws, in such sum as the said Collector shall direct: And if it shall be necessary that such Bond should be put in Suit, it shall be done in the name and on behalf of Government, and according to the form of Revenue process before any Court having Revenue Jurisdiction; And it is enacted, that such Collector shall put such Bond in suit on the application in writing of any individual, accompanied by a Certificate from any competent Court, that a judgment has been obtained in such Court, against such Auctioneer on an Action to recover the proceeds sold by him at Auction, for any sum exceeding Rix Dollars One Hundred, and that the person in whose favor such judgment had been given, hath satisfied the said Court, by affidavit or otherwise, that such judgment hath remained unsatisfied for one Calendar month or more, from its date. And it is further enacted that a recovery in one Suit on such Bond shall not abate or cancel the same, or the responsibility of the Securities in future actions; provided that the amount recoverable from them the said Securities, shall not exceed in the whole the amount specified in such Bond.

5. Every such Auctioneer shall within two months after each Sale, account for the net proceeds of all moveables sold there, and shall account for the net proceeds of immoveable Property so sold according to such conditions as shall have been declared at the time of sale.

6. He shall deduct from the proceeds of moveable property six per Cent. of which he shall account for and pay over as a duty to Government one half or three per Cent, the remaining three per Cent to be in full discharge of his Fees as Auctioneer.

7. In like manner he shall deduct from the proceeds of immoveable property four per Cent, two of which he shall account for, and pay over as a duty to Government, the remainder to be in full discharge of his fees as Auctioneer.

8. He shall on the first day of each month, make a return to the Commissioner of Revenue of such sales as shall have been held by him in the course of the month preceding, stating the proceeds thereof and specifying the amount of the duties arising to Government therefrom which amount he shall at the same time pay into the Cutcherry.

9. And the better to enable Auctioneers to obey the injunctions of this Regulation, and to secure them against the risk and hazard of insolvency in bidders, Auctioneers are hereby permitted to refuse to deliver goods sold at public sale until the money bid, for the same be paid.

REGULATION No. 17 of 1820.

10. And further to aid such Auctioneers in the recovery of sums due for property sold at Auction for which they may have given credit; It is enacted, that they may at the end of one month after the sale in the case of moveable, and of such time as shall have been previously declared in the case of immoveable property, sue for the amount thereof by way of Parate Execution, and the Court or Magistrate before which such suit shall be brought, is hereby authorized and required to grant Parate Execution upon the plaint and affidavit of such Auctioneer without further pleading or process.

11. And it is further enacted that no sale by Auction shall be held in any District except by licensed Auctioneers, save and except by officers of Government in selling Government property or farms, Fiscals or their Deputies in selling Lands and goods in execution, and Fishermen or fish renters in selling the fish caught daily, under penalty that all and every person, or persons concerned in any such illegal Auction shall be liable on conviction before any Provincial Court to fine and imprisonment.

12. Provided always, that in any District where there shall not be a licensed Auctioneer resident, the Collector shall, on application from any individual, direct a fit person belonging to his office, to execute for the occasion the functions of an Auctioneer, and shall direct all payments for goods or lands sold at Auction by him to be made directly into the Treasury of his District, and the full auction duty of six per Cent on moveable and four per Cent on immoveable property shall be charged by such Collector on the proceeds, the balance of which shall be paid at the expiration of two months, to the person to whom the said property belongs; and from the Auction duty, the said Collector may assign one per Cent to the officer of his District who shall be entrusted with such sales.

And for the more regular and uniform proceeding in cases of Mandates of Execution against the effects of debtors; It is enacted, that sales under such process shall invariably be held by an officer of the Fiscals Department, or some other person duly authorized by him by writing under his hand; that such sales, as well as sales held under the last clause, if of moveable property shall be for ready money, and not otherwise, and if of immoveable property that a deposit of one tenth of the amount sale shall be made, and the balance be paid in two months, or in default, the property resoid at the risk of the first purchaser and the deposit besides forfeited: That no duty shall be levied on such Auctions excepting one per Cent, which shall be paid to the Fiscals officer who conducts the sale.

14. All and every Regulation, Law or Ordinance which contradicts these presents is repealed, save and except that licenses already issued under the 8th Regulation of 1813 shall remain good for the remainder of the time for which they have been granted.

*Given at Colombo this Ninth day of September One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
*Secretary to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Regulation No. 7 of 1823.)*

*For further simplifying the collection of Stamp duties, and for amending the 1st Regulation of 1820.*

1. WHEREAS in and by the first Regulation of the current year and the schedule A, thereto annexed the stamp duty on all conveyances of moveable property, mortgages, mortgage bonds, bonds, obligations, leases of land or tenements, contracts for the future sale or purchase of goods, assignments of ships, assignments of securities, (excepting Government securities, and bills and promissory Notes indorsed, and exclusive of judicial proceedings, fixed at one half of a Rix Dollar for every Hundred Rix Dollars of the value which is the subject matter thereof, is ordered to be assessed at the rate of one fanam for every sixteen Rix Dollars and Eight fanams, of the amount of such value; And whereas this mode of assessment is found to be inconvenient,

REGULATION No. 18 of 1820.

2. It is therefore hereby enacted by the Honble the Lieutenant Governor in Council, that such Stamp duty on conveyances of moveable property, mortgages, mortgage bonds, bonds, obligations, leases of land or tenements, contracts for the future sale or purchase of goods, assignments of ships, assignments of securities, (excepting Government securities, and bills and promissory Notes indorsed, and exclusive of judicial proceedings) shall be levied according to the Provisions in the said Schedule A, annexed to the said 1st Regulation of 1820 only when the value which is the subject of the deed, is under Two Hundred and Sixteen Rix Dollars and Eight fanams; That from that sum and up to Two Hundred and Fifty Rix Dollars the rate of Stamp duty shall be One Rix Dollar and three fanams, from Two Hundred Rix Dollars to Three Hundred Rix Dollars, one Rix Dollar and six fanams and increase accordingly by three fanams of duty for every Fifty Rix Dollars of amount, up to Six Hundred Rix Dollars; That from Six Hundred Rix Dollars to Seven Hundred Rix Dollars the rate of Stamp duty shall be Three Rix Dollars and six fanams; and continue to increase at the rate of six fanams of Stamp duty for every One Hundred Rix Dollars of amount. Provided however, that the duty shall in no instance be required to exceed One Hundred Rix Dollars.

3. And it is enacted that all former Regulations contrary to this, shall be, in so far as they contradict the present Regulation, and the same are repealed.

*Given at Colombo this Ninth day of September One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
*Secretary to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*For further amending and explaining the Regulations relative to Sea Customs.*

*(Repealed by Regulation No. 9 of 1825.)*

*(The repealed enactments relative to the Customs are not published at length.)*

REGULATION No. 19 of 1820.

## P R O C L A M A T I O N .

*(Repealed by Ordinance No. 7 of 1831.)*P R O C L A M A T I O N 28<sup>TH</sup> O C T O B E R 1820.

**W**HEREAS it is expedient for the ends of Public Justice, and to prevent frauds and perjuries, to declare that certain descriptions of Transfers, Bequests and Contracts, shall not be valid in Law in the Kandyan Provinces, unless reduced to writing.

It is therefore hereby ordered, that no Transfer, Mortgage or Bequest of Land, or Lease thereof for any term exceeding one Year or one Season, made or purporting to be made after the Eleventh day of April next (being the commencement of the next Cingalese New Year) shall be good in Law, or admitted in any suit before a Judicial authority, unless the same shall be in writing signed by the party, and attested by the signature of two or more witnesses; nor shall any verbal Bequest of moveable property, made or purporting to be made after such date, be valid, unless accompanied by delivery of the goods: but such Bequest, must otherwise, be made in writing, and signed by the party, in presence of two or more witnesses, who shall attest the said writing by their signatures.

And it is also ordered, that no promise to pay the debt of another shall be valid, unless made in writing, in presence of, and attested by two or more witnesses.

*Given at Colombo in the said Island of Ceylon this Twenty-eighth day of October in the Year of Our Lord One Thousand Eight Hundred and Twenty.*

By the Lieutenant Governor's Command. F.

GEO. LUSIGNAN. 6

Sec. Kand. 4

## R E G U L A T I O N .

*For the better security of His Majesty's subjects against the contagion of Small Pox.*

*Regulation No. 20 of 1820.*

*Preamble.*

*Immediate notice to be given of appearance of Small Pox.*

*Constables &c. to report the same immediately.*

*Breach of Regulation how punishable.*

1. **W**HEREAS it is necessary to establish some certain method by which the existence of Small Pox in any part of this Island may be immediately made known to Government, in order that the rules prescribed by the Second Regulation of the current year may be effectually and promptly enforced.

2. It is hereby enacted by the Honble the Lieutenant Governor in Council, that every householder, in whose house the disorder shall appear, by any member of his or her family, servant, lodger, or temporary resident therein being effected therewith, shall with the least possible delay, make the fact known to the Constable or Police Vidahn of the Village or Division; or where no such officers shall have been appointed, to some other Headman of the said Village or Division. And such Constable, Police Vidahn, or Headman shall immediately on receiving such notice, report the same to the nearest Collector, Sitting Magistrate, or Agent of Government.

3. And it is hereby further enacted, that the breach of this Regulation by any Constable, Police Vidahn, Headman, or other individual, shall be punishable as a misdemeanour, and according to the discretion and jurisdiction of the Court or Magistrate before which the offender may be tried.

*Given at Colombo this Sixteenth day of November One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
*Secretary to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be proclaimed in the Kandyan Provinces*

By Order of the Lieutenant Governor

GEO LUSIGNAN.

*Sec. Kand. Provs.*

## R E G U L A T I O N .

*(Repealed by Regulation No. 24 of 1822.)*

*A Regulation for altering the mode of collecting the Revenue derived from Fish in the District of Colombo.*

*Regulation No. 21 of 1820.*

1. **W**HEREAS it is expedient to alter the mode heretofore established, for the collection of the Revenue to Government from Fish caught by Boats belonging to the District of Colombo, and to substitute an arrangement less likely to occasion delay and detriment to the persons employed in the Fishery.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the first day of January next ensuing, the present system, of receiving from the Fishermen a portion of the Fish brought to shore, as well to the use of Government, as for the Headmen of the Fisher-Cast, shall cease, within the District of Colombo.

3. And it is further enacted, that from and after the said first day of January, no Boat of whatever denomination, shall put out to Sea for the purpose of fishing, either with Nets, Lines, or otherwise, from any part of the said District of Colombo, unless the same shall have been previously licensed so to do, by a written License under the hand of the Collector of Colombo: For which Licenses, which shall be renewed annually, and be in force till the 31st day of December in every Year, the said Collector is authorized to demand and receive for the use of His Majesty, such sums, proportioned to the size of the Boats, and other circumstances, as he shall be more specially instructed to fix for such Licenses, by authority of the Governor or

Lieutenant Governor; And the said sums shall be payable, either on the issue of the License, or in such instalments as the Collector shall think proper, and in the latter case, the Boat licensed and all the Property of the person taking out the License shall be considered to be hypothecated to the Crown, and liable to sale for the recovery of any arrears of the said instalments.

4. And it is further enacted, that any Boat which shall be discovered to have put to Sea for the purpose of fishing, or shall have been employed in fishing, not being previously licensed as aforesaid, shall be, with all her sails, masts, and other rigging, fishing tackle, appurtenances and every thing on board, confiscated; and the persons who shall have gone to Sea, or employed themselves in fishing in such unlicensed Boat, shall be liable to pay a Fine, not less than Twenty five and not exceeding One hundred Rix Dollars, for each time they, or any of them shall have so gone to Sea, or employed themselves in such unlicensed Boat; to be levied by distress and sale of the offenders property; and in default of payment, or of there being sufficient property to levy the said Fine, such offender shall be committed to Gaol, and employed at hard labour for a term not exceeding six months.

5. And it is further enacted, that the Boats which shall be licensed as aforesaid, shall have the number of the License painted on some part of the Boat, and also on the Sail thereof, in figures of not less than six inches in length, and any licensed Boat which shall put to sea, or be employed in fishing, without such number being painted on the same, and on the sail thereof, shall be liable, at the discretion of the Collector, to a Fine not exceeding One hundred Rix Dollars, for each time the said Boat has put to sea, or been employed in fishing.

6. It is further enacted, that the Boats so licensed, shall only return from Sea to such places within the District of Colombo, as in the said Licenses shall be severally mentioned; and in order to prevent Boats under the pretence of being forced in by stress of weather from coming into ports for which they are not licensed, It is enacted, that the Owner of such Boats, shall in every such case pay a sum not exceeding Five Rix Dollars, at the discretion of the Collector. And if it shall appear, that the Boat was not driven in by stress of weather, the said Boat with her masts, sails, rigging, tackle and appurtenances shall be confiscated.

7. And it is further enacted, that if any Boat not belonging to, and licensed as belonging, to the District of Colombo, but bonafide belonging to other Districts, shall bring Fish to shore in any part of the said District, being forced to put in by stress of weather, the Owners or persons on board such boat, shall, if they openly declare the cause of their putting in to shore, be permitted to land, and sell their fish, paying a duty of Thirty Rix Dollars for the Boat-load: But if they shall clandestinely attempt to land such fish, or if they shall fail to prove that they were forced in by stress of weather, the boat shall be liable to confiscation; or the persons on board shall, together pay a Fine not less than Fifty Rix Dollars, and not exceeding One hundred Rix Dollars, at the discretion of the Collector.

8. And it is further enacted, that Fishing Boats belonging to the District of Colombo, landing Fish in any other District, shall be liable to pay the duty accustomed in such other District.

9. And it is enacted, that the question whether a Boat is or not forced into any place by stress of weather, shall be decided by the majority of Nine Fishermen of the neighbourhood, or other part of the District of Colombo, to be assembled by the Collector for the purpose.

10. And it is further enacted, that from the date aforesaid, Fish may be sold, in the District of Colombo, at any place, and without restriction to any particular place or places of Sale.

11. And it is further enacted, that all Penalties under this Regulation, shall and may be levied by the Collector of Colombo, or by any Magistrate of the said District, on the prosecution of the said Collector; and one moiety of all Fines recovered, and of the proceeds of confiscation, shall be paid to such person as shall inform the Collector of contraventions of any of the enactments thereof; and the other half shall go to the Crown.

*Given at Colombo, this Fourteenth day of December One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

*For the more effectual security of the Revenue derived from the retail sale of Arrack and Toddy in the Cingalese Districts; and for imposing a duty on Stills used for the distillation of Arrack; and for prohibiting the distillation of Spirits in the District of Chilaw.*

*Regulation No. 22 of 1820.*

1. **WHEREAS** it is necessary and expedient to amend the Regulations at present in force for the security of His Majesty's Revenue derived from the retail sale of Arrack and Toddy, and also to impose a tax upon all Stills used for the distillation of Arrack, and to consolidate into one act all the several restrictions, enactments and penalties, which it is deemed proper to continue for the protection of the said Revenue, within the Cingalese Districts of the Maritime Provinces of this Island, extending from the Komekenaar bounding the Mahagampattoo to the northern limit of the District of Chilaw.

2. It is therefore enacted by The Honble The Lieutenant Governor in Council, that from and after the first day of January next ensuing, all Laws, Rules, Regulations and enactments in this behalf, shall be, within the Districts, and local limits above defined, and the same are hereby repealed; Save and except as to the recovery of penalties or infliction of punishments for transgressions against the Regulation now in force.

3. And it is further enacted, that from and after such first day of January, the retail sale of Arrack and Toddy of every description, save and except under license or authority in writing from the Collector of the District, in which the same is retailed, or from some other Revenue officer, or Renter acting under the authority of such Collector, shall be and the same is declared unlawful, and that all and every person or persons, who shall be convicted of selling by

REGULATION No. 23 of 1820.

retail, any Arrack or Toddy without such license or authority, shall pay a fine of fifty Rix Dollars for each offence; to be levied by warrant under the hand of the Judge or Magistrate before whom the conviction shall take place, by distress and sale of the Lands, Goods and Chattels of the offender; and in case there shall not be sufficient Lands Goods and Chattels of the offender whereon to levy the said penalty, or in default of his paying the same forthwith, such offender shall be liable to be imprisoned and put to hard labour until such fine be paid, the term of such imprisonment not however exceeding three months for every fifty Rix Dollars of penalty, or twelve months in the whole.

4. And it is further enacted, that from and after the date aforesaid, no person or persons, shall within the limits afore described, distil Arrack without a license in writing obtained from the Collector of the District or his Assistant, for each and every still to be used, which license shall be in force up to the thirty first day of December of the year in which it shall be issued, and shall specify the name or names of the person or persons licensed to use the still, the place where it is to be work'd, and the contents of the said still in gallons; For which license, the said Collector is authorized to demand and receive for the use of His Majesty, the sum of three Rix Dollars for every gallon of contents of each still where the same shall be of less contents than twenty five gallons; the sum of sixty two and a half Rix Dollars for every still of twenty five gallons contents; and the further sum of two Rix Dollars and a half for every gallon of contents of the said still above twenty five gallons; which sums shall be payable, either on the issue of the license, or in such instalments as the Collector shall think proper, and in the latter case, all the property of the person taking out the license shall be considered to be hypothecated to the Crown, and liable to sale for the recovery of the said instalments,

5. And it is further enacted, that any person or persons convicted of distilling Arrack, by whatever name or names the same may be called or described, without such license, or of using any still or other vessel for the purpose of distillation of Arrack, or any other spirit, without such license, or of using any still contrary to the tenor of the license issued to him, shall pay a fine of two hundred Rix Dollars for each offence, and an additional fine of ten Rix Dollars for every gallon of Arrack or other spirit which may be proved to have been distilled by him, her or them, and in proportion for any lesser quantity; to be levied in manner above stated; by distress and sale of the offenders Lands, Goods and Chattels, and in default of immediate payment, or of there being sufficient property to answer the distress, shall be liable to be imprisoned and put to hard labour till the said fine be paid, the term however, of such imprisonment not exceeding twelve months: And that any still or stills used for such unlawful distillation with the appurtenances thereof, shall be confiscated.

6. And it is further declared and enacted, that from and after the first day of January which will be in the year 1822, no license shall be issued for any still being of less contents exclusive of the head, than twenty five gallons, and that any person from and after that date, using a still of smaller contents, shall be punished as for using an unlicensed still: And that from and after the first day of January next ensuing, no license whatever shall be issued, nor shall any distillation of spirits be lawful within the District of Chilaw.

7. And it is further enacted, that all and every person or persons licensed to distil Arrack, shall on the first day of every month, deliver to the Collector of the District, a true and correct return of the quantity of Arrack distilled by him, her or them during the preceding month, and of the quantity of Toddy used therein, and also of the quantity of Arrack sold by him, her or them during the same period, and to whom by name respectively, and the quantity remaining in his, her or their possession, which is to be carried over to the next monthly return; And that any person convicted, on the complaint or information of the Collector, of not giving in any return by this clause required to be given, shall be sentenced to pay a fine of twenty five Rix Dollars, to be levied by distress, in manner above mentioned, and in default of payment, or their being sufficient property to answer the distress, shall be liable to be imprisoned, and put to hard labour, till such fine be paid, the term of imprisonment, however, not exceeding three months; and shall be liable to a repetition of the same sentence, if within four weeks from the determination of the first complaint if at large, or from the period of his or her release from imprisonment, he or she make further default to deliver such return: And that any person convicted of wilfully giving in a false return, shall pay a fine of one hundred Rix Dollars to be levied in manner before mentioned, and in default of payment or of there being sufficient property to answer the distress, shall be confined at hard labour, till such fine be paid, the term of imprisonment not however, exceeding twelve months.

8. And it is further enacted that every wholesale dealer in Arrack, shall register his name as such with the Collector of the District, and take out a certificate of such registry, which shall be in force for one year from the date thereof, and shall be issued within forty eight hours after application, without any fee, gratuity or reward being exacted for the same, and which shall entitle the person to whom the same shall be issued, to have in his or her possession, any quantity of Arrack lawfully purchased, from licensed distillers, or from other dealers.

9. And it is further enacted, that such wholesale dealers shall at the end of every three months after the date of their certificates, respectively, furnish the said Collector with an account of all Arrack purchased or received by them, and of all Arrack sold, exported, or issued during the period preceding, and the quantity remaining on hand, which shall be carried forward to the next periodical account, and that any such wholesale dealer who shall fail to deliver in such return, shall be, on the information of the Collector, sentenced to pay a Fine of One Hundred Rix Dollars and to be Imprisoned till such Fine be paid, and shall be liable to a repetition of such sentence every month that such return is delayed after the first conviction, not however exceeding six times for the same neglect. And that any such wholesale dealer, who shall be convicted of giving in wilfully a false account, shall pay a Fine of Five hundred Rix Dollars, and be imprisoned till such fine be paid, and for all Arrack which shall be proved to have been in his possession above the quantity whereof he has rendered an account, he shall be liable to a further fine at the rate of three Rix Dollars a gallon.

10. And it is further enacted, that no sale of Arrack shall be considered wholesale, unless the quantity sold amounts to fifteen gallons; and that no sale of Toddy shall be considered wholesale, unless the quantity sold exceeds Twenty five gallons.

11. And it is further enacted, that no Arrack exceeding in quantity two quarts for private use, the same having been purchased from a Licensed retailer, or Toddy going to a Licensed distiller, or retailer, from the gardens in which it was drawn, shall be removed, except upon



a permit from the Collector, or other Revenue Officer or Renter, acting under his authority, which said permit shall be issued for the removal of Arrack in quantities not under Fifteen gallons, and of Toddy not under Twenty-five gallons, to wholesale dealers, and shall specify the quantity to be removed and from and to what places, and for what period such permits are to be in force, forthwith on application, without Fee, Gratuity or Reward by the Collector, Revenue Officer or Renter to whom application is made, on pain of a Fine on such Revenue Officer or Renter, of Twenty five Rix Dollars for every omission or delay in issuing the same, over and above any damages which may be recovered against him by any wholesale dealer, for loss sustained by such delay or omission; And that all Arrack or Toddy removed without the permit above mentioned accompanying the same shall be confiscated, and the owner of such Arrack shall pay a Fine of Sixty Rix Dollars for every gallon of Arrack so removed, from or to any place within the Towns, Ports and Gravets of Colombo and Galle, and of Ten Rix Dollars for every gallon of Arrack so removed from or to any place out of the said limits, and in proportion for any lesser quantity than a gallon, with the exception first above mentioned; Which penalties shall be levied under warrants as before mentioned by distress and sale of the offenders Lands, Goods and Chattels, and in default of immediate payment, or of there being sufficient property to answer the distress, the offender shall be imprisoned till such fine be paid, the term of Imprisonment not exceeding two months for every Ten Rix Dollars of fine, or in the whole twelve months; And such offender may be sentenced at the discretion of the Magistrate before whom the conviction takes place, to be put to hard labour during such imprisonment; And that all and every other person employed or concerned in such removal, who shall give up the name and place of abode of the persons by whom he or she was employed in such removal, so that such person may be convicted, shall pay a fine of Twenty-five Rix Dollars for each offence, and in default of payment, shall be confined at hard labour till the said fine is paid, the term of imprisonment not however exceeding six months, or may in default of payment, be sentenced to receive Corporal Punishment not exceeding fifty lashes; And that all carts, waggons, donies, vessels or other conveyances employed in such removal, with knowledge of the owners thereof, or of the Masters or Tindals of such donies or vessels, shall be confiscated.

12. And it is further enacted, that all owners or renters of any number of trees, from which Toddy may be drawn, shall, on requisition from the Collector of the District, furnish a true and correct statement of the number of trees, from which Toddy is drawn, and the quantity which has been drawn during three months preceding, and the manner of disposal of the same, and that any such person neglecting to deliver such return on requisition, shall on complaint of the Collector to the competent Jurisdiction, be adjudged to pay a fine of Twenty-five Rix Dollars, and in default of payment shall be imprisoned at hard labour till such fine be paid, the term of Imprisonment not however exceeding six months, and any such person convicted of wilfully giving in a false statement, shall pay a fine of Fifty Rix Dollars, and in default of payment, shall be imprisoned at hard labour till such fine be paid, the term of imprisonment not however exceeding twelve months.

13. And it is further enacted, that all Arrack or Toddy which shall be found in any place not belonging to a person licensed to possess the same in manner above mentioned, according to the tenor of their licenses or certificates respectively, and during the time for which the same are issued; shall be confiscated, excepting Toddy found in the garden where the same is drawn; And the owner of or occupier of any House, out-House or other Building wherein the same may be found, with the exception aforesaid, shall if the same shall be found within the Towns, Ports, and Gravets of Colombo or Galle, pay a fine at the rate of sixty Rix Dollars for every gallon of Arrack, and if out of the said limits at the rate of ten Rix Dollars for every gallon of Arrack, and two Rix Dollars for every gallon of Toddy so found, and in proportion for any smaller quantity than a gallon, the said fines to be levied by distress and sale of the offenders Lands, Goods and Chattels, and in default of payment, or of there being sufficient property to answer the distress, the offender shall be imprisoned and put to hard labour till such fine is paid, the term of imprisonment not however exceeding two Months for every ten Rix Dollars of fine or in the whole twelve Months.

14. And it is further enacted, that it shall and may be lawful for any Magistrate or Justice of Peace, upon affidavit made before him, stating just grounds of suspicion, to issue his warrant to search and seize wherever the same may be found, stills used for the distillation of Arrack without License, or any other vessel used in distillation of spirits, together with all Liquor therewith found, and also all Liquor being in places, wherein the same is not licensed to be by the Provisions of this Regulation, or being removed without the licenses required by the same; Which warrants shall be executed in company of and attended by the Constable or Police Vidahn of the place; And such Constables or Police Vidahns are hereby authorized, on request made and cause declared, to enter Houses in search of such unlicensed stills and liquor: And it is further enacted, that the same authority shall be vested in the several Constables or Police Vidahns, and also in such Officers as shall be thereto specially authorised by a written authority signed by the Collector of the District, without warrant, on information laid before them, or reasonable ground of suspicion; And they are hereby required to exercise the same, and to report in every instance that they shall do so, their proceedings and the result of their search, to the nearest Magistrate, within twenty four hours from the time it shall have taken place, under penalty on any Police Vidahn, or Constable, or Officer of the Collector, who shall fail to make such report in the time specified, of a fine of Fifty Rix Dollars, and imprisonment at hard labour till such Fine be paid, the term of imprisonment not however exceeding three Months; And it is further provided that any stills or liquor seized shall only be sold to persons licensed to possess the same.

15. And it is further enacted that any person who shall forge or counterfeit any permit or certificate ordered to be used or issued under this Regulation, or shall knowingly and wilfully utter any such forged or counterfeit permit or certificate, shall on conviction be sentenced to imprisonment for any term not exceeding twelve months, and to be employed at hard labour during such imprisonment.

16. And it is further enacted, that all offences against the provisions of this Regulation, shall and may be tried and decided, on, and the several penalties awarded, by and before any Provincial Judge, Sitting Magistrate, or Justice of the Peace throughout the said Cingalese Districts, according to their local jurisdictions, save and except, that no Sitting Magistrate or Justice of the Peace, except the Sitting Magistrate of Colombo, shall have authority to declare confiscated, any ship, vessel or doney, or to impose any fine exceeding one hundred Rix Dollars; And that no Provincial Judge shall have authority to declare confiscated any ship or

Regulation No. 23 of 1820.

vessel, exceeding in burthen thirty tons, but shall remit the parties in any case wherein confiscation of a ship or vessel of larger burthen is prayed, to remedy before the Supreme Court of Judicature, according to the Fiscal Jurisdiction of that Court. And that the one half of all fines herein before directed to be levied, and the one half of the value or produce of all confiscations under this Regulation, shall go to Our Lord The King, and the other half to the person or persons prosecuting the offender to conviction; Provided always, that in the event of the inability of any defendant to pay the fines above directed, and sentence of imprisonment or corporal punishment, being awarded for any offence, the Collector of the District shall nevertheless, pay to such prosecutor, the full amount of the share, he would be entitled to, of the fine prescribed for such offence, by any clause of this Regulation, where such share does not exceed one hundred and fifty Rix Dollars, and shall pay to such informer the proportion of three fourths of the said share, where such share, does not exceed three hundred Rix Dollars, two thirds where such share does not exceed five hundred Rix Dollars, one half where it does not exceed one thousand Rix Dollars, and one third in all other cases.

17. And it is further enacted, that nothing in this Regulation contained, shall be taken and construed as repealing or altering the Eighth Regulation of 1814. For preventing the introduction of Arrack and Toddy into His Majesty's principal Forts and Fortresses in the Island of "Ceylon" all the provisions and enactments whereof are hereby confirmed and declared of full force.

18. And it is further enacted, that any Arrack found in the Estate of any person, who shall during his life time have been duly qualified to possess the same, may be sold by auction, notice of the sale being given to the Collector of the District, the lots exposed not being of less than fifteen gallons at a time, and with respect to small quantities found in any such Estate, the Collector shall and may direct the Renter or licensed retailer of Arrack nearest the place of sale, to receive and pay for the same to the representatives of the deceased, at a rate of twenty per Cent under the authorized retail price.

*Given at Colombo this Fourteenth day of December One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

*For amending the Eleventh Regulation of 1819; and prohibiting the distillation of Spirits in the Malabar Districts of these Settlements.*

Regulation No. 23 of 1820.

1. WHEREAS it is expedient wholly to prohibit the distillation of Arrack in the Malabar Districts of this Island, extending from the Komekenaar bounding the Mahagampatoo to the Northern limit of the District of Chilaw, round by Jaffnapatam, and wherein such distillation has not been hitherto practised, and is not a source of benefit or advantage to any of the Proprietors of Land, or other persons therein resident.

2. It is therefore enacted that from and after the publication of these presents in the said Malabar Districts of Ceylon the fourth and fifth Clauses of the Eleventh Regulation of the year 1819 entitled "For the more effectual security of the Revenue derived from the retail sale of Arrack in the Malabar Districts, and for regulating the sale of Arrack in the said Districts" shall be and the same are hereby repealed. And that it shall not be lawful within the said Districts and limits above described, for any person or persons to distil Arrack or any other Spirit; And that any person or persons convicted of distilling Arrack or any other Spirit, shall pay a fine of Ten Rix Dollars for every Gallon of Arrack or other spirit which may be proved to have been distilled by him, her or them, and in proportion for any lesser quantity, and in default of immediate payment, shall be liable to be imprisoned and put to hard labour, till the said fine is paid, the term of imprisonment not however exceeding two months for every Ten Rix Dollars of fine and twelve months in the whole: And that any still or stils used for such unlawful distillation, with the appurtenances thereof, and all Liquor found therewith shall be confiscated.

3. And it is further enacted that all offences against the Provisions of this Regulation, shall and may be tried and decided on, and the several penalties awarded, by and before any Provincial Judge Sitting Magistrate, or Justice of the Peace, throughout the said Malabar Districts, according to their local Jurisdiction; Save and except that no Sitting Magistrate or Justice of the Peace shall have authority to declare confiscated, any ship vessel or doney, or to impose any fine exceeding One hundred Rix Dollars; And that one half of all fines herein before directed to be levied, and the one half of the value or produce of all confiscations under this Regulation shall go to Our Lord the King, and the other half to the person or persons prosecuting the offender to conviction; Provided always, that in the event of the inability of any defendant to pay the fines above directed, and sentence of imprisonment being awarded for any offence, the Collector of the District shall nevertheless pay to such prosecutor, the full amount of the share he would be entitled to, of the fine prescribed for such offence, by any clause of this Regulation, where such share does not exceed One hundred and fifty Rix Dollars, and shall pay to such informer the proportion of three fourths of the said share, when such share does not exceed three hundred Rix Dollars, two thirds where such share does not exceed five hundred Rix Dollars, one half where such share does not exceed one thousand Rix Dollars, and one third in all other cases.

*Given at Colombo this Fourteenth day of December One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For ascertaining the persons holding the Employ or Titles of Native Headmen in the Malabar Districts, and for preventing the assumption of the authority or Title of a Headman, by persons not duly appointed for that purpose; and for amending the 6th Regulation of 1809 in so far as regards the penalties for breaches thereof.*

1. **W**HEREAS it is necessary to declare what persons are entitled to the rank of Native Headmen within the Malabar Districts of Putlam, Manar, Jaffnapatam, Trincomlie and Batticaloa.

REGULATION No. 24 of 1820.

Preamble.

2. It is therefore hereby enacted by the Lieutenant Governor in Council.

§ 1. That all acts effective or titular, granting the employ or rank of a Native Headman in the Malabar Districts of Superior Rank to an Arachy, to any person, whatsoever, and bearing date at any time previous to the fourth day of June 1809, shall be null and void to all intents and purposes, and no person shall be entitled to hold such Employ or Rank, except by virtue of an act of Government, dated on or after the said last mentioned day.

Former acts declared null.

§ 2. That all acts appointing effective or titular Headmen in the said Malabar Districts, of the Rank of Arachy or of Inferior Rank, and bearing date at any time previous to the first day of May 1809, shall be null and void; and no act for the said purpose, shall be valid, unless signed by the Commissioner of Revenue, and dated on or subsequent to the first day of May 1809.

Acts of inferior Headmen to be signed by the Commissioner of Revenue.

§ 3. That any person assuming the Rank or Title of a Malabar Native Headman, whether effective or titular, of whatsoever degree, without such proper act as aforesaid, shall on proof thereof before any Court or Magistrate, be subject to fine according to the nature of the Rank or Title so assumed, not however exceeding Five Hundred Rix Dollars; and in default of payment, to imprisonment until such fine is paid, the term of such imprisonment not however exceeding six months.

Penalty on illegal assumption of Rank.

3. And whereas great abuses have been practised by Persons having merely the Rank or Title of Malabar Native Headmen, assuming the functions and authority of Headmen actually employed; It is hereby declared, that all persons Guilty of such fraud, shall be liable to the like penalties, as are provided by the next foregoing clause.

Do. on Titular Headmen.

4. And in order to encourage the detection of persons assuming the Rank or Title of Native Headmen, without a proper act for that purpose or assuming the authority of office without any actual employ: It is hereby declared, that the person by whose information such fraud be discovered, and the offender brought to Justice, shall receive one-third part of the fine levied on his Conviction.

Informers share.

5. And whereas by the Sixth Regulation of the year 1809, certain penalties are enacted for the offences against the provisions of the same. It is therefore enacted, that the clause or clauses of the said Regulation which specify those penalties shall be and the same are repealed. And it is hereby enacted, that the penalty for offences against the said Sixth Regulation of 1809 shall be, a fine not exceeding five hundred Rix Dollars, and in default of payment, imprisonment until such fine is paid, the term of such imprisonment, however not exceeding six months.

Penalties in lieu of those enacted by the 6th Regulation of 1809.

*Given at Colombo this Fourteenth day of December One Thousand Eight Hundred and Twenty.*

By Order of the Council,  
WILLIAM GRANVILLE,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Nullified by Charter of 18th February 1833.)*

*For increasing the powers of the Sitting Magistrate of Manar.*

1. **W**HEREAS it is expedient to increase the powers of the Sitting Magistrate of Manar.

REGULATION No. 25 of 1820.

REGULATION No. 25 of 1830.

9. It is enacted by the Lieutenant Governor in Council, that the Sitting Magistrate of Manar shall from and after the First day of January next, exercise the following Civil and Criminal Jurisdiction; A Civil Jurisdiction over all Cases, excepting such as relate to His Majesty's Revenue, in which an European or Burgher is Defendant, where the amount in suit does not exceed One Hundred Rix Dollars; and in Cases in which Natives are Defendants where the amount in suit does not exceed Three Hundred Rix Dollars.

A Criminal Jurisdiction, over all inferior offences, breaches of the Peace, and disorders against the Police, with power of inflicting punishment, by fine not exceeding One Hundred Rix Dollars, Imprisonment at hard labour, or otherwise, not exceeding three months, and whipping not exceeding One Hundred Lashes.

Given at Colombo this Fourteenth day of December One Thousand Eight Hundred and Twenty.

By Order of the Council,

WILLIAM GRANVILLE,  
Sec. to Council.

By the Lieutenant Governor's Command,

JOHN RODNEY,  
Chief Sec.

### PROCLAMATION.

Proclamation 3d January 1831.

Persons putting another to death on pretence of violation of Caste punishable with Death.

**WE** The Honorable Major General Sir EDWARD BARNES, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief in and over the British Settlements in the Island of Ceylon; having been informed that some Inhabitants of the Kandyan Provinces, have notwithstanding the published prohibition of the British Government against any person being put to Death without its previous sanction and authority, taken upon themselves to inflict that punishment on women, under pretence of wiping off a stain occasioned by their having been violated by persons of a different Caste; do hereby proclaim and declare, that such illegal and inhuman practice cannot and will not be suffered, and any person or persons convicted of putting another to death on pretence of any violation of Caste, or to remove any disgrace presumed therefrom, will be punished, as other murderer, with death.

Penalty on outrage committed under pretence of Caste.

And we do further declare and enact, that any person or persons, who shall be convicted of committing any other description of outrage or assault on any one or more of His Majesty's Subjects or on their property, on pretence that he or they have assumed or arrogated privileges of Caste without being entitled thereto; shall be punished by fine, imprisonment or other punishment, according to the nature of the outrage or assault.

Given at Colombo in the said Island of Ceylon this Third day of January in the Year of our Lord One Thousand Eight Hundred and Twenty-one.

By the Lieutenant Governor's Command,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.

### REGULATION.

(Repealed by Regulation No. 8 of 1833.)

For declaring in what manner copies or extracts from documents of record in the public Offices of Government may be procured, and the validity of the same as evidence.

Regulation No. 1 of 1831.

1. **WHEREAS** doubts have arisen as to the rights of parties having suits or actions, or being prosecuted civilly, or criminally, before the several Courts of Justice in these settlements to demand from such Courts, Process in the nature of a Subpœna duces tecum, directed to any public officer, commanding him to produce in evidence before such Court official papers or documents, the property of the Crown, or copies or extracts therefrom: And whereas it is expedient and necessary to declare, in what manner, only, individuals can be allowed to have from the offices of Government, save and except from Courts of Justice, and offices purely judicial, either the originals, or copies or extracts, from the documents or papers of record therein; And also to declare the value of the said copies or extracts, as evidence in law.

2. It is therefore hereby enacted, by the Lieutenant Governor in Council, that copies or extracts of papers, or documents in the public offices of government, shall, and may only be granted by the Heads of public departments, in whose custody such papers or documents may be placed, excepting as hereinafter is excepted, upon the previous sanction of the Governor, or in his absence from the Island of the Lieutenant Governor: And it is declared, that such sanction may be obtained, by petition addressed to the said Governor, or Lieutenant Governor, duly stamped, unless the petitioner is a Pauper; setting forth the nature of the document or documents, of which the petitioner requires the copies or extracts, in what office the same is or are, and the purpose to which the same is, or are to be applied; which petition being taken into consideration, the assent of government to the prayer will, unless the Governor, or in his absence the Lieutenant Governor deems it injurious to the public interests, to admit the exposure of the contents of the documents alluded to; be indorsed on the said petition, and the same

delivered to the petitioner; and on its being transmitted to the Head of the department, in which the document or documents are, such indorsement shall be his warrant and direction to furnish, copies or extracts thereof, attested as true copies or extracts, by the signature of himself, or of his assistant or assistants.

REGULATION No. 1 of 1821.

3. And it is further enacted, that the originals of documents in public offices, shall not be removed therefrom, but by the sanction of the Governor, or in his absence from the Island of the Lieutenant Governor, which will only be granted in very special cases; and on application by petition, as above directed.

4. And it is further enacted, that the attested copies and extracts, of public documents issued under this Regulation, shall be taken to be, and be admitted in law as evidence, equally as the original documents from which they shall be copied or extracted would be, and shall be liable only to the same exceptions, as such originals: And such copies or extracts shall be, except where the applicant for the same is a Pauper, written on Stamped paper, of the value of six fanams for every one hundred and twenty words.

5. And it is further enacted, that no writ of Subpœna duces tecum, nor any citation, rule or notice in the nature, or to the effect of such writ, shall issue from any Court of Justice, to the Head of any public department, except as hereinafter is excepted, nor to any Clerk, or other person employed in any public office, with the exception above referred to, commanding such Head of Department, or other person, to produce any official document in his custody, or office, or to copy, or extract therefrom.

6. And it is enacted, that the provisions above declared, shall not apply to the documents of record, in Courts of Justice, or the offices of Magistrates or Fiscals, or of the Land Surveyor General; save and except as to the correspondence of such Courts and offices with Government; nor to the issue of extracts from the Chief Secretary's Office, of the transcripts of Slave registries, therein deposited, nor of extracts from registers of marriages, baptisms, or funerals by the Clergymen, or others having charge thereof.

Given at Colombo this Fifth day of February One Thousand Eight Hundred and Twenty One.

By Order of the Council,  
WILLIAM GRANVILLE,  
Secretary to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt

### REGULATION.

(Repealed by Ordinance No. 5 of 1835.)

For defining the meaning of the word *Andol*, and for giving to Magistrates a discretionary power to inflict corporal Punishment on Slaves convicted of misdemeanours instead of fine and imprisonment.

1. WHEREAS doubts have arisen as to the construction and meaning of the word *Andol* used in the Code of local law published by the Honble CORNETT JOHN SIMONZ formerly Governor of these Settlements while the same were under the dominion of the States General of the United Provinces, for the regulation of sundry matters relating to the District of Jaffnapatam; and it is expedient such doubts should be removed.

Regulation No. 2 of 1821.

2. It is therefore declared and enacted by the Lieutenant Governor in Council that an *Andol* shall be taken to be and mean any Palanqueen or Dooly.

3. And Whereas it is expedient in the instances of misdemeanours where the same are by law punishable exclusively by fine or imprisonment, that when a Slave or Slaves is or are convicted thereof, the Master should not lose the benefit of the service of such Slave or Slaves. It is therefore enacted, that it shall and may be lawful for any Court or Magistrate before whom a male Slave shall be convicted of an offence, the punishment of which is by law limited to fine or imprisonment or both, to sentence, at the discretion of such Court or Magistrate, that instead of such fine, or imprisonment, such male Slave shall receive Corporal Punishment by lashes, not exceeding in number the limits of the powers in the said Court or Magistrate vested in that behalf.

Given at Colombo this Fifth day of February One Thousand Eight Hundred and Twenty One.

By Order of the Council,  
WILLIAM GRANVILLE,  
Secretary to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

(Repealed by Ordinance No. 9 of 1836.)

For enabling Fiscals to receive deposits of money in Cases of Arrest instead of taking bail for the Defendants appearance.

1. WHEREAS it does and may happen, that persons arrested by virtue of Mandates of arrest issued by the Supreme Court, may not be able to find sufficient Securities for

Regulation No. 3 of 1821.

REGULATION No. 3 of 1821.

their obeying the exigence of such Mandates, and yet may be able to make a deposit of the money for which they are sued, together with a competent sum for Costs: and whereas it is expedient that persons arrested, should, upon making such deposit, be permitted to go at large until the return of such Mandate without finding bail for their appearance before the said Court, It is therefore enacted by the Honble the Lieutenant Governor in Council that all persons, who shall from and after the date hereof be arrested, upon such Mandate, within the British Settlements in the Island of Ceylon with their dependencies, shall be allowed, in lieu of giving bail to the Fiscal, to deposit in the hands of the Fiscal or his Deputy, the sum set forth in the Mandate of arrest by virtue of the affidavit for holding to bail, together with One Hundred Rix Dollars in addition to such sum, to answer the Costs which may accrue or be incurred in such action up to and at the time of the return of the Mandate, and shall thereupon be discharged from such arrest as to the action in which he she or they shall so deposit the sum set forth in the Mandate, and that the Fiscal shall, in every such case, at or before the return of the said Mandate, pay into the Court the sum of Money so deposited with him as aforesaid; and thereupon, in case the defendant or defendants shall afterwards give sufficient bail according to the course and practice of the Court, to stand to and perform the Sentence of the Court, the sum of Money so deposited and paid into Court as aforesaid, shall by order of the Court, upon motion to be made for that purpose, be repaid to such defendant or defendants: But in case the defendant or defendants shall not duly give such bail, or shall not render himself into Custody under such Warrant of arrest, then and in such case, the said sum of Money so deposited and paid into Court as aforesaid, shall by order of the Court, upon a like motion to be made for that purpose, be paid over to the Plaintiff or Plaintiffs in such action who shall be authorized to enter an appearance for such defendant or defendants, in order to the doing of the Cause *ex parte*, if the said Plaintiff or Plaintiffs shall so think, such payment to the Plaintiff or Plaintiffs to be made subject to such deductions, if any, first, the sum of One Hundred Rix Dollars deposited and paid to answer the Costs as aforesaid, as upon the taxation of Plaintiff's Cost, as well of the Suit as of his application to the Court in that behalf, may be found reasonable.

2. Provided that when the Defendant shall instead of giving bail to stand to and perform the Sentence of the Court render himself into Custody, then and in that case the said sum of Money so deposited shall be repaid to the said Defendant previous to his being committed to prison.

3. And provided further that when the Defendant shall appear, but shall be unable to perfect bail to stand to and perform the Sentence of the Court, such Defendant may on his application for that purpose, be allowed to leave the said sum so deposited to abide the issue of the Suit: and the Court may upon such Defendant depositing such further sum as to it shall seem just to defray the further Costs of such suit, allow such defendant to go at large, and the Court shall upon giving its judgment, if such judgment shall be in favour of the Defendant, or shall be for a less sum then the suit was instituted for, direct such sum, or such balance as shall appear justly owing to him, to be returned to such Defendant.

*Given at Colombo this Fifth day of February One Thousand Eight Hundred and Twenty One.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council,*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

*For explaining the 12th Section of the 11th Regulation of 1819 and the 11th Section of the 22d Regulation of 1820.*

REGULATION No. 4 of 1821.

1. WHEREAS doubts have arisen in respect to those parts of the twelfth Section of the eleventh Regulation of 1819 and the eleventh Section of the twenty second Regulation of 1820 whereby the removal of Arrack in quantities of and less than two quarts for private use purchased from a licensed retailer is allowed to take place without any permit from the Collector, Revenue Officer or Renter—It is therefore declared and enacted by The Lieutenant Governor in Council, that the licensed retailer from whom such Arrack for private use is purchased, must be a licensed retailer for the division of the District in which the removal may take place: Such divisions being fixed and duly published by the Collectors in the several Districts of these Settlements respectively, and a report thereof made from time to time to Government.

*Given at Colombo this Fifth day of February One Thousand Eight Hundred and Twenty One.*

By Order of the Council,

WILLIAM GRANVILLE,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 9 of 1825.)**For the more effectual prevention of the export of Tobacco from Ceylon to Travancore without License.*

1. **W**HEREAS a Contract subsists between His Majesty's Government of Ceylon and Her Highness the Rannee of Travancore, for the delivery to Her Highness's Agents at Jaffnapatam exclusively, of a certain quantity of Tobacco of the assortment called the Travancore, before the end of February 1822; and whereas it is expedient to adopt further measures, in addition to those already existing, for the purpose of preserving to Her Highness and Her Agents, the exclusive export from this Island, of the Tobacco of the Travancore assortment, during the subsistence of the said Contract; and for six months thereafter.

REGULATION No. 5 of 1821.

2. It is therefore enacted by the Lieutenant Governor in Council, that every person, who shall from and after the publication of this Regulation in the several Districts of this Island, and until the first day of September which will be in the year 1822, export Tobacco of any description from any Port within the said Island, shall previously give bond to Our Lord the King, in a sum calculated at the rate of One Rix Dollar for every pound weight of Tobacco to be exported, upon condition that the said Tobacco shall be conveyed to and put on shore at the port, for which it is declared to be shipped, or at some other port not being within the dominions of Travancore, the dangers of the Seas only excepted; or in default, that the amount in the said Bond expressed shall be forfeited.

3. And it is enacted, that such Bond may be put in suit on behalf of the Crown, before any Court having Revenue Jurisdiction in these Settlements, according to the course of Revenue process before the same; and the property of the person bound shall be liable to such process for the amount expressed in such Bond: And that it shall be incumbent on the person bound in such bond to prove that the said Tobacco has been conveyed to and put on shore according to the condition of the said Bond by production of one or more Certificate or Certificates from the principal Officer of the Customs, or principal Officer of Government resident at or near the Port where such Tobacco shall have been landed, of the same having been so landed.

4. And it is further enacted, that any person who shall be convicted of knowingly and wilfully uttering any Forged Certificate required by this Regulation, shall be sentenced to Imprisonment for any term not exceeding Two years, and to be employed at hard labour during the said term.

*Given at Colombo this Seventeenth day of March One Thousand Eight Hundred and Twenty One.*

By Order of the Council.  
GEORGE LUSIGNAN,  
*Secretary to Council.*

By the Lieutenant Governor's Command.  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 9 of 1825.)**For the encouragement of the preparation of Salt Fish within this Island.*

1. **W**HEREAS it is expedient to encourage the preparation of Salt Fish within this Island.

Regulation No. 6 of 1821.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the first day of April next, a duty on Salt Fish of every description imported into this Island shall be levied at the rate of fifteen per Cent on the invoiced value or prime cost thereof; such value or cost to be ascertained in the manner in and by the 4th & 5th Sections of the 6th Regulation of the year 1820 laid down.

3. And it is further enacted, that from the date aforesaid, no Export duty shall be levied on any Salt Fish exported from any Port within this Island to another; and that the rates of export & import duty assessed by the said sixth Regulation of 1820 on Salt Fish, shall be and the same are hereby repealed.

*Given at Colombo this Seventeenth day of March One Thousand Eight Hundred and Twenty-one.*

By Order of the Council,  
GEORGE LUSIGNAN,  
*Secretary to Council.*

By the Lieutenant Governor's Command.  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 4 of 1834.)**For amending the 5th Regulation of 1820.*

1. **W**HEREAS it is expedient to amend the 5th Regulation of 1820 entitled "for establishing an assessment on Houses in the Fort Town and four Gravets of Colombo, for the purpose of keeping the roads in the same in good repair, and providing lights therein,

Regulation No. 7 of 1821.

REGULATION No. 7 of 1821.

and also for transferring to the Collectors Department for the same purposes, the amount collected for licenses on Bullock bandies"—and to declare the owners of tenanted Houses liable to the assessment thereby imposed, instead of the tenants and also to provide that the persons chosen to be Assessors shall execute the duties of such office.

2. It is therefore enacted, that so much of the 7th Section of the 5th Regulation of 1820 as attaches the payment of the Tax thereby enacted on the occupant of a House, and subjects his property to distress and sale be repealed; and that the amount of the Tax on each occupied House shall be notified by the Collector, through the Constable or Police Vidahn of the division in which it is situated, to the Proprietor of the same, and that the Proprietor shall be bound to pay the same quarterly, and in default, that his Property shall be liable to seizure, and the amount of Tax shall be recoverable according to the course of Revenue Process before any Provincial Judge or Revenue Magistrate having local Jurisdiction.

3. And it is further enacted, that the number of assessors under the said Regulation may be reduced at the discretion of the Governor or Lieutenant Governor to two and shall not exceed five & that any person chosen to be an Assessor, not being entitled to be excused by age or infirmity, shall be liable to a fine of One Hundred Rix Dollars if he shall on receiving due notice of his being selected, neglect or refuse to execute the said office: Provided that no person shall be obliged to serve in such office above one year, nor above once in every seven years.

4. And it is further enacted that the Provisions of this Regulation shall take effect forthwith, and the payments for the current quarter be made according to the same.

Given at Colombo this Seventeenth day of March One Thousand Eight Hundred and Twenty One.

By Order of the Council,  
GEORGE LUCAS, NAN,  
Secretary to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 20 of 1844.)

Regulation No. 8 of 1821:

For the gradual emancipation of all Female Slave Children of the Covia Nallua and Palla Casts, by the purchase of their Master's interest in such Female Slave Child at the period of her birth.

1. WHEREAS it is in every respect desirable, that Slavery should be gradually abolished in this Island, consistently with a due regard to the rights of the Owners, but with the more imperative feelings of justice and humanity to the Slaves. And whereas by sundry Regulations of this Government, it is for this purpose provided, that any Slave who can tender the estimated value of his or her person, to his or her owner, according to certain rules in the said Regulations set forth, shall be and is entitled to his or her freedom. And whereas it is expedient to extend the benefits of those enactments, and to emancipate all Female Slave Children of the Covia, Nallua, and Palla Casts, who shall be born from and after the Twenty-fourth day of April now current; and at the same time to compensate the Owners of the mothers of such Female Slave, for their interest in such Slaves, at a fair and reasonable price, proportioned to the present value of grown up Female Slaves, of the said Casts, and the chances of life.

2. It is therefore enacted, by the Lieutenant Governor in Council, that all and every the Female Children, who shall be born of a female Slave of the Covia, Nallua, or Palla Cast, on or after the Twenty-fourth day of April now current, being the day appointed for the celebration of the Birth-day of His Most Gracious Majesty, shall be, and they and every of them, is and are hereby declared free, to all intents and purposes; any provision or enactment in this, or any other Regulation or Law to the contrary notwithstanding.

3. And it is hereby further enacted, that the Owner of every Female Slave of the Covia, Nallua, or Palla cast, to whom a female Child may be born, on or after the said Twenty-fourth day of April now current, shall, after the expiration of thirty days from the birth of such Child, and within Sixty days therefrom, upon production to the Collector of the district wherein he resides, of a Certificate of the birth of such Female Child, and of its being alive on the Thirtieth day after its birth, signed by the Schoolmaster of the parish in the district of Jaffnapatam, and two respectable persons of his the owner's neighbourhood, and in any other district, on the production of a Certificate signed by the principal Headman of the Pattoo, and two respectable persons his the owner's neighbours, and also being accompanied by the Mother of the Child, (unless she shall have previously died) be entitled to receive from such Collector, the sum of Three Rix Dollars, if the mother is of the Covia cast, and the sum of Two Rix Dollars if she be of the Nallua or Palla cast. And the said Collector shall further pay to the Mother of every such child the sum of Two Rix Dollars.

4. And it is further enacted; that such Collector shall give to the Mother a Certificate of the freedom of her Child, according to the Form A. annexed to this Regulation, and shall send a Duplicate thereof to the proper Officer authorised by the Ninth Regulation of 1818, to hold the Registry of Slaves of this description; who shall register the same in a separate Book to be kept for this purpose, referring at the time to the Mother's Registry as a Slave, if she shall have been registered under the said Regulation, and nothing in such Registry of the Mother, if it has taken place, or when it does take place, the birth of the female child and that she is a free person.

5. And it is further enacted, that the Certificates in and by the Third Clause required, shall be issued by the Schoolmasters or Principal Headman gratuitously, and without any delay, on the declaration of the Owner, the Mother of the Child and of the two neighbours of the



Owner—And that if it shall be proved, that any such Certificate shall have been obtained by fraud, or in consequence of a false declaration, the person or persons who shall be convicted of such fraud or false declaration, shall be punished therefore, by Fine or Imprisonment at hard labour or both; such Fine not to exceed Fifty Rix Dollars, and such Imprisonment not to exceed Six Months.

REGULATION No. 8 of 1821.

6. And it is further declared and enacted, that any person, who shall claim any person declared free by this Regulation as a Slave, or shall detain, or pretend to detain, use, or dispose of any such person as a Slave, shall be liable to all such punishment as by Law may now be inflicted on the detention, use, or alienation of free persons as Slaves.

7. And whereas, altho' the British Government has invariably refrained from exercising any Dominion over the persons of the Covia Nallua and Palla Casts, who were at the time of the occupation of the Island by His Majesty's Forces considered and known as the Slaves of the Dutch East India Company, or over their descendants; still there has not been any public or declared recognition on behalf of the Crown of the freedom of such persons; and doubts may exist touching their condition. It is therefore hereby declared and enacted, that all such persons, as were at the period of the occupation of the Island of Ceylon, or any part thereof, by His Majesty's Forces considered as Slaves of the Dutch East India Company in the said Island, are, together with all such of their Descendants on whom no claim of individuals may exist in virtue of their birth from the female Slaves of such individuals; to all intents and purposes free.

Given at Colombo the Seventeenth day of April One Thousand Eight Hundred and Twenty-one.

By Order of the Council,  
 GEORGE LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
 JOHN RODNEY,  
*Chief Sec. to Govt.*

Form A.

No. **CUTCHERRY** 182

This is to certify that agreeable to the provisions of the eighth Regulation of 1821 a female Child of a female Slave of the  
 Cast born on the day of 182 is free.  
 To be registered in the Register of

A. B.

The Owner of the Mother is

*Collector.*

**REGULATION,**

*For providing, against the obstruction of the Navigation by the Canals from the Grand Pass to the Harbour of Colombo.*

1. **W**HEREAS it is expedient to provide against any wilful obstruction to the navigation of the Canal from the Grand Pass now extended through the Fort of Colombo to the Sea Beach.

Regulation No. 9 of 1821:

Preamble.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the first day of June next ensuing, it shall be unlawful for any Pady or other Boat, or any raft or float of Timber to remain or to be in any part of the Canal leading from the Grand Pass to the Lock near St. Sebastian's, or of the Canal from the Lake through the Fort, excepting close to either Bank of the Canal and not projecting from such Bank beyond the breadth of the Boat or raft or float unless while going along the Canal; and that any such Pady or other Boat, or any such raft or float of Timber which may be found after that date placed otherwise than allowed by this Regulation, shall be seized by such persons who shall be thereto authorized, and the Owner of such Pady, Boat, raft, or float shall, upon proof of the breach of this Regulation made on oath to the satisfaction of a Magistrate, be liable to pay a fine not exceeding Fifty Rix Dollars, one half whereof shall go to the Crown, and the other half to such person on whose information the seizure shall have been made. And if the owner of such Pady, Boat, raft or float is not known, or if no person comes forward to claim the same within the term of three months from the date of seizure, the same shall be sold, and one half of the proceeds shall go to the Crown, and the other half to the person who shall have given the information which led to the seizure.

Boats &c. where to lie

Penalty.

Sale of Boats &c.

3. And it is further enacted, that any person who shall be convicted of throwing any dirt, rubbish or dead animals, into either of the said Canals, shall be liable to pay a fine not exceeding Fifty Rix Dollars, and to be imprisoned till such fine be paid; but the term of imprisonment not to exceed two months.

Penalty on throwing dirt into the Canals.

REGULATION No. 9 of 1821.

Trial of offences.

4. And it is further enacted that the offences against this Regulation may be heard, tried, determined and judgment awarded by any Justice of the Peace within and for the Town, Fort and District of Colombo.

*Given at Colombo this Twenty-sixth day of May One Thousand Eight Hundred and Twenty-one.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Regulation No. 9 of 1825.)*

*For declaring the Penalty which shall attach to the landing of Goods at Colombo, Galle and Trincomalie contrary to the Provisions of the 19th Regulation of 1813; and for preventing all doubts as to the confiscation of Goods shipped without payment of duties although the issue of a Port Clearance and for making it penal to offer a Present to a Custom House Officer and altering the Punishment of such Officers for receiving such Present or Fee.*

REGULATION No. 10 of 1821.

1. **W**HEREAS by the Rules and Orders enacted by and annexed to the Regulation of the year 1813 for the business of the several Ports of Colombo, Point de Galle and Trincomalie, It was ordered that all square rigged Vessels, Sloops and Schooners should and must employ the Boats attached to the Master Attendant's Departments of those Stations respectively, or other Boats licensed by the Master Attendant in manner as by the said Rules and Orders is set forth, for landing and shipping their Cargoes or any part thereof, and none other: And whereas it is expedient to declare what Penalty shall attach to a breach of such order, and to the landing of goods from Vessels as aforesaid, at the Ports aforesaid, in any other than in the Boats above described.

2. It is therefore enacted by the Lieutenant Governor in Council that if any goods shall be landed from or shipped to any square rigged Vessel, Sloop or Schooner anchoring or being in either of the Ports of Colombo, Point de Galle or Trincomalie save and except in Boats belonging to the Department of the Master Attendant of the Port, or licensed by him, either generally or specially to land or ship such goods, by license under his hand, the said goods, and the unlicensed Boat in which they may be landed or shipped, shall be confiscated, and one half of the value thereof shall be paid to the person or persons who shall give information touching the landing or shipping of the goods in such unlicensed Boat.

3. Provided that the penalty above enacted shall not attach to Clothing or personal Baggage landed or shipped to and with any person belonging to or being a Passenger on board any such square rigged Vessel, Sloop or Schooner in the Boats belonging to such Vessel, Sloop or Schooner, nor to the Property of the Crown, nor to the actual Property of Officers of His Majesty's Navy or Transports, landed or shipped in the Boats belonging to Vessels of His Majesty's Navy or of His Majesty's Transports, and that it shall be competent to the Governor or Lieutenant Governor of this Island to remit the whole or any part of any penalty incurred under the foregoing Clause.

4. And whereas doubts have arisen whether goods actually shipped from the Island on board of Ships, Vessels or Donies lying in the Ports or off the Coasts thereof or otherwise, without payment of the Duties of Customs by law established, and which may be discovered to be therein, before the Ship, Vessel or Doney takes out a Port Clearance, are by law liable to confiscation; It is therefore enacted, that any goods which shall be discovered to be on board any Ship, Vessel or Doney at any time before she shall have taken out a Port Clearance, being shipped from any part of this Island without payment of the Duties of Customs by law chargeable thereon, shall be confiscated, and the Commander or Principal person on board the Vessel, the Owner or Exporter of the goods who shall be proved to be privy to the shipment thereof without payment of Duties, shall be liable to a fine equal to the value thereof, and to be imprisoned till the said fine is paid; and the half of the value of such goods, and of the said fine, shall be paid to the person or persons who shall give information of such unlawful shipment. Provided always that it shall be competent to the Governor or Lieutenant Governor of this Island, to remit the whole or any part of any Penalty incurred under this Clause.

5. And it is further enacted that any person who shall be convicted of giving or offering to any person employed in the collection of the Customs directly or indirectly any Present, Fee or Gratuity shall be liable to pay a fine not exceeding One Thousand Rix Dollars, and to be imprisoned till such fine be paid, and that any such person so employed in the collection of the Customs convicted of receiving any such Present, Fee or Gratuity shall be punished therefore by fine and imprisonment under obligation to hard labour or without at the discretion of any Provincial Judge, Sitting Magistrate or Justice of the Peace before whom he may be convicted, such fine not exceeding One Thousand Rix Dollars and such imprisonment not exceeding six months.

6. And it is further enacted that so much of the Thirty-fourth Clause of the Sixth Regulation of 1820 which declares the dismissal from Office of Servants of the Custom House, the punishment for the offence stated in the foregoing Clause, shall be and the same is repealed.

*Given at Colombo this Twenty-sixth day of May One Thousand Eight Hundred and Twenty-one.*

By Order of the Council,  
GEORGE LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## PROCLAMATION.

**WE** the Honble Major General Sir EDWARD BARNES Knight Commander of the Most Honorable Military order of the Bath, Lieutenant Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof, having taken into our consideration the expediency of settling the rights of purchasers of Land in the Kandian Provinces on a footing which shall give them an immediate and permanent interest in their property, and induce them to improve the same, which the practice that has obtained in some of the said Provinces of allowing the seller to re-purchase the Land at any time in his life is evidently calculated to prevent, do therefore proclaim and enact, that from and after the publication of these presents, all sales of Land made in writing according to the provisions of our Proclamation \* of the twenty-eighth day of October One thousand eight hundred and twenty in the Kandyan Provinces shall be final and conclusive, and neither the seller nor his or her Heirs shall have any peculiar right to re-purchase the same, unless an express stipulation reserving such privilege shall be inserted in the deed of sale.

And we do further order that such reservation when made in the deed of sale, shall not be for any longer period than three years from the date of the said deed; and that the person who wished to exercise this right of re-purchase, shall pay to the person who he or she sold the Land not only the original consideration but also of expenses incurred for increasing the value of the property, the amount of which will in case of any dispute, be ascertained by appraisalment on application to, and under the sanction of the Court in whose jurisdiction the Land lies.

And in respect to sales of Land of a date prior to these presents, we do hereby order, that no privilege of purchase shall in any part of these Provinces be considered to attach to the seller, unless he or she shall record his or her claim to the same in the Court of the nearest Agent of Government within six months from this date, and such privilege shall then only be competent to such seller within the term of three years from this date, and upon the conditions in the preceding clause contained.

And no right of re-purchase shall be considered to vest in the Heirs of the seller, but the privilege is confined to him or herself personally.

*Given at Colombo in the said Island of Ceylon the Fourteenth day of July in the Year of our Lord One Thousand Eight Hundred and Twenty-one.*

By the Lieutenant Governor's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Provs.*

PROCLAMATION 14th July 1821.

Sales of land to be final unless otherwise stipulated.

Expenses of purchaser to be paid.

Redemption of Land sold prior to this date.

No right of re-purchase vests in the seller's heirs.

## PROCLAMATION.

**WE** the Honorable Major General Sir EDWARD BARNES Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof, do hereby proclaim, in order that no one may pretend ignorance of the law, that any person, whether being the parent or any other, who shall kill any child, of whatever age, within the Kandyan Provinces, shall and will be equally punished with death as for the murder of a grown-up person; and no plea will be admitted in extenuation, of any barbarous usage or custom of this description having prevailed, the same being wholly contrary to the ancient laws of the kingdom of Kandy.

*Given at Colombo, in the said Island of Ceylon, the Twenty-fifth day of September in the Year of our Lord One Thousand Eight Hundred and Twenty-one.*

By the Lieutenant Governor's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Provs.*

Proclamation 25th September 1821.

Any person killing a child punishable with death.

## REGULATION.

(Repealed by Regulation No. 7 of 1823.)

*For declaring the annexation of Stamps to Deeds or Instruments which by law ought to be written on stamped paper of certain amounts, in order to make up the amount of the stamp duty, illegal.*

1. **WHEREAS** the practice of annexing Blank Stamps to Deeds or Instruments, which under the Regulations now in force are required to be written on stamped paper, may afford a means of committing frauds on the Revenue and on individuals.

Regulation No. 11 of 1822.

\* This Proclamation was repealed by Ordinance No. 7 of 1824.—see ante, page 256.

REGULATION No. 11 of 1821.

2. It is therefore enacted, by the Honble the Lieutenant Governor in Council, that it shall not be lawful, from and after the first day of January next ensuing, to attach or annex to any conveyance of immoveable Property by sale gift or settlement, or to any conveyance of moveable property, or mortgage, or other bond or obligation, lease of lands or tenements, contract for the future sale or purchase of goods, assignment of ships, assignment of Securities (other than those of Government) Bill of exchange, Promissory note, receipt, discharge or acquittance for money, or any Voucher, shop-bill, auction-bill or bill of parcels purporting to be a receipt or discharge or acquittance; or to any bond of Indemnity, penal bond for the performance of any Trust, Deed or Instrument of Partnership affecting capital amounting to One Thousand Rix Dollars, Power of attorney or substitution under the same, Agreement or other notarial act, or the copy or extract thereof, any stamped paper or papers, ola or olas, so as to make up either wholly or in part the amount of stamp duty which is by law chargeable thereon; but every stamped paper, or ola which purports to belong to any one of the deeds or instruments above described and which by law are required to be written on stamped paper or ola of a certain fixed or rateable amount, shall have written on the same, a portion of the said deed or instrument: And that any deed or instrument such as is herein before described and which by law is required to be written on stamped paper or ola, and which being written on and after the said first day of January next, on stamped paper or ola of insufficient amount, shall have any other one or more stamped paper or ola, papers or olas annexed thereto, not having a part of such deed or instrument written thereon, shall be invalid; and the parties to the same shall be liable to such penalties, as in and by the second Regulation of the 18th of 1821 declared against persons, who shall be parties to deeds which by law should be written on stamped paper or ola, and are written on unstamped paper or ola.

Given at Colombo this Fifteenth day of October One Thousand Eight Hundred and Twenty One.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 20 of 1844.)

*A Regulation for further extending the term in which the registry of Covia, Nallua and Palla slaves, respecting whom claims are still pending for decision, may take place till the 30th June 1822: And for facilitating the emancipation of slaves in the district of Manar, by giving to the Sitting Magistrate of that district, the power of receiving applications from slaves to purchase their freedom, and to proceed thereon agreeable to the 9th Regulation of 1818, Clause 24th.*

REGULATION No. 12 of 1821.

1. **W**HEREAS it appears by the reports of the several Commissioners Judges and Magistrates, acting under the Ninth and Tenth Regulations of 1818, that all the claims to Covia, Nallua and Palla slaves, pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided so as that the registration of the said slaves may take place on or before the Thirty first day of December next, as by the Eighth Regulation of 1820, is directed and required.

2. It is therefore enacted, by the Honble the Lieutenant Governor in Council, that the term within which the Registry of Covia, Nallua and Palla slaves is in and by the second Clause of the Eighth Regulation of 1820, and clauses of the other Regulations therein referred to required to be made; shall be, and the same is, in respect to such slaves, respecting whom claims have been given in before the Thirty first day of August 1819, and on which claims the Commissioners named under the Tenth Regulation of 1818, have not yet decided, enlarged till the Thirtieth day of June in the year 1822; and all penalties consequent on neglect of such Registry, shall, as connected with such slaves respecting whom claims are and shall be pending as aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the transcripts of Registries of Covia, Nallua and Palla slaves, in and by the third Clause of the said Eighth Regulation of 1820, and the several Regulations therein referred to required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the Thirtieth day of September 1822; and the lists of alterations in the same every subsequent quarter of a year.

4. And whereas from the remoteness of several parts of the district of Manar from the place where the Provincial Court of Calpentyne is usually held, slaves desirous of availing themselves of the privilege in and by the Twenty fourth Clause of the Ninth Regulation of the year 1818, granted to them of purchasing their freedom under the Rules therein laid down find a difficulty in so doing; It is therefore enacted, that the Sitting Magistrate of the said district of Manar, shall have and exercise the power of receiving the applications of slaves residing in the said district, for permission to purchase their freedom; and to proceed thereon according to the provisions of the Twenty fourth Clause of the Ninth Regulation of 1818 and on the exigencies thereof being complied with, to grant the Certificates of freedom thereby directed, as fully and effectually, as under the said Regulation, the Provincial Court of Calpentyne could and may proceed.

Given at Colombo, this Fifteenth day of October, One Thousand Eight Hundred and Twenty One,

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For simplifying the collection of duties on the Imports of Cotton Cloths the manufacture of India, and for diminishing the duties on certain Articles of Import from the United Kingdom, and for otherwise amending and explaining the Laws relative to the Sea Customs.*

REGULATION No. 1 of 1822.

(Repealed by Regulation No. 9 of 1825.)

(The repealed enactments relating to the Customs are not published at length.)

## REGULATION.

(Repealed by Regulation No. 1 of 1833.)

*For the protection of the Revenue of Government derived from Timber growing in the Royal Forests, and for imposing a Tax on Timber felled in private Gardens.*

REGULATION No. 2 of 1822.

1. **W**HEREAS it is necessary and expedient to protect the Revenue derived by Government from the duty on Timber felled in the Government Forests, and also to restrain the felling of Jack Trees which is the species of Timber usually cut in Lands being private Property.

And it is further enacted by the Lieutenant Governor in Council, that from and after the first day of January 1823 ensuing, all Timber cut whether in the Forests of Government or in Lands of Individuals, shall be liable to, and pay a Duty of one-tenth of the value thereof, save and except Jack wood Trees, which shall pay a Duty of one-eighth of the value thereof; and at the option of the Collector, the one-tenth part of such Timber as is cut in a Government Forest, shall be taken to the use of the Crown.

3. And it is further enacted, that no Timber shall be cut either in the Government Forests or the land of Individuals without a License previously obtained, signed by the Collector of the District, specifying the number of Trees to be felled, and the place where and time when, the same are to be felled.

4. And it is enacted, that for the proof that this Regulation has been duly complied with, the Collector of each District shall fix places to which Timber shall in general be brought to be valued or for the share of Government to be taken, or when it cannot with convenience to the proprietor be brought to such place, the Collector shall send proper persons to inspect and value the same; and such Timber as is not taken for the use of the Crown, shall be branded with a particular mark, and such as is taken for the Crown with another distinguishing mark.

5. And it is further enacted, that any Timber cut without License shall be confiscated, and half the value thereof given to any person who shall inform the Collector touching the same, and the person cutting the same shall be liable to fine and Imprisonment, such fine not exceeding One Hundred Six Dollars, and such Imprisonment not exceeding two months.

6. And it is further enacted that any wilful breach or evasion of the enactments in the fourth Clause of this Regulation, shall subject the person offending to fine and Imprisonment in manner and to the extent declared in the fifth Clause, and the Timber touching which the breach or evasion, is committed shall be confiscated, and half the value thereof given to the Person, who shall inform of such breach or evasion.

7. Provided that the portion of the Penalties allotted to the Informer under this Regulation may be remitted in whole or in part by the Governor or Lieutenant Governor at discretion.

8. And it is further enacted, that Convictions for offences against this Regulation shall be had, and the penalties levied by and before any Provincial Judge, Sitting Magistrate or Justice of the Peace having local Jurisdiction.

9. And it is further enacted, that the provisions of this Regulation shall not extend to Palmyra Timber, or to Cocoanut or Areca Trees, Firewood, Bamboos or other wood not usually understood as Timber fit for building, or for Carpenter's or Joiner's use.

*Given at Colombo this Ninth day of January One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,

JOHN RODNEY,  
Chf Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 6 of 1823.)

*For amending the fourth clause of the 1st Regulation of 1819 in so far as relates to deaths occurring within the Towns, Forts and Gravets of Colombo Galle, Trincomalie and Jaffnapatam.*

REGULATION No. 3 of 1822.

1. **W**HEREAS it is expedient to amend so much of the First Regulation of the Year One Thousand Eight Hundred and Nineteen as relates to the manner of taking information touching sudden, violent or accidental deaths occurring within the Towns Forts, and Gravets or other known similar limits of the Towns of Colombo, Galle, Jaffnapatam and Trincomalie and to provide for the calling in of a Jury to determine on the cause of such deaths.

2. It is therefore enacted by the Lieutenant Governor in Council that on information being given of any Man, Woman or Child having come to his or her death by violence, accident

REGULATION No. 5 of 1822

or of a sudden or unexpectedly, or of the body of any such person being found dead, without its being known how such person came by his or her death within the Towns Forts or Gravets of Colombo, Galle or Trincomalie, or the Town, Fort and Three adjacent Parishes of Jaffnapatam, to the Provincial Judge, or in his absence to the Sitting Magistrate, or in the absence of them both, to any other Justice of the Peace at either of the Stations aforesaid, which information shall, as enacted by the said First Regulation of One Thousand Eight Hundred and Nineteen, be given by the person who shall first discover the death or the body, to the nearest Constable or Police Vidahn, and by such Constable or Police Vidahn to such Provincial Judge, Sitting Magistrate or Justice of the Peace; such Provincial Judge, or in his absence the Sitting Magistrate, or in the absence of both, the Justice of the Peace to whom the information is given, shall forthwith go to the place where the body of such person shall be, and shall also forthwith and as soon as may be, cause to come before him, by Precept directed to one or more Constable or Constables, Police Vidahn or Police Vidahns of the Towns Forts and limits aforesaid, a Jury which shall consist of Thirteen persons Europeans or Burghers or Natives being Inhabitants of the said Towns, Forts or other limits, and shall by the Oaths of such Jurors, upon the view of the body, enquire of the cause of the death of the person deceased, and whether he was killed by himself or by any other person or persons, and by whom, and in what manner; and shall record the finding of such Jurors assembled, or of the major part of them, and return the same under his hand, and the hands of the Jurors, together with a correct transcript of all Evidence taken before the said Judge, Magistrate or Justice of the Peace and the Jurors aforesaid, to the Registrar of the Supreme Court of Judicature in the Island of Ceylon, within ten days from the Inquest being taken; and shall also transmit a Copy of the said transcript of Evidence to the Chief Secretary to Government. And such Provincial Judge, Sitting Magistrate or Justice of the Peace, shall in all respects, as is enacted by the said Regulation and other Regulations heretofore enacted, proceed in the apprehension of such person or persons as may be, either by the finding of the Jurors or otherwise, charged, or suspected, of having killed such deceased person; and in the sequestration of the property of such person or persons so charged and suspected who may fly from Justice.

*Given at Colombo this Ninth day of January One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by the Charter of 18th February 1833.)*

*For abolishing the separate Jurisdiction of the Provincial Court of Matura and for increasing the Powers of certain Sitting Magistrates.*

*Regulation No. 4 of 1822.*

1. **WHEREAS** it is expedient to abolish the separate Jurisdiction of the Provincial Court of Matura, and to vest the same in the Provincial Court of Galle and Matura, as the same was exercised prior to the institution of the said Provincial Court of Matura; and to vest in the Sitting Magistrates at the Stations of Galle, Matura, Tangalle and Hambantotte, the same Jurisdiction as is exercised by the Sitting Magistrate of Colombo.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the First day of February next, the separate Jurisdiction of the Provincial Court of Matura shall cease and determine; and all Jurisdiction competent thereto, shall from that date be exercised by the Provincial Court of Galle and Matura, as the same was established by the First Regulation of the year 1805—Provided that no Suit, Action, Cause, Prosecution or Proceeding depending before the said Provincial Court of Matura, shall be abated, discontinued or annulled, but the same shall be transferred in the same condition to the Provincial Court of Galle and Matura and be proceeded in there, to all intents and purposes, as if the same had been commenced therein; and all records and muniments of the Provincial Court of Matura shall be transferred to the said Provincial Court of Galle and Matura.

3. And it is further enacted, that the Provincial Court of Galle and Matura shall make such Circuits, and sit at such places within the Districts subject to its Jurisdiction, as the Governor or in his absence the Lieutenant Governor, shall from time to time direct and appoint.

4. And it is enacted, that the Sitting Magistrates stationed at Galle, Matura, Tangalle and Hambantotte, shall from and after the date aforesaid, have and exercise the following Civil and Criminal Jurisdiction: A Civil Jurisdiction over all Cases (excepting such as relate to His Majesty's Revenue) in which an European or Burgher is Defendant, where the amount in Suit does not exceed One Hundred Rix dollars; and in cases in which Natives are Defendants where the amount in Suit does not exceed Three Hundred Rix dollars: A Criminal Jurisdiction over all inferior offences, breaches of the Peace, and disorders against the Police, with power of inflicting punishment by Fine not exceeding One Hundred Rix dollars, Imprisonment at hard labour or otherwise not exceeding Three months, and whipping not exceeding One Hundred Lashes.

*Given at Colombo this Ninth day of January One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command.

JOHN RODNEY,  
*Chief Sec. to Govt.*

## PROCLAMATION.

PROCLAMATION 24TH JANUARY 1822.

*(Repealed by Ordinance No. 8 of 1843.)*

**WE** the Honorable Major General Sir EDWARD BARNES, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof; do hereby proclaim and command, that whenever any man, woman or child, shall come to his or her death, in the Kandyan Provinces, by violence, accident, or of a sudden, or unexpectedly; or the body of any such person shall be found dead without its being known how such person came by his or her death, it shall be binding on every person who may first discover the same, to make known the circumstances immediately to the nearest Agent of Government, Chief or Headman of a district, village, or department.

And such Chief or Headman shall forthwith repair to the spot where the dead body is, and make diligent enquiry to discover the cause of the death of the deceased, and to trace and apprehend any person or persons who may be charged or suspected of having caused the said death; and shall also, within an hour from receiving the information, report the circumstance to the nearest Agent of Government and await his orders as to the disposal of the corpse.

And the Agent of Government to whom such information is conveyed, shall go to the spot himself, or send above forty miles distance from his residence; and shall, if the deceased shall be an European or a native soldier or camp follower or native of the maritime Province, assemble a Jury of at least nine Europeans and Burghers, if it is possible to do so, and proceed in their presence, to enquire by evidence and otherwise, on the view of the body unless kept, and the distance above stated, into the cause of the death of the deceased, and shall record the evidence, and the finding of the Jury or of the majority thereof, as to the cause and manner of the death of the deceased, and by whom it was occasioned, and send the same, signed by himself and the Jurors, to the Judicial Commissioner in Kandy, and use every means in his power to apprehend any person charged or suspected of having caused the death of the deceased.

If it is impossible to assemble a Jury of Europeans and Burghers, the enquiry into the cause of the death shall be conducted by and before the Agent himself; who shall record his own opinion and transmit the same and the evidence as before directed.

If the deceased be a Kandyan, the Agent shall call in three or five Native Chiefs or Headmen as Assessors, if procurable immediately, to take the inquest afore directed.

And no dead body found under the circumstances herein first mentioned shall be buried, burnt or otherwise put aside, without the previous sanction of the nearest Agent of Government.

And any Chief, Headman or other person contravening, or neglecting to obey this Proclamation shall be liable to fine and imprisonment.

*Given at Colombo in the said Island of Ceylon, this Twenty-fourth day of January in the Year of our Lord One Thousand Eight Hundred and Twenty-two.*

By the Lieutenant Governor's Command,

GEO. LUSIGNAN,  
Sec. Kand. Provs.

## REGULATION.

*For diminishing the duties on certain articles of Import from the United Kingdom enumerated in the Table No. 1 annexed to the Sixth Regulation of 1820; and for further diminishing the duties on such articles as are referred to in the Fifth clause of the First Regulation of 1822, and for exempting Timber exported from Ceylon from duty.*

*(Repealed by Regulation No. 9 of 1825.)*

*(The repealed enactments relating to the Customs are not published at length.)*

*Regulation No. 5 of 1822.*

## REGULATION.

*(Expired.)*

*For continuing in force the provisions of the Fifth Regulation of 1821, till the 1st day of September 1823.*

*Regulation No. 6 of 1822.*

1. **WHEREAS** the contract between His Majesty's Government of Ceylon and Her Highness The RANNE of Travancore, for the delivery of certain Tobacco to Her Highness's Agents at Jattinapatam exclusively, has been renewed for a further limited term; and it is therefore expedient to continue, during the subsistence of such Contract and for six months after, the provisions enacted by the Fifth Regulation of 1821. "For the more effectual prevention of the export of Tobacco from Ceylon to Travancore without license."

2. It is therefore enacted by His Excellency The Governor in Council, that the several provisions of the said Fifth Regulation of 1821, by which every exporter of Tobacco from Ceylon

REGULATION No. 6 of 1821.

is required to give bond for the due conveyance to and landing of the same at the Port for which it is declared to be shipped, and a penalty is declared against any person who shall knowingly and wilfully utter any forged Certificate of the tenor required by that Regulation to be produced in order to discharge a person entering into such bond from the conditions thereof; shall be continued in full force, till the First day of September, which will be in the year One Thousand Eight Hundred and Twenty-three.

*Given at Colombo this Twentieth day of March One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 8 of 1833.)*

*For enlarging the exceptions contained in the Sixth Clause of the 1st Regulation of 1821 to the general Provisions of the said Regulation: and for prescribing the modes of proceeding for obtaining the inspection, and procuring copies of public records in the Office of Government.*

Regulation No. 7 of 1821.

1. **WHEREAS** it is expedient to enlarge the exceptions contained in the sixth Clause of the First Regulation of the Year 1821 from the general provisions of the said Regulation, and to prescribe the proper modes of proceeding for the purpose of obtaining inspection and procuring Copies of the books and other documents which are deposited in the Public Offices of Government in this Island.

2. It is therefore enacted, that none of the provisions of the said Regulation, shall apply to the issue of Copies or Extracts of the following documents, or to prevent inspection of the books from which such Extracts are intended to be made; That is to say: Judicial Records and all proceedings in Courts of Justice either in the time when this Colony was under the Government of the Dutch or during the period of its being in the possession of the British Crown, Notarial Protocols, Registers of Grants, or Deeds relating to land or other instruments affecting the titles to lands or mortgages thereof, Registers of Ships and Vessels, Entries and Clearances thereof, and of Goods in the different Custom Houses, and of payments of duty Manifest and Invoices lodged in the said Custom Houses; Accounts of payments into the Treasury or of issues therefrom, or from the General Pay Office; by the Officers in whose custody the same may be. Provided however, that the Originals of the documents above enumerated, and also of those mentioned or referred to in the sixth Clause of the said First Regulation of the Year 1821, shall not be removed from the Offices wherein they are deposited, except by an order given under the authority of the Governor, or in his absence the Lieutenant Governor, or under a rule of the Court before which such original may be required.

3. And it is further enacted, that whenever any application is made to any Court for the purpose of inspecting any document deposited in any of the Public Offices within this Government, or for obtaining Copies or Extracts from the same, or for the production thereof in such Court, such application shall be made under the rules, regulations and restrictions hereinafter declared, and in no other manner whatsoever, That is to say: A motion shall be made by the party applying, or by his Proctor to the Court, which said motion shall be in writing, and a copy thereof, filed with the Registrar or Secretary, ten days at the least, before the Court day in which such motion is made, containing the name of the party in whose behalf the application is made, and the title of the cause in which such documents, Copies or Extracts are required, together with an affidavit stating that such party is advised, or believes, that he cannot safely proceed to Trial without such evidence; and further clearly stating, the right under which such inspection, document, Copy or Extract is claimed. And a copy of the said motion and of the said affidavit shall be served upon the principal Officer in whose custody such documents are deposited, seven days at least before such motion is made.

4. And it is further enacted, that under the said Rules, Regulations and Restrictions, documents in the Public Offices of Government may be inspected, and the said Documents, and Copies or Extracts therefrom, may at any time be obtained, in the same manner, and under the same limitations, as they were previously to the passing of the said First Regulation of 1821.

5. And it is further enacted, that nothing in this Regulation or in the said First Regulation of 1821, contained is to be taken as altering the mode of application from one Public Officer to another, for information from the Records in charge of such Public Officers, for the benefit of the service, and under such Rules and Orders, as exist, or may be issued, by the Governor or Lieutenant Governor, for the guidance of such Officers in this respect.

6. And it is further enacted, that nothing contained in this Regulation or in the said First Regulation of 1821 shall be construed to alter or modify any right of inspection or production of documents which might, before the passing of the said First Regulation of 1821, be legally demanded by a defendant in a Criminal case.

*Given at Colombo this Twentieth day of March One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*



## REGULATION.

*(Repealed by Ordinance No 6. of 1835.)**For the relief of Insolvent Prisoners for Debt.*

REGULATION No. 8 of 1822.

1. **WHEREAS** many persons are imprisoned in the several Gaols of this Island for Debts which they are unable to discharge although willing to surrender to their Creditors all the property they possess: And whereas it is the wish of His Excellency to relieve the unfortunate who have not been guilty of fraud or breach of trust.

2. It is therefore enacted by the Governor in Council, that all such persons, who on the Twenty third day of April now Current, being the day fixed for the Celebration of the anniversary of His Majesty's Birth day, shall remain confined in Gaol for any debt, shall be discharged from Custody, upon, and subject to, the following conditions and limitations.

3. Every person so in Custody, shall cause to be made out a full and perfect statement of all such property, moveable or immovable, as he, or she shall be possessed of, or entitled to, or which any person in trust for him, or her, shall be so possessed of, or entitled to; of which Statement, one Copy shall be delivered to each and every Creditor at whose suit such person is detained, at least six days before application for the discharge of such prisoner, and another copy shall be delivered to the Judge or Magistrate by whom, or by whose authority such prisoner stands committed, who shall thereupon appoint a day, not earlier than six, nor later than ten, from the date of, for the prisoner to be brought before him, to apply for his discharge: Upon which day, he shall appear to the Judge or Magistrate, that such notice has been duly given, he shall proceed to discharge the prisoner, unless any Creditor, or person on behalf of a Creditor, shall be able to prove to the satisfaction of the Judge or Magistrate, by legal evidence, that the debt was contracted, either by means of fraud practised by the prisoner, or by breach of any trust reposed in him, or that the prisoner has concealed, or omitted in his Statement, any property of any kind; (necessary wearing apparel and the instruments of his or her trade or occupation excepted); Then, in any of these cases the prisoner shall not be entitled to any benefit from this Regulation.

4. But if, on the contrary, no such charge is either made or proved, and the prisoner shall swear to the truth of the Statement so delivered to the Creditor and Judge or Magistrate, and shall in the presence of such Judge or Magistrate, make and execute an assignment of all the property contained in such Statement (excepting only his or her necessary wearing apparel and the instruments of his or her trade or occupation) to his or her Creditor, if there be only one, and if more than one to a person to be named by the said Judge or Magistrate as a trustee for his or her Creditors, such prisoner shall be immediately discharged, and shall be no more liable to arrest for the debt, for which he or she shall have been so in Custody.

5. Provided always, and it is further enacted, that in the case of prisoners at the suit of Government, the Statement required by the third Clause of this Regulation, shall be delivered to the Collector of the District in which such prisoner is confined; and the day to be appointed, by the Judge or Magistrate for bringing such prisoner before him, shall not be later than thirty days after the delivery thereof, when similar objections may be made by the Collector on the part of the Crown, as is above directed in respect to other Creditors, and similar proceedings shall be had thereupon, as in cases of individual Creditors.

6. Provided, nevertheless, that if it shall appear expedient to the Judge or Magistrate, to postpone the hearing of any prisoner from the day first appointed, he may appoint any future day or days, at an interval of not more than twenty from the first day of hearing, before the expiration of which last period, he shall proceed as is herein before directed.

7. And it is further enacted, that all and every prisoner who shall be excluded from the benefit of this Regulation, for default of giving six days notice to his Creditors, shall and may be entitled to renew his application, after the expiration of twelve days from the date on which he may be remanded, and, on then complying with the conditions required by this Regulation, shall be discharged according to its provisions. And that any Prisoner who shall be excluded from relief under this Regulation, on proof that the debt was contracted by means of fraud practised by him the prisoner, or by breach of any trust reposed in him or her, or that the prisoner has concealed or omitted in his or her statement, any property of any kind whatever, save necessary wearing apparel and the instruments of his or her trade and occupation, shall and may be discharged from confinement, at the expiration of seven years from the time of his or her commitment in execution for the debt on which he or she is confined: Provided, that he or she shall have been during the whole time in confinement under such commitment, and provided further that such debtor shall comply with such part of the conditions required by this Regulation as relate to delivering on oath a statement of his or her property as above detailed, and to the assignment of the same for the benefit of his or her Creditor or Creditors.

8. But it is hereby declared and enacted, that the future property of every person so discharged, shall be and continue liable to such debts, until the same shall be fully satisfied: And the following is directed to be, the form of the assignment to be executed by the Prisoner:—

" I do hereby assign and make over to all the property moveable or immovable, contained in a statement by me delivered upon oath to the Judge (or Magistrate) of this day, in pursuance of the Eighth Regulation of the year 1822 excepting my necessary wearing apparel and the instruments of my trade or occupation."

9. And it is further declared and enacted, that such assignment shall not be subject to stamp duty; and that this Regulation be forthwith translated as usual, and that one Copy in each language be posted and set up, within the limits of every gaol in the Island.

*Given at Colombo, this Fifteenth day of April One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,

GEO. LUSIGNAN,

*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

*To be proclaimed in the Kandyan Provinces.*

By Order of His Excellency the Governor,

GEO. LUSIGNAN,

*Sec. Kandyan Provs.*

REGULATION.

For regulating the Registry of the Marriages and Birth of the Natives of the Maritime Settlements of this Island, as well as of Natives of India residing in the said Maritime Settlements and for declaring the effect of the said Registry, as Evidence of such Marriages and Births.

REGULATION No. 9 of 1822.  
Preamble.

1. **W**HEREAS from the want of sufficient and exact Regulation the Registers of the Marriages and Births of the Natives of the Maritime Settlements of this Island which were established by the former Government of the United Provinces, have in several Districts become wholly inefficient, and in all are greatly subject to corruption and fraud. And whereas it is highly expedient for the security of property and the happiness of individuals, that such Registers should be restored and enlarged, and that general Rules should be established and promulgated touching their effect as evidence of Marriage.

Registers of Marriages to be kept.

2. It is therefore hereby enacted by His Excellency the Governor in Council, that the Registers of Marriages of Natives of the Maritime Settlements of this Island, as well as of Natives of the Continent of India residing in the said Settlements, of whatsoever Religion, Sect or Cast they may be, shall be kept by some person or persons, of whatsoever Religion, Sect or Cast they may be, and according to such Regulations as the Governor, or in his absence the Lieutenant Governor, shall from time to time appoint and direct.

Marriage, to be considered valid, to be registered.

3. And it is further enacted that no Marriage between Natives of the Maritime Settlements of this Island, or of India residing in the said Maritime Settlements, which shall be alleged to have taken place within the said Maritime Settlements in Ceylon, on or after the First day of August next ensuing, shall be considered valid in law, so as to convey any right of property, either to the parties themselves, or to any Children born from their connexion, or to any relations on either side as the consequences of Marriage, unless the same shall be registered in the Register, which shall be by the Governor or Lieutenant Governor appropriated to the Registry of the District, or part or portion of a District in which the parties are resident, or in the Register of any particular Class of Inhabitants of the District, to which a separate Register may be assigned.

Registers, and subsequent cohabitation sufficient evidence of Marriage.

4. And it is further enacted, that the future entries in such Registers, shall be, if subsequent cohabitation between the parties be also proved, sufficient evidence in law, to establish a Marriage between Natives of the Maritime Settlements of this Island or of India residing in the said Maritime Settlements, of whatsoever Religion, Sect, or Cast they may be, although no other rite of a Civil or Religious nature may have taken place; Provided always, that the actual validity of such Marriages, shall be subject to the exceptions of incompetency in the parties to contract, on the ground of consanguinity, affinity, minority or otherwise, as by the laws applicable to the parties is or may be provided; and also to the exception of fraud in the Registry itself.

Previous entries of Marriages intended and cohabitation likewise proof of Marriages.

5. And it is further enacted, that the entries which have already been made, or may before the first day of August next be made, of marriages, or of intended marriages of the Natives of the Maritime Settlements, of this Island, or of India residing in the said Maritime Settlements, in the Registers or Tomboos kept, under the authority of Government, by the Schoolmasters in the different Maritime Districts, followed by cohabitation of the parties, shall be in like manner taken to be in law, proof of actual Marriage, subject however to the exceptions in the last Clause mentioned, and also to such further exceptions as by the laws heretofore in force might be made against the same; Provided such last mentioned exceptions shall be made before the competent Court, within Twelve Months from this date; And provided further, that this enactment shall not preclude the admission of other legal proof to establish Marriages antecedent to the first day of August next, where no Registry of the same has or shall have taken place.

Other legal proof admitted,

Proclamation to be made of Marriage.

6. And it is further enacted, that no entry of a marriage, or of an intended marriage, shall be made in any Register (except where the parties are of the Musulman Religion) unless due Proclamation thereof shall have been made, by the person to whom the application is made for registering the Marriage, on three different and successive Sundays, at such public place as in each District or Division of a District, shall be assigned from time to time by Advertisement by the Governor or Lieutenant Governor; unless a special License shall be produced for dispensing with such previous proclamation, under the Signature of the Collector of the District, which license shall be written on a Stamp of Ten Rix Dollars, and may only be issued by the Collector, on the application of both parties, and on their satisfying him by Oath, if they are both of the competent age, to wit the man twenty five and the woman twenty years old; that no legal impediment exists to their mar-

Except by License.

License how to be issued.

repealed by No. 13 of 1863.

No. 15144.

riage; or otherwise on the application of the Father or Guardian of the party or parties who may be under that age.

7. And it is further enacted that if one of the parties to be married, or registered, shall reside in a different division from the other, the aforesaid Proclamation shall take place in both divisions, and a Certificate thereof, shall be sent by the proper officer of the division in which the woman resides, to the Officer of the division where the man resides, in the Register of which last Division, the Marriage is to be entered.

8. And it is further enacted, that the proper Officer, on being applied to, do in all cases proceed to make the necessary Proclamations, and to register the application, under penalty of forfeiting, for any neglect, to the party who may be aggrieved thereby, a sum not exceeding twenty five Rix Dollars; to be recovered by action before any competent Court, together with the Costs of such action: Provided always, that such proper Officer, shall be entitled to demand and receive for his own use, on every such application, a fee of Three Fanams, and no more; and that any such Officer, shall be liable to pay a fine not exceeding Twenty five Rix Dollars.

9. And it is further enacted, that if any objection is made between, or at the periods of the aforesaid Proclamation the entry of the marriage shall not take place, except upon order of the Provincial Court of the District, to which the objection shall be forthwith reported, in order that the person so objecting, may be called upon to substantiate his or her objection or allegations within ten days; and that the same may be decided on; and if such objection shall not be substantiated within the time appointed the Registry shall take place as if no such objection had been made.

10. And it is further enacted, that such Provincial Court, may and shall in its discretion award damages, to be paid by the person or persons who shall have made the objection, to the parties whose marriage may be thereby delayed, in case such objection shall be found to be false or frivolous.

11. And it is further enacted, that all natives of the Maritime Settlements of this Island, or of India residing in the said Maritime Settlements, professing the Protestant Faith, shall before the Registry of their marriages, or as soon after as may be possible, be married according to the rites and ceremonies of the United Church of England and Ireland, or other Protestant form, by such persons as shall be licensed to perform such Marriages, and of whom a sufficient number shall be, from time to time, and at least once in each year, sent into such parts of the Maritime Settlements wherein there is no resident licensed person, to perform such marriages; and any persons professing the Protestant Faith, who shall have been registered, and shall neglect to avail themselves of the first opportunity of having their marriage celebrated before a licensed person, shall be liable on conviction before any competent Magistrate, to pay a fine not exceeding twenty Rix Dollars, half whereof shall go to the party who shall inform the Magistrate of such neglect.

12. And it is further enacted, that all licenses issued under the 7th Regulation of the year 1815, to persons to celebrate marriages among native Protestants, shall be called in and renewed; and that in the same shall be inserted, the place where such persons may usually celebrate marriages; and no marriage shall be celebrated in any other place by such licensed person, unless on the production of a license to that effect from the Archdeacon of Colombo or person acting as such, which license shall be issued on a Stamp of Twenty-five Rix Dollars, and any licensed person celebrating a marriage contrary to this Enactment, shall be liable to pay a fine not exceeding one hundred Rix Dollars for each offence.

13. And it is further enacted, that no previous Baptism shall be necessary to the registry of persons, as married persons under this Regulation.

14. And it is further enacted and declared, that the degrees of relationship within which the natives of the Maritime Settlements of this Island or of India, residing in the said Maritime Settlements, being Christians, may not contract marriage, are according to the laws which have prevailed, and have been published by the Government of the United Provinces as follows.

No man or woman can be married to his or her direct ascendant or descendant in any degree; No man or woman can be married to his or her Brother or Sister either by the full or half blood, nor Uncles to Nieces being their Brothers or Sisters Children, or to their female Children or descendants, nor Aunts to their Nephews being their Brother's or Sister's Children or to their male Children or descendants, nor shall a man marry his wife's Sister or her daughter, by a former marriage or her Niece nor his Son's or Grandson's or Brother's or Nephew's widow,

REGULATION No. 9 of 1822

If parties reside in different districts.

Officers authorised to keep Registers to proclaim and register applications. Penalty on neglect.

Fee for registration.

Penalty on further demand.

Objection to marriage.

Damages for false objection

Marriage of Protestants to be before or immediately after registry.

Penalty on neglect.

Licenses to celebrate marriages.

No Baptism necessary to registry of marriages.

Degrees of relationship within which native Christians may not contract marriage.

Repealed by No. 13 of 1863.

REGULATION No. 9 of 1822.

nor may a woman marry her Husband's Brother, or his Son by a former marriage, nor his Nephew, nor her deceased Daughter's or Granddaughter's or Sister's or Niece's husband.

Penalty on such marriages.

15. And it is hereby declared, besides that all marriages of the Natives of the Maritime Settlements of this Island or of India residing in the said Maritime Settlements, being Christians, within the aforesaid degrees, shall be void, provided a suit be brought for that purpose during the lives of the parties; that the parties contracting such marriages, are by law liable to punishment for Incest.

Registers of all marriages under the 7th Reg. of 1815 to be sent to the Principal of Schools.

16. And whereas marriages have been celebrated under the Licenses issued in pursuance of the 7th Regulation of 1815; It is hereby enacted, that a correct Register of all such marriages, as each person so licensed shall have celebrated, be sent in to the Principal of Schools within three months from this date, and in case of any default, the license of the person who has neglected, shall be considered as annulled, and not to be renewed; and that all persons by whom marriages of the Natives of the Maritime Settlements of this Island, or of India residing in the said Maritime Settlements being Protestants, shall be in future solemnized, do, under similar penalty of disqualification, give a Certificate thereof to the Principal of Schools, and a duplicate thereof to the person who shall be authorized to keep the Register for the District in which the Husband resides, that the marriage may be recorded therein.

Certificate of future marriage.

Registers of Births.

17. And it is further enacted, that the same persons shall be authorized to keep Registers of the births of Children according to such form as may be ordered by the Governor or Lieutenant Governor, and shall on the application of the parents of such Children register the same, whether they be baptized or not, and that if such Children are the Children of Christian parents, the dates of the Baptism and the name of the Minister who administered the same be added.

Transcripts of Registers to be sent to the Principal of Schools.

18. And it is hereby further enacted, that the transcript of all entries made in each month in the Registers hereby established shall be sent in four days from the end of each month, to the Principal of Schools at Colombo, and that Extracts or Certificates of the transcripts of such Registers may be issued by the said Principal of Schools at Colombo, which shall be considered as evidence in law of the same validity as Extracts of the original Registers.

Extracts or Certificates to be received as evidence.

Extracts to be on stamp.

19. And it is further enacted, that all such Extracts whether from the original or transcript of Registers shall be issued on paper bearing a stamp of the value of six fanams.

Falsification of Register or Transcript.

20. And it is hereby further enacted, that any person who shall wilfully make any false entry, either in the original Registers, or in the transcripts thereof aforementioned, or who shall fraudulently erase any entry made therein, or by interlineation, or otherwise, alter any such entries, or shall, being an officer duly authorized to issue Extracts from the same, issue any false or fraudulent paper purporting to be an extract therefrom, shall on conviction thereof by due course of law be punished by transportation, or by fine and imprisonment or, in the case of male offenders only, by whipping, as to the Court trying such offence may seem meet; And any person or persons, who shall wilfully, knowingly and fraudulently, procure or attempt to procure, the making of any such false entry, or the fraudulent erasure or interlineation of any matter in the said Registers or transcripts, or the forging of fictitious extracts therefrom, shall on conviction be liable to punishment by fine, imprisonment, or, in the case of male offenders only, by whipping, at the discretion of the Court before whom he she or they shall be convicted.

Regulation not to apply to Europeans.

21. And it is further enacted, that nothing in this Regulation contained shall extend to, or apply to the Marriages or Baptisms of persons either British or others commonly known and distinguished in India by the appellation of Europeans: And that nothing herein contained, shall be taken, or construed to affect the Spiritual, Ecclesiastical, or Religious laws or discipline of any Religion, Sect or Cast, touching the ritual celebration of Marriages of Natives, otherwise, than that the sole legal proof of the same, shall be, as herein before declared, the Register thereof hereby directed.

Not to affect the Spiritual, Ecclesiastical or Religious laws of any Religion, Sect or Cast.

Given at Colombo, the Fifteenth day of April One Thousand Eight Hundred and Twenty-two.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

Repealed by No. 13 of 1863.

## REGULATION.

*(Annulled by the Charter of 18th February 1833.)**To provide for the superintendence of the Police of the Town and Gravets of Matura during the absence of the Provincial Judge from that Station.*

1. **W**HEREAS in consequence of the consolidation of the two Provincial Courts of Galle and Matura it has become necessary to provide for the superintendence of the Police of the Town and Gravets of Matura, during the absence of the Provincial Judge from that Station.

2. It is therefore enacted by His Excellency the Governor in Council, that the powers and authorities vested in the Provincial Judge in respect to the Police of the Town and Gravets of Matura, by the Fourteenth Regulation of 1820, shall and may be exercised by the Sitting Magistrate of Matura, during the absence of the Provincial Judge from that Station.

*Given at Colombo, the Fifteenth day of April One Thousand Eight Hundred and Twenty two.*

By Order of the Council,

GEO. LUSIGNAN,

*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,

*Chief Sec. to Govt.*

REGULATION No. 10 of 1822.

## PROCLAMATION.

*(Repealed by Ordinance No. 8 of 1843.)*

**W**E Lieutenant General The Honorable Sir EDWARD PAGET, Knight Grand Cross of the Most Honorable Military Order of the Bath, Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof, considering it expedient to modify that part of the Proclamation of the Twenty-fourth day of January last, which directs the Agent of Government to whom information is given of any violent or sudden death having taken place within the Kandyan Provinces, to go to the spot where the body lies, unless it be above forty miles distance from his residence; Do hereby proclaim and direct, that the Agent's proceeding to the spot where the dead body of a person found dead under the circumstances enumerated in the said Proclamation may lie, shall only be required, when the distance does not exceed Ten miles from the place of the Agent's residence: And that in all cases where the distance shall be greater, it shall be incumbent on the Headman to whom information shall be given in manner by the said Proclamation required, forthwith to bring before the nearest Agent of Government all persons capable of giving information touching the death of persons found dead, and all persons who may be charged or suspected of having caused the same, and the Agent shall proceed to take information therein as usual.

Proclamation 21st May 1822.

And any Chief or Headman who shall neglect this duty shall be liable to fine and imprisonment.

*Given at Colombo in the said Island of Ceylon the Twenty-first day of May in the Year of our Lord One Thousand Eight Hundred and Twenty-two.*

By His Excellency's Command,

GEO. LUSIGNAN,

*Sec. Kand. Provs.*

## PROCLAMATION.

**W**E Lieutenant General The Honorable Sir EDWARD PAGET, Knight Grand Cross of the most Honorable Military Order of the Bath, Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof, having received information, that doubts have been entertained as to the construction of the Proclamation of the Eighteenth day of September One Thousand Eight Hundred and Nineteen, commanding the enregistration of Lands which were on the Twenty-first day of November One Thousand Eight Hundred and Eighteen the property of Temples in the Kandyan Provinces; and that by some persons, it has been imagined that although the registration should not have been effected within the period of Twelve months by the said Proclamation prescribed, yet at a future period the said Lands might be enregistered, and on such enregistration become exempt from Taxes as Temple property, and that therefore several persons having the superintendence and charge of Lands rightly belonging to several Temples in the Kandyan Provinces, have erroneously omitted to have the same registered: Do hereby proclaim and declare, that we will permit applications to be made, by any person having the superintendence or charge of Wihares, Dewales or other Temples in the Kandyan Provinces, to the Agent of

Proclamation 21st May 1822.

Preamble.

Application to register Temple lands will be received, if given in before 1st September 1822.

PROCLAMATION 31st MAY  
1822.

Government to whom the Registry of Temple Lands of each division of the Kandyan Provinces was entrusted by the said Proclamation of the Eighteenth day of September One Thousand Eight Hundred and Nineteen, for permission to register any Lands alleged to have belonged to the Temple of which such person had the superintendence or charge, on the Twenty-first day of November One Thousand Eight Hundred and Eighteen, and which may have been hitherto omitted to be enregistered; provided such application be given in, in writing on or before the first day of September next, and do contain a specification of the land, and the mode in which the Temple acquired it, and the reason why the same was not before enregistered: And on such applications being received, the Agent shall examine into the validity of the Title to the Land, and of the reason alleged for the application not having been before made, and shall report thereon, through the Board of Commissioners, to us for our decision, if the land shall be allowed to be enregistered.

No land will be exempted  
from Taxation as Temple Land,  
not registered.

And we do further declare, that no land shall be exempted from duty as Temple property, which shall not either have been registered under the Proclamation of the Eighteenth day of September One Thousand Eight Hundred and Nineteen, or be allowed to be registered under the provisions of this Proclamation.

Given at Colombo in the said Island of Ceylon, the Twenty-first day of May in the Year of Our Lord One Thousand Eight Hundred and Nineteen.

By His Excellency's Command,

GEO. LUSIGNAN,  
Sec. Kand. Provs.

## REGULATION.

(Expired.)

A Regulation for further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision, may take place till the 31st March 1823.

Regulation No. 11 of 1822.

1. WHEREAS it appears by the reports of the several Commissioners, Judges and Magistrates, acting under the Ninth and Tenth Regulations of 1818, that all the claims to Covia, Nallua, and Palla Slaves pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the Registration of the said Slaves may take place on or before the Thirtieth day of June next, as by the Twelfth Regulation of 1821 is directed and required.

2. It is therefore enacted, by His Excellency the Governor in Council, that the term within which the registry of Covia, Nallua and Palla Slaves is, in and by the Second Clause of the Twelfth Regulation of the year 1821, and Clauses of the other Regulations therein referred to required to be made, shall be, and the same is, in respect to such slaves, respecting whom claims have been given in before the Thirty first day of August 1819, and on which claims the Commissioners named under the Tenth Regulation of 1818 have not yet decided, enlarged till the Thirty first day of March in the year 1823, and all penalties consequent on neglect of such Registry, shall as connected with such Slaves respecting whom claims are and shall be pending as aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the transcripts of registries of Covia, Nallua and Palla Slaves, in and by the Third Clause of the said Twelfth Regulation of 1821, and the several Regulations therein referred to, required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the 30th day of September 1823, and the Lists of alterations in the same every subsequent quarter of a year.

Given at Colombo, this Twenty-second day of May One Thousand Eight Hundred and Twenty two.

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 6 of 1835.)

For authorizing Judges and Magistrates to allow Insolvent debtors to amend defects and omissions, not proceeding from fraudulent intentions, in their Statements of Property delivered in under the existing Insolvent Regulations.

Regulation No. 18 of 1822.

1. WHEREAS it may happen that Debtors, confined in the Gaols of this Island, and entitled to claim the benefit of the Regulations passed from time to time for the relief of Insolvent Prisoners for Debt, from inadvertence or other causes not proceeding from a fraudulent intention to evade the provisions of the said Regulations, or to defraud their Creditors, may be guilty of defects and omissions in the statement of property, which every Debtor claiming the benefit of such Regulations, is required to deliver to the Judge or Magistrate by whose authority such Debtor stands committed; And whereas it is expedient that in such cases the Judge or Magistrate aforesaid should be empowered to allow the Debtor to amend such statement.

2. It is therefore enacted by His Excellency the Governor in Council, that it shall and may be lawful for the Judge or Magistrate before whom proceedings may be had for carrying into effect the provisions of any Regulation for the relief of Insolvent Prisoners for debt, in the event of any defect or omission in the original statement of property delivered in by a debtor claiming the benefit of such Regulation, provided it shall appear to such Judge or Magistrate, that the defect or omission did not proceed from a fraudulent intention on the part of such Debtor to evade the provisions of such Regulation, or to defraud his or her Creditors; to make an order that such Debtor be allowed to amend his or her defective Statement, by inserting therein such further Property as may have been omitted; and upon delivering or causing to be delivered a Copy of such amended Statement to each and every Creditor at whose suit he or she may be confined, six days at the least before renewing his or her application to be enlarged, such Debtor shall, on his or her application, be brought again before the Judge or Magistrate, for the purpose of further proceedings being had touching his or her release, according to the provisions of the Regulation under which he or she originally claimed such release.

3. And it is further enacted, that the provisions of this Regulation shall apply to all Debtors now in custody, who may, in consequence of defects or omissions in their Statements of property, have been excluded from the benefit of any Regulation heretofore passed for the benefit of Insolvent Prisoners for debt.

*Given at Colombo, the Fourteenth day of June, One Thousand Eight Hundred and Twenty two.*

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

*To be proclaimed in the Kandyan Provinces.*

By Order of the Governor.

GEO. LUSIGNAN,  
Sec. Kand. Provs.

## REGULATION.

*(Repealed by Ordinance No. 8 of 1854.)*

*For fixing the periods of prescription in Civil cases and repealing all previous Laws or Customs touching the same.*

1. WHEREAS doubts have been entertained with respect to the periods which shall be considered as prescribing against, or barring actions for the recovery of Property moveable or immovable, according to the Laws now in force: And whereas it must tend to the Security of property and the quieting of titles to ascertain the same.

Regulation No. 13 of 1822.

2. It is therefore enacted by His Excellency the Governor in Council, that from and after the First day of September now next ensuing, all Laws heretofore enacted, or Customs existing, with respect to the acquiring of rights, or the barring of Civil actions by prescription, within and for the Maritime Districts of this Island, shall cease to be of any force or effect, and the same are hereby wholly repealed.

3. And it is further enacted, that from and after the date aforesaid, proof of the undisturbed possession of Land or immovable property, by a Title adverse to that of the Claimant or Plaintiff in any action, for Ten years before the bringing of the action, shall entitle the Defendant to a Sentence in his favour with Costs.

4. And it is further enacted, that no action shall be maintainable upon any Instrument of Hypothecation or Mortgage, or upon any Bond or other Deed under Seal, unless such action shall be brought within Ten years from the date thereof, or of the last payment of Interest thereupon.

5. And it is further enacted, that no action shall be maintainable upon any Bill of Exchange, Promissory note, or other written, Security not under Seal, unless such action be brought within Six years from the time at which such note or Security shall have become payable, or when any payment of Interest or other acknowledgment of the Claim being unsatisfied shall have been made by the debtor.

6. And it is further enacted, that no action for any moveable property, or upon any Promise, Contract, Bargain or Agreement relating to moveable Property, shall be maintainable unless such action shall be brought within Three years after the cause of action shall have arisen.

7. And it is further enacted that no action for any goods sold and delivered, for any Shop bill or Book debt, or for the wages of artisans, labourers or servants, shall be maintainable unless the same be brought within One year after the same shall have become due.

8. Provided always, that in case of the death of the Creditor, if the said terms of Three years and one year have not elapsed at the time thereof, his Heir, Executor or Administrator shall be allowed to commence an action on his behalf, after the expiration of the said terms provided he does so within One year after the death of such Creditor.

9. And Provided always, that in case of the death of the Debtor before the said terms of Three years and one year shall have elapsed, no such action shall be maintainable against his Estate, unless the same shall be brought within One year after his decease.

10. And it is further enacted that no action for any Loss, Injury or Damage shall be maintainable unless the action shall be brought within Two years after the cause of action shall have arisen.

REGULATION No. 13 of 1822.

11. Provided always, that where at the time of the right of action accruing, the Plaintiff or Defendant shall not be resident in this Island, or the Plaintiff shall by reason of minority, or coverture, or insanity found by due course of Law, be disabled from prosecuting such action, the period of prescription of such action shall with respect to such Plaintiff begin to run from the time of the coming of such Plaintiff to this Island, or from such Plaintiff coming of age or becoming a Widow, or from his or her being declared sane by due course of Law; and with respect to such Defendant from his coming to this Island.

12. And be it also enacted, that where such disability shall have ceased, and the term of prescription shall have commenced to run, no new or other disability shall be allowed to prevent such prescription being completed.

13. And Provided further, that nothing in this Regulation contained shall extend to or affect the rights of the Crown.

14. And it is further enacted and declared, that nothing in this Regulation contained, shall be taken to alter or annul any of the Provisions of the Fourth Regulation of the year 1817, entitled "For the prevention of Frauds and Perjuries."

*Given at Colombo, the Eleventh day of July, One Thousand Eight Hundred and Twenty two.*

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

*For assessing a lower rate of Import duty on certain Cotton Cloth the manufacture of India.*

*(Repealed by Regulation No. 9 of 1825.)*

REGULATION No. 14 of 1822.

*(The repealed enactments relating to the Customs are not published at length.)*

### REGULATION.

*(Repealed by Ordinance No. 16 of 1843.)*

*For laying down a general course by which His Majesty's Government may obtain the possession of Lands belonging to Individuals for public uses, paying the value thereof to the Owners.*

REGULATION No. 15 of 1822.

1. **W**HEREAS it may from time to time become necessary for His Majesty's Government in this Island, to obtain possession for public uses, of Land belonging to individuals; and it is expedient, that a general course should be laid down for the regular and prompt acquisition of such property by the Crown, upon payment of the full value thereof to the lawful Owners, or upon reservation thereof for such Owners' use.

2. It is therefore enacted by His Excellency the Governor in Council, that whensoever it shall satisfactorily appear to His Excellency in Council, that it is necessary for the public advantage, that the Crown should obtain possession of any one or more piece or pieces of Land belonging to any one or more of His Majesty's Subjects, it shall be lawful for His Excellency in Council, to issue a Commission, directed to such person or persons as shall therein be named, authorizing and directing him or them, or any one or more of them, to cause to come before him, or them, or any one or more of them the Commissioners in such Commission to be named, within a time to be by the said Commission limited, and after having affixed on the said Land, and at the Cutcherry of the District and the Provincial or Sitting Magistrate's Court House of the same, a notice in writing of the receipt of such Commission, and of the day on which the same will be executed, Thirteen good and lawful men of the District wherein the said Land is situate, not being in the employ or service of His Majesty, and by the Oaths of such good and lawful men or Seven or more of them (which Oaths the said Commissioner or Commissioners shall be authorized to administer) to ascertain the true and full value of the said piece or pieces of Land, with the buildings thereon and all the other appurtenances thereof, and to return such valuation within a period, to be in the said Commission also specified, to the Governor in Council, under their Seals and the Seals of the persons by whom the said valuation shall be made: And on such return being made and recorded in Council, it shall be lawful for the Governor to direct, that the said piece or pieces of Land, shall be taken possession of by the proper Officers of the Crown; and that the amount at which the value of the same is assessed, shall be paid to the Owners thereof, such Owners furnishing sufficient proof of their legal Title to the same, Provided, that where such Title shall appear defective, or where the Owners shall be absent from the Island of Ceylon, then the amount at which the value of the same shall have been assessed as before directed, shall be deposited in the General Treasury, to await a decision, as to the sufficiency of the Title by the competent Judicial authority, or to answer the Claims of the absent Owners, provided such claims shall be made and established within Ten years from the date of the return of the Commission.

*Given at Colombo the Sixteenth day of July, One Thousand Eight Hundred and Twenty Two.*

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council:

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.



## REGULATION.

*For amending the Twelfth Regulation of the year 1814, and altering the punishment on persons convicted of counterfeiting the Coins current in Ceylon, or of uttering counterfeit Coin.*

1. **W**HEREAS it has been found expedient to alter the punishment enacted by the Twelfth Regulation of Government of the year 1814, for counterfeiting the Coin current in these Settlements, and for uttering counterfeit Coin, knowing it to be such; and to substitute some other punishment instead of transportation.

2. It is therefore enacted, by His Excellency the Governor in Council, that whenever any European shall be convicted of such offence as is subjected by the Twelfth Regulation of Government of the year 1814, to the penalty of transportation, such European, instead, of being transported, shall be sentenced to be kept in solitary confinement in any of the Goals in this Island, for any term not exceeding Two years; during which time he shall have such allowance only for diet, as the Governor, or in his absence the Lieutenant Governor of these Settlements shall by his Warrant direct.

3. And it is further enacted, that whensoever any other person than an European shall be convicted of such offence as is subjected by the Twelfth Regulation of Government of the Year 1814 to the penalty of transportation, such person instead of being transported shall be liable to fine, imprisonment, hard labour, and corporal punishment, or any of them, at the discretion of the Court having competent jurisdiction, before which such person shall be convicted.

*Given at Colombo, the Fourteenth day of August One Thousand Eight Hundred and Twenty Two.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 16 of 1822.

Preamble.

Punishment of Europeans.

Of other persons than Europeans.

## REGULATION.

*(Repealed by Ordinance No. 10 of 1842.)*

*For the more effectual protection of the rights of the Crown to levy exclusive Tolls on the passage of Bridges and Ferries over the Rivers in these Settlements.*

1. **W**HEREAS Bridges and Ferries have been and may hereafter be established by Government for the public convenience, and certain rates of Toll or Ferriage fixed for passing by means of the same; and it is expedient that no individual should, by letting out to hire any means of crossing the Rivers or Streams over which such Bridges or Ferries are established, within certain distances from the said Bridges or Ferries interfere with the collection of such Tolls or Ferriage.

2. It is therefore enacted by His Excellency the Governor in Council, that if any person not having a license from Government so to do, shall, from and after the publication of this Regulation, be convicted before any Sitting Magistrate or Justice of the Peace, of conveying for hire or other consideration whatever, across any River or Stream, by any boat or other means, within a distance of one mile above or below any Ferry or Bridge established, or which may be hereafter established by Government, any Passenger, or any Animal, Carriage, Goods, Wares or Merchandize, not his or her own property, every person so convicted, shall be liable to a Fine of Ten Rix Dollars for each Passenger, Animal, Carriage, or Parcel of Goods so conveyed; and in default of payment to be imprisoned at hard labour for a term not exceeding Fourteen days for every Ten Rix Dollars of fine, or Three months in the whole; And that one half of all such fines shall be paid to the person or persons by whose information the offender shall be convicted.

*Given at Colombo, the Fourteenth day of August, One Thousand Eight Hundred and Twenty two.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 17 of 1822.

## REGULATION.

*(Expired.)*

*A Regulation for making more effectual Provision for preventing the Current Silver and Copper Coin of this Island from being paid or accepted for a greater value than the current value of such Coin; and for preventing any Note of this Government from being received for any smaller sum than the sum therein specified.*

1. **W**HEREAS it is expedient to enact as is hereinafter provided: It is therefore enacted by His Excellency the Governor in Council, that, from and after the publication of this Regulation, no person shall receive or pay for any Silver or Copper Coin being of the Currency of this Island, any more in value, benefit, profit or advantage, than the true lawful

Regulation No. 18 of 1822.

REGULATION No. 18 of 1822.

value of such Coin, whether such value, benefit, profit or advantage, be paid, made, or taken in lawful money, or in any Note or Notes of the Government of this Island, or in any Silver Token or Tokens issued by the said Government, or by any or all of the said means wholly or partly, or by any other means, device, shift or contrivance whatsoever; and every person who shall offend herein shall be deemed and adjudged guilty of a misdemeanor, and shall pay a fine equal to ten times the amount of any profit he or she may have derived, or covenanted to derive by such transaction; and in default of payment, shall be imprisoned for a term not exceeding Twelve months.

2. And it is further enacted, that no person shall by any means, device, shift or contrivance whatsoever, receive or pay any Note or Notes of the Government of this Island, for less than the amount of lawful money expressed therein, and to be thereby made payable, except only lawful Discount on such Note as shall not be expressed to be payable on demand; and every person who shall offend herein, shall be deemed and adjudged guilty of a misdemeanor, and liable to similar punishment, as in and by the preceding clause is provided.

3. Provided always, and it is further enacted, that this Regulation shall continue in force to and until the Thirty first day of August One Thousand Eight Hundred and Twenty Three, and no longer.

Given at Colombo, the Fourth day of September One Thousand Eight Hundred and Twenty two

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

To be proclaimed in the Kandyan Provinces.  
By Order of His Excellency the Governor,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.

REGULATION.

(Repealed by Ordinance No. 2 of 1836.)

For establishing liquid and linear Measures, and Weights, according to a fixed Standard.

Regulation No. 19 of 1822.

1. WHEREAS by the Third and Seventh Regulations of the year 1816, certain standard Measures for the measurement of Grain and other dry goods were established, and declared to be the sole legal Measures for such purposes throughout these Settlements. And whereas it will be further conducive to the public advantage, that the Measures in use for liquids, and for linear Measurement, and also that Weights, should be regulated by a fixed Standard.

2. It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the First day of January next ensuing, the Standard Measures for liquids throughout this Island shall be the English Wine gallon containing Two hundred and thirty-two Cubic Inches of water, and its multiples and subdivisions stated in the Table A. annexed to this Regulation.

3. And that from and after the said First day of January next, the Standard linear Measures shall be the English Foot of Twelve Inches, and its multiples enumerated in the Table B. annexed to this Regulation.

4. And that from and after the date aforesaid, the Standard Weights for weighing all goods whatsoever, shall be the English Pound Avoirdupoise, of Sixteen Ounces Avoirdupoise, and its multiples and sub-divisions enumerated in the Table C. annexed to this Regulation.

5. And it is hereby notified, that in order to accommodate the public with Standard Measures and Weights, a sufficient number of the same will be deposited at the Offices of the Collectors of Districts, and of the Agents of Government in the Kandyan Provinces, for sale, at the rates specified in the Table annexed to this Regulation marked D. And approved Standards will also be lodged at such Offices, to be referred to in case of any dispute or difficulty touching Measures and Weights, which Standards shall be considered as the legal Standards thereof.

6. And it is further enacted, that from and after the First day of January next, no Measure for liquids, or for the Measurement of Cloth or other purpose to which linear Measure is usually applicable, and no weight for weighing any goods whatsoever, shall be deemed, or be taken to be a legal Measure, or weight, unless the same shall have been issued by the authority of Government, and shall bear the Stamp affixed to it accordingly.

Given at Colombo this Thirtieth day of September One Thousand Eight Hundred and Twenty-two.

By Order of the Council.

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

To be Proclaimed in the Kandyan Provinces  
By Order of His Excellency the Governor,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.

Table A. of the Measures for liquids to be used within the Island of Ceylon.

Half Drams	Drams	Half Pints	Pints	Quarts	Half Gallons	Gallons	Pipes	Leaguers
2	1							
6	3	1						
12	6	2	1					
24	12	4	2	1				
48	24	8	4	2	1			
96	48	16	8	4	2	1		
10560	5280	1760	880	440	220	110	1	
14400	7200	2400	1200	600	300	150		1

Table B. of the linear Measures to be used within the Island of Ceylon.

REGULATION No. 19 of 1822.

Inches	Feet	Cubits	Yards
12	1		
18	1½	1	
36	3	2	1

Table C. of the Weights to be used within the Island of Ceylon.

Ounces	Pounds	Quarters	Hundred Weights	Tons
16	1			
448	28	1		
1792	112	4	1	
35840	2240	80	20	1

Table D. of the Prices to be paid for each description of liquid and linear Measures and of Weights to be deposited for sale by the Collectors and Agents of Government.

LIQUID MEASURE.

	Tin			Copper		
	R.	F.	P.	R.	F.	P.
Half Dozen .. .. .	0	1	1	0	3	0
Dozen .. .. .	0	2	0	0	6	0
Half Pint .. .. .	0	4	0	0	10	0
Pint .. .. .	0	8	0	1	3	0
Quart .. .. .	1	4	0	2	0	0
Half Gallon .. .. .	1	9	0	4	0	0
Gallon .. .. .	4	0	0	8	0	0
Double Gallon .. .. .	7	0	0	15	0	0

LINEAR MEASURE.

	R.	F.	P.
Foot (Wooden) .. .. .	1	0	0
Cubit .. .. .	1	6	0
Yard .. .. .	2	6	0

WEIGHTS.

	R.	F.	P.
Ounces (Lead) .. .. .	0	0	3
Quarter of a Pound .. .. .	0	8	0
Half of a Pound .. .. .	0	4	0
Pound .. .. .	0	9	0
Two Pound .. .. .	1	6	0
Three do. .. .. .	2	0	0
Four do. .. .. .	2	6	0
Seven do. .. .. .	4	6	0
Fourteen do. .. .. .	9	0	0
Twenty-eight do. .. .. .	18	0	0
Fifty-six — do. .. .. .	36	0	0

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

REGULATION.

For increasing the Import duty on Grain and on certain Cotton Cloths of Indian manufacture, and for simplifying the Collection of the Export duty on Areca Nut, and for allowing the entry and warehousing of certain imported Goods for re exportation at the principal Ports of this Island, and for increasing the Fees on Port Clearances, and for ensuring regularity in the examination and entry of Goods imported or exported.

(Repealed by Regulation No. 9 of 1825.)

(The repealed enactments relating to the Customs are not published at length.)

Regulation No. 20 of 1822.

REGULATION.

(Repealed by Regulation No. 5 of 1833.)

For repealing so much of the Proclamation of the 1st December 1801, as fixes the retail price of Cinnamon.

Regulation No. 21 of 1822.

1. WHEREAS it is expedient, that so much of the Proclamation of Government bearing date the First day of December 1801, as fixes the price at which Cinnamon is to be retailed within this Island, should be repealed; It is therefore enacted by His Excellency The Governor in Council, that so much of the said Proclamation, as relates to the price at which Cinnamon will be issued to licensed retailers, or to Commanders of ships, or vessels, and to the price at which Cinnamon is to be sold by licensed retailers, shall be and the same is repealed; and that the rate of the sale of Cinnamon by retail, shall be such, as the Governor shall from time to time by Advertisement or otherwise direct.

REGULATION No. 21 of 1822.

2. Provided that the said Proclamation and the provisions and enactments thereof shall, in all other respects, continue in full force.

Given at Colombo, this Thirtieth day of September One Thousand Eight Hundred and Twenty two.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief. Sec. to Govt.

To be proclaimed in the Kandyan Provinces.

By Order of His Excellency the Governor,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.

REGULATION.

(Repealed by Regulation No. 7 of 1823.)

For further simplifying the collection of Stamp duties, and for further amending the First Regulation of 1820.

Regulation No. 22 of 1822.

1. WHEREAS by the First Regulation of Government of the year 1820, the Stamp duty on all Bills of Exchange and Promissory notes drawn within the island of Ceylon, and on all Receipts, discharges, or acquittances for money, Vouchers, Shop Bills, Auction Bills, and Bills of Parcels, fixed at one quarter of a Rix Dollar for every hundred Rix Dollars therein expressed, is ordered to be assessed according to the Schedule B. annexed to the above mentioned Regulation. And whereas this mode of assessment is found to be inconvenient.

2. It is therefore hereby enacted by His Excellency The Governor in Council, that such Stamp duty on all Bills of Exchange, and Promissory notes drawn within this Island, and on all Receipts, discharges, or acquittances for money, Vouchers, Shop Bills, Auction Bills, and Bills of Parcels, and on all written acknowledgements whatever, purporting to be such Receipts, discharges, or acquittances, shall be in future, any former Regulation to the contrary notwithstanding, assessed and levied according to the Schedule A. hereto annexed: Provided, that the said Stamp Duty shall in no instance exceed Twenty Rix Dollars, but that a Stamp of Twenty Rix Dollars shall be sufficient for any amount whatever expressed in any of the Instruments herein above mentioned.

Given at Colombo the Thirtieth day of September One Thousand Eight Hundred and Twenty two.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

SCHEDULE A.

Being the rate of assessing the duty of  $\frac{1}{4}$  per Cent. on all Bills of Exchange and Promissory notes drawn within the Island of Ceylon, and on all Receipts discharges or acquittances for money, Vouchers, Shop Bills, Auction Bills, and Bills of Parcels, and on all written acknowledgements whatever purporting to be Receipts &c.

	Rds.-F.	Rds.-F.	Rds.	F.	P.
On every amount not exceeding	10 0 ..	..	..	No Stamp	
On every amount exceeding	10 0 and under	33 4 ..	..	0 0 2	
On .. do. ..	33 4 and under	66 8 ..	..	0 1 0	
On .. do. ..	66 8 and under	100 0 ..	..	0 2 0	
On .. do. ..	100 0 and under	133 4 ..	..	0 3 0	
On .. do. ..	133 4 and under	166 8 ..	..	0 4 0	
On .. do. ..	166 8 and under	200 0 ..	..	0 5 0	
On .. do. ..	200 0 and under	233 4 ..	..	0 6 0	
On .. do. ..	233 4 and under	266 8 ..	..	0 7 0	
On .. do. ..	266 8 and under	300 0 ..	..	0 8 0	
On .. do. ..	300 0 and under	333 4 ..	..	0 9 0	
On .. do. ..	333 4 and under	366 8 ..	..	0 10 0	
On .. do. ..	366 8 and under	400 0 ..	..	0 11 0	
On .. do. ..	400 0 and under	450 0 ..	..	1 0 0	
On .. do. ..	450 0 and under	550 0 ..	..	1 3 0	
On .. do. ..	550 0 and under	650 0 ..	..	1 6 0	
On .. do. ..	650 0 and under	750 0 ..	..	1 9 0	
On .. do. ..	750 0 and under	850 0 ..	..	2 0 0	

And so on increasing at the rate of Three Fanams for every 100 Rds. of amount but in no instance to exceed Twenty Rix Dollars.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

## REGULATION.

*For amending part of the Fifth Clause of the Twelfth Regulation of 1820 in respect to lodging of Ship Papers, and for amending and explaining the Ninth Clause of the Sixth Regulation of 1820, and for declaring what Vessels are required to take out Sea Passes from this Government.*

(Repealed by Regulation No. 9 of 1825.)

(The repealed enactments relating to the Customs are not published at length.)

REGULATION No. 23 of 1822.

## REGULATION.

(Repealed by Ordinance No. 1 of 1840.)

*For repealing the Twenty-first Regulation of 1820, and reviving the former system for collecting the Revenue derived from Fish in the District of Colombo.*

1. WHEREAS the benefits which might reasonably have been expected to accrue to the persons employed in the Fisheries off the Coast of the District of Colombo from the alteration in the mode of collecting the duty on Fish introduced by the Twenty-first Regulation of the year 1820, have not been generally felt, while the public Revenue from that source has been diminished.

Therefore enacted by His Excellency The Governor in Council, that from and after the first day of January next ensuing, the Twenty-first Regulation of the year 1820, and all the provisions thereof, shall be, and the same are hereby declared to be repealed, save and except with respect to such cases as may be instituted for the recovery of any arrears due or penalties and forfeitures incurred previous to that time: And that from and after the said First day of January, the system which was in force prior to the First day of January One Thousand Eight Hundred and Twenty-one, for collecting and receiving the share belonging to Government, and also the portion allotted to the Headmen of the Fisher Cast, of all Fish brought to shore within the limits of the said District of Colombo, according to the rules then in force shall be revived and pursued.

*Given at Colombo the Twenty-eighth day of October One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 24 of 1822.

## REGULATION.

(Repealed by Ordinance No 13 of 1843.)

*For amending so much of the several Police Regulations as relates to fixing the Hours for the Patrole.*

1. WHEREAS by the several Regulations in force for the Police of the several Towns throughout this Island, it is enacted that the Patroles, thereby established, shall continue during certain hours of the night therein mentioned; and whereas it may be expedient that such Patroles should in some places commence earlier, and continue to a later hour than therein mentioned. It is therefore enacted by His Excellency the Governor in Council, that it shall be lawful to the Governor, or in his absence the Lieutenant Governor, from time to time, as may be necessary, by his order, to vary the hours during which the Patrole shall continue on duty, within the Towns and Gravets of Colombo, Galle, Matura, Trincomalie, Jaffnapatan, Matur and Negombo respectively; any thing in the several Regulations for the Police of the said Towns and Gravets, to the contrary notwithstanding.

*Given at Colombo the Twenty-eighth day of October One Thousand Eight Hundred and Twenty-two.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 25 of 1822.

## REGULATION.

*For obliging the possessors of wells to raise the walls to a sufficient height to secure persons from danger of accidentally falling in.*

1. WHEREAS it has been represented to Government, that the wells in different parts of this Island, are so insufficiently protected, that the Lives of His Majesty's Subjects are not only endangered, but many lives have been lost by persons accidentally falling into such wells.

2. It is therefore enacted by The Lieutenant Governor in Council, that all proprietors or occupiers of land within the Maritime Districts of this Island, in which there may be any well or wells, shall, on or before the Thirtieth day of June next ensuing, unless the said well or wells be already so secured, have the walls of the same, substantially raised to the height of Two and a half feet above the ground. And any such proprietor or occupier who shall neglect to comply with this Regu-

Regulation No. 26 of 1822.

Preamble.

All wells to have the wall raised  $2\frac{1}{2}$  feet.

Penalty on neglect.

REGULATION No. 26 of 1822.

lation, shall be, on conviction before any Justice of the Peace having local Jurisdiction, sentenced to pay a fine of Five Rix Dollars per month, for each and every well in the land belonging to or occupied by him or her that may not be secured in manner required by this Regulation; the said Fine to be levied by sale of his or her property, and in defect of the property being sufficient to answer the penalty, such person shall be imprisoned for a term not exceeding Fourteen days for every Five Rix Dollars of Fine, or Three months in the whole.

Public wells how to be raised.

3. And it is further enacted, that the Collector of each District shall take measures for having all and every well or wells not situated in lands belonging to individuals, but open to the general use of the inhabitants of any part of the District, secured in manner herein before provided in respect to other wells; and such Collector is for that purpose authorized, to assess and levy, by distress of property if necessary, a proportional rate on the several persons enjoying the benefit of any such well. And it is further enacted, that the Constable or Police Vidahns shall on or before the Thirty first day of January next, report in writing to the Collector, what well or wells not situate in lands belonging to Individuals exist within their respective Jurisdictions, and the state thereof. And any Constable or Police Vidahn, who shall fail herein, shall on conviction before such Justice of the Peace, be liable to fine and imprisonment.

*Given at Colombo this Twenty-third day of December One Thousand Eight Hundred and Twenty Two.*

By order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 2 of 1836.)*

*For suspending the Provisions of the 19th Regulation of Government of 1822 till the 1st day of April 1823.*

REGULATION No. 1 of 1823.

1. **W**HEREAS by the Nineteenth Regulation of the year One Thousand Eight Hundred and Twenty two, certain Standard Measures for liquids, and for linear Measurement, and Weights, have been established, and it was declared and enacted, that from and after the First day of January now current, no other Measure for liquids, or for the measurement of Cloth or other purpose to which linear Measure is usually applicable, and no other Weight for weighing any Goods whatever, should be deemed, or taken to be a legal Measure, or Weight, unless the same should have been issued by the authority of Government, and should bear a Stamp affixed to it accordingly.

2. And whereas it has not been found practicable, as was intended, to provide the different Stations in the Island with the necessary number of Standard Measures and Weights established by the said Regulation.

3. It is therefore enacted by the Lieutenant Governor in Council, that the provisions of the Nineteenth Regulation of the year One Thousand Eight Hundred and Twenty two, shall be considered as suspended, until the First day of April next; and therefrom to be in full force.

*Given at Colombo this Fourth day of January One Thousand Eight Hundred and Twenty three.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

*To be proclaimed in the Kandyan Provinces.*

By Order of the Lieutenant Governor,  
GEO. LUSIGNAN,  
Sec. Kand. Prou.

## REGULATION.

*(Expired.)*

*A Regulation for further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom Claims are still pending for decision, may take place, till the 30th September 1823.*

REGULATION No. 2 of 1823.

1. **W**HEREAS it appears by the Reports of the several Commissioners, Judges, and Magistrates, acting under the Ninth and Tenth Regulations of the year 1818, that all the Claims to Covia, Nallua, and Palla Slaves pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the registration of the said Slaves may take place on or before the Thirty-first day of March next as by the Eleventh Regulation of 1822 is directed and required.

2. It is therefore enacted by the Honble the Lieutenant Governor in Council, that the term within which the registry of Covia, Nallua and Palla Slaves is, in and by the second clause of the Eleventh Regulation of the year 1822 and clauses of the other Regulations therein referred

to required to be made, shall be, and the same is, in respect to such Slaves, respecting whom claims have been given in before the Thirty first day of August 1819, and on which claims the Commissioners named under the Tenth Regulation of 1818 have not yet decided, enlarged till the Thirtieth day of September 1823, and all penalties consequent on neglect of such Registry shall, as connected with such Slaves, respecting whom claims are and shall be pending as aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the transcripts of Registries of Covia, Nallua, and Palla Slaves, in and by the Third clause of the said Eleventh Regulation of 1822 and the several Regulations therein referred to, required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the 31st December 1823, and the Lists of alterations in the same every subsequent quarter of a year.

*Given at Colombo this Twentieth day of February One Thousand Eight Hundred and Twen'y three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 2 of 1823.

Regulation No. 3 of 1823.

REGULATION.

(Expired.)

*For altering for a time limited, viz. until the 30th April 1824, the duties on the export of certain Articles from this Island.*

1. WHEREAS it is expedient to alter for a time to be limited, the rates of duty on certain Articles of Export from this Island.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the publication of this Regulation in the several Custom Houses of this Island respectively, and until the Thirtieth day of April in the year of Our Lord One Thousand Eight Hundred and Twenty four, the rates mentioned in the Table annexed to this Regulation, shall be the rates of duty on the Export of the several Articles in the said Table mentioned from the Ports of this Island, instead of the rates at present levied, under the several Regulations of Government imposing Export duties on those Articles.

3. And it is further enacted, that any person who shall export Coccoanuts and Copperah from one Port of this Island to another, shall previous to such exportation, give bond to Our Lord the King, in a sum calculated at the rate of Two Rix Dollars for every Hundred weight of Copperah, and at the rate of Nine Fanams for every Hundred Coccoanuts to be exported; upon condition, that the said Copperah or Coccoanuts, shall be conveyed to, and put on shore at the Port of this Island for which they are declared to be shipped, or at some other Port of this Island, the dangers of the Seas only excepted, or in default, that the amount in the said Bond expressed shall be forfeited.

4. And it is further enacted, that such bond may be put in suit on behalf of the Crown, before any Court having revenue Jurisdiction in these Settlements, according to the course of Revenue process before the same; and the property of the person bound, shall be liable to such process, for the amount expressed in such bond. And that it shall be incumbent on the person bound on such bond to prove, that the said Copperahs or Coccoanuts have been conveyed and put on shore according to the condition of the said bond, by production of one or more Certificate or Certificates from the principal Officer of the Customs resident at the Port where such Copperahs or Coccoanut shall have been landed of the same having been so landed.

5. And it is further enacted, that any person who shall be convicted of knowingly and wilfully uttering any forged Certificate required by this Regulation, shall be sentenced to imprisonment, for any term not exceeding Two Years, and to be employed at hard labour during the said term.

*Given at Colombo the Third day of April One Thousand Eight Hundred and Twenty three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

*A Table of the Duties of Customs on the Goods, Wares and Merchandise therein enumerated or described, which shall be exported from any Port in the Island of Ceylon, until the 30th day of April 1824.*

	Amount of Duty.		
	Ris.	F.	P.
Arecaut, cut or uncut, per Cwt.	—	—	3 0 0
Arrack per Leaguer	—	—	9 0 0
Coccoanuts exported to any Port in Ceylon per 100—	—	—	0 3 0
Do. exported beyond Ceylon—	—	—	0 9 0
Copperahs exported to any Port in Ceylon per Cwt.	—	—	0 8 0
Do. exported beyond Ceylon — do.	—	—	2 0 0
Pearls, excepting those exported from Condatjee or Chilaw at such periods when there may be a Pearl Fishery at either of those places respectively per lb.	—	—	16 0 0

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

## REGULATION.

*(Expired.)*

*For further continuing in force the provisions of the Fifth Regulation of 1821, till the 1st day of September 1824.*

REGULATION No. 4 OF 1823.

1. **W**HEREAS the Contract between His Majesty's Government of Ceylon and Her Highness the Rannee of Travancore, for the delivery of certain Tobacco to Her Highness's Agents at Jaffnapatam, exclusively, has been renewed for a further limited term; and it is therefore expedient further to continue during the subsistence of such Contract, and for Six Months after, the provisions enacted by the Fifth Regulation of 1821, entitled, "For the more effectual prevention of the Export of Tobacco from Ceylon to Travancore without license" and continued by the Sixth Regulation of the year One Thousand Eight Hundred and Twenty Two.

2. It is therefore enacted by the Lieutenant Governor in Council, that the several provisions of the said Fifth Regulation of 1821, by which every Exporter of Tobacco from Ceylon, is required to give bond for the due conveyance to and landing of the same at the Port for which it is declared to be shipped, and a penalty is declared against any person who shall knowingly and wilfully utter any forged Certificate of the tenor required by that Regulation to be produced in order to discharge a person entering into such bond from the conditions thereof; shall be continued in full force, till the First day of September which will be the year One Thousand Eight Hundred and Twenty Four.

*Given at Colombo this Third day of April One Thousand Eight Hundred and Twenty three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For calling in all the Outstanding Notes of this Government of One Rix Dollar.*

Regulation No. 5 of 1823:  
Preamble.

Notes shall be exchanged till  
the 31st August 1823.

Proviso as to persons not pre-  
sented Notes in time.

**W**HEREAS it is deemed expedient to call in all the Government Treasury Notes of One Rix Dollar each, in order to their being cancelled.

It is therefore hereby enacted by the Lieutenant Governor in Council, that the Notes of this Government of One Rix Dollar value, shall on being presented to the General Treasury, or any of the Cutcheries in this Island or the dependencies thereof, be exchanged for other Notes of higher value, or for Specie, as may be most convenient to Government, until the Thirty-first day of August next ensuing, after which date, such Notes of One Rix Dollar will not be taken in payment of any Revenue or otherwise at the Public Offices, nor shall such Notes of One Rix Dollar be a lawful mode of payment, in any transaction or matter whatever, throughout this Island or its dependencies.

Provided, that upon a special representation to be made to the Governor, or in his absence to the Lieutenant Governor, in Council, setting forth the causes which have prevented the holder from complying with this Regulation, it shall and may be lawful for His Excellency (should the statement appear to him satisfactory) to give directions to have such Notes accepted or exchanged, although they shall not have been presented on or before the said Thirty first day of August next.

*Given at Colombo this Sixteenth day of June One Thousand Eight Hundred and Twenty three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be proclaimed in the Kandyan Provinces.*

By the Lieutenant Governor's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Prov.*

## REGULATION.

*(Repealed by Ordinance No. 8 of 1843.)*

*For amending the Regulations of Government relative to the manner of taking Informations touching sudden, violent, and accidental deaths.*

Regulation No. 6 of 1823.

1. **W**HEREAS it is expedient to amend the Regulations now existing, relative to the manner of taking Informations touching sudden, violent, or accidental deaths occurring in the Maritime Districts of these Settlements, and to provide generally for the calling of Juries to determine on the cause of such deaths.



2. It is therefore enacted by the Lieutenant Governor in Council, that from the publication of this Regulation in the several Maritime Districts of this Island, the First Regulation of the Year One Thousand Eight Hundred and Nineteen, and the Third Regulation of the Year One Thousand Eight Hundred and Twenty Two, shall be, and the same are repealed.

3. And it is further enacted, that in all cases where any Man, Woman, or Child shall come to his, or her death, by violence, accident, or of a sudden, or where the body of any such person shall be found dead, without its being known how such person came by his, or her death, it shall be binding on every person who may first discover the same, forthwith to make the circumstance known to the nearest Constable, Police Vidahn, or some other Headman of the Village, or District in which the body shall have been discovered.

4. And it is further enacted, that the Constable, Police Vidahn, or other Headman to whom the Information shall have been given, shall forthwith repair to the spot, and use diligent enquiry to discover the cause of the death of the deceased, and to trace and apprehend all such persons as may be reasonably charged, or suspected of having caused the said death, and shall within One hour from receiving the information, dispatch notice thereof, with such further particulars as may have come to his knowledge, to the nearest Sitting Magistrate. And the said Police Vidahn, or Headman, shall also, at the same time, if the occurrence shall take place out of the limits of the Towns of Colombo, Galle, Trincomalie or Jaffnapatam, send information of the circumstances to the Modliar, or other principal Native Headman of the Pattoo, Corle, or Division wherein he resides, who shall take immediate measures to discover any persons who may be charged, or suspected of having been the cause of the deceased's death, and shall report the matter forthwith to the Collector of the District, that measures may be resorted to by him, for furthering the ends of Justice.

5. And it is further enacted, that the Sitting Magistrate to whom Information shall have been sent as aforesaid, shall, if the place where the dead body shall be found, be within four Miles of his usual place of holding his Court or Office, and if not, then the Modliar or other principal Native Headman of the Pattoo, Corle, or Division shall, forthwith go to the place where the body of such person shall be, and shall also forthwith, and as soon as may be, cause to come before him, by Precept directed to one or more Constable or Constables, Police Vidahn or Police Vidahns of the District, a Jury, which shall consist of Thirteen persons, Europeans, or Burghers or Natives, being Inhabitants of the District wherein the said body may be lying, and shall by the Oaths of the said Jurors, upon the view of the body, enquire into the cause of the death of the person deceased, and whether he was killed by himself, or by any other person or persons, and by whom, and in what manner, and shall record the finding of such Jurors assembled, or of the major part of them: And if the Inquest be taken before the Sitting Magistrate, he shall return the same under his hand, and the hands of the Jurors aforesaid, together with a correct transcript of all evidence taken before him and the Jurors aforesaid, to the Registrar of the Supreme Court of Judicature in the Island of Ceylon, within Ten Days from the Inquest being taken; And if the said Inquest shall be taken before a Modliar or other principal Native Headman, he shall then send the said Inquest under his own hand and the hands of the Jurors, and a complete transcript of the Evidence in the Language in which it was taken, within Forty eight hours from the time of the Inquest being taken, to the Sitting Magistrate of the District, who will send the same, and a translation thereof into the English language, to the Registrar of the Supreme Court aforesaid: And the said Magistrate, will in either case, send a Copy of the Original Inquest taken before himself, or of the Translation of that taken before the Modliar or other Native Headman, and of the Evidence, to the Chief Secretary to Government: And such Sitting Magistrate, shall in all respects, as is enacted by the Regulations of Government heretofore passed, proceed in the apprehension of such person or persons as may be, either by the finding of the Jurors, or otherwise, charged, or suspected of having killed such deceased person, and in the sequestration of the property of such person or persons so charged, or suspected, who may fly from Justice

6. And it is further enacted, that on the Inquests before mentioned, whether taken before a Sitting Magistrate or before a Modliar or other principal Native Headman, if it be possible, a Medical Officer or Practitioner shall be called on to inspect the dead body, and after such inspection, to be examined, as to the cause of the death of the deceased.

7. And it is further enacted, that no dead body, under the circumstances set forth in the Third Clause of this Regulation, shall be buried, or otherwise put aside, unless after the examination above directed.

8. And it is further enacted, that all breaches of this Regulation shall be punishable as Misdemeanours, at the discretion, and according to the Jurisdiction of the Court, before which the offence may be tried.

9. Provided always, that nothing in this Regulation contained, shall be construed to prevent, or discourage Magistrates from originating of their own authority, proceedings in cases of Murder, or Homicide. And provided also, that whensoever the evidence taken on an Inquest held before any Modliar, or other principal Headman, shall not appear to the Sitting Magistrate to be sufficiently full, such Sitting Magistrate shall proceed to make further investigation in the matter, and examine further evidence, transmitting the same, as usual, to the Registrar of the Supreme Court.

*Given at Colombo this Sixteenth day of June One Thousand Eight Hundred and Twenty Three.*

By Order of the Council,

GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 7 of 1823.

## REGULATION.

(Repealed by Regulation No. 4 of 1827.)

*For consolidating and amending the several Regulations of Government imposing Stamp duties on Deeds or other Instruments.*

1. **W**HEREAS it is expedient to consolidate into one Regulation, the several Laws now in force, imposing Stamp duties on Deeds and other Instruments affecting property moveable and immoveable passed or executed within these Settlements; and further to amend the same.

2. It is therefore enacted by the Lieutenant Governor in Council, that from and after the First day of August now next ensuing, the Second Regulation of the Year One Thousand Eight Hundred and Seventeen, the First and Eighteenth Regulations of the Year One Thousand Eight Hundred and Twenty, the Eleventh Regulation of the Year One Thousand Eight Hundred and Twenty One, and the Twenty-second Regulation of the Year One Thousand Eight Hundred and Twenty-two, shall be, and the same are hereby repealed; Save and except as to the recovery of penalties incurred for transgressions against the same: And provided always, that the repeal of the said Regulations, shall not be deemed, or taken to make valid any Conveyances, Deeds, or other Instruments, which by the said Regulations were required to be written on Stamped Parchment, Paper or Olas, and which may have been, or may be written on Paper or Olas either unstamped, or insufficiently stamped, except in so far as the same may be expressly provided for, by the Third Regulation of the Year One Thousand Eight Hundred and Seventeen, and by this Regulation.

3. And it is further enacted, that from and after the first day of August now next ensuing, a Stamp duty not exceeding Five per cent, (to be assessed according to the annexed Table marked A.) shall be paid upon the bonâ fide consideration, or actual value of the subject matter of every conveyance of immoveable property: Provided that the said Stamp duty, shall in no instance, be required to exceed One Thousand Rixdollars.

4. And it is further enacted, that the several kinds of conveyances herein after mentioned, shall be taken and deemed to be conveyances of immoveable property within the meaning of this Regulation to wit:

Every Deed purporting to convey a title to Lands or Tenements, whether by way of sale, gift or settlement, saving and excepting leases and mortgages of lands and houses.

5. And it is hereby declared and enacted, that it shall not be necessary to the validity of any such conveyance, or of any lease, or of any Deed of mortgage, that the same should be written or executed before, or registered by any Notary Public, or other officer, saving nevertheless, to Notarial writings the preference by Law established.

6. And it is further enacted, that all conveyances of moveable Property, Mortgages, Mortgage bonds, Bonds, Obligations, Leases of Lands or Tenements, Contracts for the future sale or purchase of goods, all Assignments of Ships, Assignments of Securities, except Government Debentures or other obligations of Government and endorsements upon Bills of exchange or promissory Notes, shall bear a Stamp duty, not exceeding half a Rix dollar (to be assessed according to the annexed Table marked B.) for every Hundred Rixdollars of value, which shall be the subject matter thereof.

7. Provided that the said last mentioned Stamp duty shall in no instance exceed One Hundred Rix dollars.

8. And excepting from the said last mentioned duty of One half per cent, all such bonds and other instruments as may be required or become necessary in the course of Proceedings in the Supreme Court, or of any other Court of Judicature, and excepting also bonds of indemnity and penal bonds for the securing the performance of any duty or trust.

9. And it is further enacted, that bonds of indemnity and penal bonds for the performance of any duty or trust, and deeds or instruments of Partnership when the capital amounts to One Thousand Rixdollars, shall bear a fixed Stamp of Five Rix dollars each.

10. And it is further enacted, that all Bills of exchange and Promissory notes drawn within the Island of Ceylon, and all releases, receipts, discharges or acquittances for money, and all Vouchers, Shop bills, Auction bills and bills of parcels or other note or memorandums whatsoever, purporting to be such receipts, discharges or acquittances, shall, where the amount expressed in such receipt or other Paper exceeds Ten Rixdollars, be subjected to a Stamp duty of One quarter of a Rixdollar for each Hundred Rixdollars, to be assessed and levied according to the Schedule C. hereto annexed. Provided that the said last mentioned Stamp duty shall, in no instance exceed the sum of Twenty Rixdollars: And provided further, that receipts for the payment of interest, when endorsed on any Security carrying interest, shall be exempted from the payment of the last mentioned Stamp duty; but such Stamp duty shall be paid and payable, whenever such receipt shall be given upon any piece of Parchment, Paper or Ola detached from the Security itself, unless, where for want of room to insert the same upon such Security, such receipt shall have been annexed in the presence of, and attested by a Notary Public.

11. And it is further enacted, that any release receipt, discharge, Note, Memorandum or writing whatever, given to any Person, which shall contain, import, or signify any general acknowledgement of any debt, account, claim, or demand whereof the amount shall not be therein specified, having been paid, settled, balanced or otherwise discharged, or satisfied or a general release of all claims or demands on the party to whom it shall be made, shall be deemed and taken to be a release of, or receipt for the sum of Eight Thousand Rixdollars or upwards, and shall be charged accordingly with a stamp duty of Twenty Rixdollars.

12. And it is further enacted, that the stamp duty on receipts or discharges of any kind, shall be paid by the person receiving the money, and the party paying the same, may if he please tender to the receiver a receipt prepared on a proper stamp for his signature, and deduct the value thereof from the amount due to such receiver.

13. And it is further enacted, that every Power of Attorney, Agreement, or Notarial Act, not otherwise specified herein, shall bear a fixed stamp duty of Two Rixdollars; and that all Extracts and Copies of Notarial Acts, and all substitutions under Powers of Attorney shall bear a stamp duty of One Rixdollar.

*Repealed by 7<sup>th</sup> Cl. of 1827. of 1824. p. 318.*

14. And it is further enacted, that no conveyance, or other instrument whatever, which by this Regulation, or any clause thereof is required to be stamped, shall be of any force or effect in law, or be received in Evidence in support of any title, claim, or demand, or in discharge of any claim, or demand, or shall be deemed to convey any title, or interest whatever, unless it shall bear such stamp as is required by this Regulation.

15. Provided always, that whensoever it shall appear to the satisfaction of any Court of Justice within these Settlements, that any Deed, or other Instrument, which by the present, or any former Regulation is subjected to stamp duty, and which may be produced before such Court, being either wholly unstamped, or insufficiently stamped, is really and bonâ fide produced in Evidence, by, or on behalf of any Plaintiff in a suit, who at a time of the execution of the said Deed or other Instrument, or at the time of becoming a party thereto, or acquiring a beneficial interest therein, was not resident, or commorant within the Island of Ceylon, such Court shall and may receive the same, upon an undertaking of the party producing it, to have the said Deed or Instrument duly stamped, and on treble the amount of the stamp duty payable thereon being deposited with the proper Officer of such Court, for the purpose of being paid over to Government; And on a Certificate from the proper officer of the Court, that such Deed or Instrument has been so received, being sent with the said Deed or Instrument, and with the amount of treble duty deposited as aforesaid, to the Stamp Office at Colombo, the said Deed or Instrument shall have the necessary stamp affixed thereto, by the proper Officer of Government. And such Court shall and may award, that the amount of such treble stamp duty, shall be repaid to the Plaintiff so producing the said Deed or other Instrument, by the Defendant in the suit, if it shall appear, that such Defendant had signed or executed the same on unstamped or insufficiently stamped Parchment, Paper or Ola; Provided always that the relaxation hereby granted, shall be strictly confined to the persons this Clause described, and none others.

16. And it is further enacted, that it shall not be lawful to attach or annex, to any Deed or Instrument hereby made liable to Stamp duty, any stamped Parchment, Paper, or Ola, so as to make up, either wholly, or in part, the amount of stamp duty, which is by law chargeable thereon, but every stamped Parchment, Paper or Ola which purports to belong to any such Deed or other Instrument as by the present Regulation is subjected to stamp duty, shall have written on the same, a portion of such Deed or other Instrument: and that any such Deed, or other Instrument, as by the present Regulation is subjected to stamp duty, which being written on or after the First day of August now next ensuing, on unstamped, or insufficiently stamped Parchment, Paper or Ola, shall have any other stamped Parchment, Paper or Ola annexed thereto, not having a part of such Deed or Instrument written thereon, shall be invalid; and the parties thereto, shall be subject to the further penalties herein after declared against persons, who shall be parties to Deeds or other Instruments on unstamped, or, insufficiently stamped parchment, Paper or Ola.

17. And it is further enacted, that any person resident or commorant in the maritime Districts in this Island, who shall be convicted before any Magistrate, of signing, executing, receiving or becoming a party to any Deed or other Instrument, which by the present Regulation is subjected to stamp duty, written on unstamped, or insufficiently stamped Parchment, Paper or Ola, shall be liable to a fine of One Hundred Rixdollars, and in default of payment, to be imprisoned, at hard labour, for any term not exceeding six Months; And that one half of the said fine, shall go to the person by whose information the conviction may take place; and in the event of the party convicted not paying the same, and suffering imprisonment, the Magistrate before whom the conviction takes place, shall give a Certificate of the same to the informer, on production of which to the Collector of the District, such Informer shall receive the share of the Penalty which he is hereby declared entitled to receive.

18. Provided always, that if any person concerned in signing, executing, receiving or becoming a party to any unstamped or insufficiently stamped instrument, shall, within two months after such offence shall have been committed, furnish such information as shall lead to the conviction of any other party to such offence, such informer shall be exempt, and hereby is exempted from any penalty, and shall also be entitled to the same reward, as in the last clause is given to informers in general.

19. Provided, that nothing herein shall extend to render valid the conveyance or instrument wherein such fraud or evasion has been practiced, excepting only, in the instances mentioned in the fifteenth clause of this Regulation.

20. Provided nevertheless, that as cases may occur, in which it may be impracticable to procure the necessary stamp at the time of executing conveyances of immoveable property. It is hereby enacted, that in such case, the parties executing any such conveyance, may, within three days after the execution thereof, lodge the same, together with the full amount of the stamp duty thereon, in the hands of the Provincial Judge, or any Sitting Magistrate of the District.

21. And such Provincial Judge, or Sitting Magistrate, shall endorse upon such conveyance, the date of the receipt thereof, and shall with all convenient speed transmit the same to the Stamp Office at Colombo, and it shall thereupon be lawful for the proper Officer to affix the necessary stamp to such conveyance, and such conveyance shall have the like validity as if stamped before the execution thereof, any thing in this Regulation contained to the contrary notwithstanding.

22. And it is further provided, that nothing in this Regulation shall be construed to extend to charge with stamp duty, any conveyance of immoveable property, made by, or to, or for the use or behalf of His Majesty's Government, or any lease of Government farms, or any Sub-lease thereof, or any bond, obligation or contract entered into with, or any Security for money taken by direction of His Majesty's Government or any bills or notes or receipts, or acquittances made or given to, or by the said Government, or any of the public Officers thereof acting in its behalf, or in any way to charge the said Government with stamp duty in any transaction whatever.

23. And it is further enacted, that nothing herein shall be construed to subject last wills and testaments or codicils to any stamp duty whatever.

REGULATION No. 7 of 1893.

24. And it is further enacted, that the several rates of stamp duty contained in the Tables or Schedules A. B. and C. hereunto annexed, shall be, and they hereby are declared to be, the rates of stamp duty enacted by this Regulation.

Given at Colombo this Sixteenth day of June, One Thousand Eight Hundred and Twenty Three.

By Order of the Council,

GEO. LUSIGNAN,

Sec. to Council.

By the Lieutenant Governor's Command,

JOHN RODNEY,

Chief Sec. to Govt.

TABLE A.

Duty of 5 Per Cent.

	Rds.	F.	P.
On every Amount under .. .. .	20	0	6 0
On Rds. 20 and under .. .. .	40	1	0 0
40 and under .. .. .	60	2	0 0
60 and under .. .. .	80	3	0 0
80 and under .. .. .	100	4	0 0
100 and under .. .. .	120	5	0 0
120 and under .. .. .	140	6	0 0
140 and under .. .. .	160	7	0 0
160 and under .. .. .	180	8	0 0
180 and under .. .. .	200	9	0 0
200 and under .. .. .	220	10	0 0

And so on at the rate of One Rix Dollar for every additional Twenty Rixdollars of amount but the duty in no instance required to exceed One Thousand Rixdollars.

TABLE B.

Duty of 1/2 Per Cent.

On every Amount not exceeding 10 Rds.	Rds.	F.	no stamp required
On every Amount exceeding .. .. .	10 0	and under 33 4	0 1 0
do. .. .. .	33 4	and under 50 0	0 2 0
do. .. .. .	50 0	and under 66 8	0 3 0
do. .. .. .	66 8	and under 83 4	0 4 0
do. .. .. .	83 4	and under 100 0	0 5 0
do. .. .. .	100 0	and under 116 8	0 6 0
do. .. .. .	116 8	and under 133 4	0 7 0
do. .. .. .	133 4	and under 150 0	0 8 0
do. .. .. .	150 0	and under 166 8	0 9 0
do. .. .. .	166 8	and under 183 4	0 10 0
do. .. .. .	183 4	and under 200 0	0 11 0
do. .. .. .	200 0	and under 216 8	1 0 0
do. .. .. .	216 8	and under 230 0	1 3 0
do. .. .. .	230 0	and under 300 0	1 6 0
do. .. .. .	300 0	and under 350 0	1 9 0
do. .. .. .	350 0	and under 400 0	2 0 0
do. .. .. .	400 0	and under 450 0	2 3 0
do. .. .. .	450 0	and under 500 0	2 6 0
do. .. .. .	500 0	and under 550 0	2 9 0
do. .. .. .	550 0	and under 600 0	3 0 0
do. .. .. .	600 0	and under 700 0	3 6 0
do. .. .. .	700 0	and under 800 0	4 0 0

And so on at the rate of Six Fanams for every additional Hundred Rixdollars of amount but the duty in no instance required to exceed One Hundred Rixdollars.

TABLE C.

Duty of 1/3 Per Cent.

On every Amount not exceeding 10 Rds.	Rds.	F.	no stamp required.
On every Amount exceeding .. .. .	10 0	and under 33 4	0 0 2
do. .. .. .	33 4	and under 66 8	0 1 0
do. .. .. .	66 8	and under 100 0	0 2 0
do. .. .. .	100 0	and under 133 4	0 3 0
do. .. .. .	133 4	and under 166 8	0 4 0
do. .. .. .	166 8	and under 200 0	0 5 0
do. .. .. .	200 0	and under 233 4	0 6 0
do. .. .. .	233 4	and under 266 8	0 7 0
do. .. .. .	266 8	and under 300 0	0 8 0
do. .. .. .	300 0	and under 333 4	0 9 0
do. .. .. .	333 4	and under 366 8	0 10 0
do. .. .. .	366 8	and under 400 0	0 11 0
do. .. .. .	400 0	and under 450 0	1 0 0
do. .. .. .	450 0	and under 500 0	1 3 0
do. .. .. .	500 0	and under 550 0	1 6 0
do. .. .. .	550 0	and under 650 0	1 9 0
do. .. .. .	650 0	and under 750 0	1 9 0
do. .. .. .	750 0	and under 850 0	2 0 0

And so on at the rate of Three Fanams for every additional Hundred Rixdollars of amount but the duty in no instance required to exceed Twenty Rixdollars.

By Order of the Council,

GEO. LUSIGNAN,

Sec. to Council,

## REGULATION.

*For calling in all the out-standing Notes of this Government of One Hundred and of Fifty Rixdollars bearing date prior to the Fifth of May 1823.*

1. **W**HEREAS on the night of the Fourteenth of this instant June, a robbery of the public Treasury deposited in the Cutcherry of Colombo to the Amount of several Thousand Rix dollars, consisting chiefly of Government Treasury Notes of One Hundred and of Fifty Rixdollars respectively, was perpetrated by persons, some of whom, together with the property, are yet undiscovered. And whereas it is expedient to render the said robbery, as far as possible, unavailing to the offenders, by restraining the circulation of such Treasury Notes.

2. It is therefore enacted, by the Honble the Lieutenant Governor in Council, that from and after the Tenth day of July next, no Notes of this Government of One Hundred, or of Fifty Rixdollars, bearing a prior date to the Fifth day of May One Thousand Eight Hundred and Twenty Three, will be received, or exchanged at the General Treasury, or the different Cutcheries of this Island or the dependencies thereof; nor shall the same be a lawful mode of payment, in any transaction or matter whatever, throughout the several districts of this Island or its dependencies, after the day this Regulation shall be received by the Collector of each district in the Maritime Provinces, or by the Agent of Government in each District in the Kandyan Provinces.

And it is further declared and enacted, that until the abovementioned Tenth day of July next, such Notes of One Hundred and of Fifty Rixdollars (not being a part of those stolen from the Cutcherry of Colombo on the night of the Fourteenth instant,) as shall be presented at the General Treasury and the several Cutcheries in this Island or the dependencies thereof, will be exchanged for other Notes of the same value, bearing date on or after the Fifth day of May One Thousand Eight Hundred and Twenty-three.

*Given at Colombo, this Twenty-third day of June, One Thousand Eight Hundred and Twenty Three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

*To be proclaimed in the Kandyan Provinces*  
By the Lieutenant Governor's Command,  
GEO LUSIGNAN,  
*Sec. Kand. Provs.*

REGULATION No. 8 of 1823.

Preamble.

No Treasury Note of One Hundred or of Fifty Rixdollars bearing a prior date to 5th May 1823 to be received.

Up to 10th July 1823, the said Notes, not being part of those stolen, exchanged.

## REGULATION.

*(Repealed by Ordinance No. 2 of 1842.)*

*For declaring it penal in any unmarried Woman delivered of a Child, to conceal the birth thereof, if the Child be found dead.*

1. **W**HEREAS it is found necessary and expedient to declare the concealment by any unmarried Woman of the birth of any issue of her body male or female, when such issue shall be found dead, an Offence punishable by law, although there may not be sufficient proof whereon to convict such Woman of the Murder of such issue

2. It is therefore enacted by the Lieutenant Governor in Council, that it shall and may be lawful for the Jury, before whom, any unmarried Woman may be tried for the Murder of any issue of her body, male or female, if they shall acquit her of such Murder, to find, in case it shall so appear in evidence, that the Prisoner was delivered of issue of her body male or female and that she did by secret burying, or otherwise, endeavour to conceal the birth thereof. And any such Woman convicted of endeavouring as aforesaid, to conceal the birth of any issue of her body male or female, shall be sentenced to imprisonment at hard labour for any term not exceeding Two years.

*Given at Co'ombo, this Twenty-third day of June, One Thousand Eight Hundred and Twenty Three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 9 of 1823.

## REGULATION.

*For declaring certain modifications in the collection of Sea Customs rendered necessary in consequence of His Majesty's Order in Council of the 31st January 1823.*

*(Repealed by Regulation No. 9 of 1825.)*

*(The repealed enactments relating to the Customs are not published at length.)*

Regulation No. 10 of 1823.

## REGULATION.

(Expired.)

*For extending the period within which the provisions of the Twenty Sixth Regulation of the year 1822 shall be complied with in the District of Batticaloa, till the Thirty-first day of December 1823.*

REGULATION No. 11 of 1823.

1. **W**HEREAS it is represented to Government, that from local causes, the enclosing with walls, the Wells in the District of Batticaloa, as required by the Twenty Sixth Regulation of the year One Thousand Eight Hundred and Twenty Two, could not be completed within the period by the said Regulation directed.

2. It is therefore enacted by the Lieutenant Governor in Council, that the period within which it shall be incumbent on the proprietors or occupiers of land in the District of Batticaloa, in which there may be any Well or Wells, to secure the same in manner in and by the Twenty sixth Regulation of the year One Thousand Eight Hundred and Twenty Two, required and enacted, shall be extended till the Thirty first day of December next ensuing, and no penalty shall have effect for any breach of the said Regulation in the said District of Batticaloa, until after the said Thirty-first day of December next.

*Given at Colombo this Third day of July One Thousand Eight Hundred and Twenty-three*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 5 of 1834.)

*For explaining a part of the Sixteenth Clause of the Eleventh Regulation of One Thousand Eight Hundred and Nineteen and of the Sixteenth Clause of the Twenty-second Regulation of One Thousand Eight Hundred and Twenty.*

Regulation No. 12 of 1823.

1. **W**HEREAS doubts have arisen upon the construction of the Sixteenth Clause of the Eleventh Regulation of the Year One Thousand Eight Hundred and Nineteen and of the Sixteenth Clause of the Twenty Second Regulation of the Year One Thousand Eight Hundred and Twenty.

2. It is therefore declared and enacted by the Lieutenant Governor in Council, that no Sitting Magistrate or Justice of the Peace, other than the Sitting Magistrate of Colombo, shall have Jurisdiction over such offences against the Eleventh Regulation of the Year One thousand eight hundred and nineteen, and the Twenty second Regulation of the year One thousand eight hundred and twenty, as by any provision of the said Regulation, are liable to a Fine of more than One Hundred Six Dollars; but in all such cases, Sitting Magistrates, and Justices of the Peace shall remit the parties to the Provincial Judge of the District within which any such offences is alleged to have been committed, or to the Sitting Magistrate of Colombo, if such Offence be alleged to have been committed within his Jurisdiction.

*Given at Colombo this Seventh day of August One Thousand Eight Hundred and Twenty Three.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by the Charter of 18th February 1833.)

*For enlarging the Jurisdiction of the Sitting Magistrate of Batticaloa in respect to offences against the Regulations for the Security of His Majesty's Revenue derived from Arrack in the Malabar Provinces of this Island.*

Regulation No. 13 of 1823.

1. **W**HEREAS it is expedient to vest in the Sitting Magistrate of Batticaloa the same powers in respect to trying and deciding on offences against the provisions of the Eleventh Regulation of the Year 1819 and the Twenty third Regulation of the year 1820, as are vested in the Provincial Judges throughout the Malabar Districts of this Island, in and by the said Regulation.

2. It is therefore enacted by the Lieutenant Governor in Council, that the Sitting Magistrate of Batticaloa, shall and may from and after the publication of this Regulation in that District, have the same powers in hearing and deciding on offences against the Eleventh Regulation of the year 1819 and the Twenty third Regulation of the year 1820, as if he were Provincial Judge of the said District.

*Given at Colombo this Eighteenth day of September One Thousand Eight Hundred and Twenty Three.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 20 of 1844.)*

*A Regulation for further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom Claims are still pending for decision, may take place, till the 31st May 1824: And, or declaring the decisions of the Commissioners acting under the 10th Regulation of 1818, not in any way to be a bar to the claims of Persons registered as Slaves, to be nevertheless, considered free Persons.*

1. **W**HEREAS it appears by the report of the Commissioners acting under the Ninth and Tenth Regulations of the year 1818, that all the claims to Covia, Nallua and Palla Slaves pending before the said Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the registration of the said Slaves may take place on or before the Thirtieth day of September current, as by the Second Regulation of the present year is directed and required.

2. It is therefore enacted by the Honble The Lieutenant Governor in Council that the term within which the registry of Covia, Nallua and Palla Slaves is, in and by the second Clause of the second Regulation of the present year, and Clauses of the other Regulation therein referred to, required to be made, shall be, and the same is, in respect to such Slaves respecting whom Claims had been given in before the Thirty first day of August 1819, and on which claims the Commissioners named under the Tenth Regulation of 1818, have not yet decided, enlarged till the Thirty first day of March 1824, and all penalties consequent on neglect of such Registry shall, as connected with such Slaves, respecting whom Claims are and shall be pending as aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the transcripts of Registries of Covia, Nallua, and Palla Slaves, in and by the Third Clause of the said Second Regulation of the present year, and the several Regulations therein referred to, required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the Thirtieth day of September 1824; and the Lists of alterations in the same every subsequent quarter of a year.

4. And whereas doubts may exist as to the construction of the Thirteenth Clause of the Tenth Regulation of the year 1818, and it may be inferred that persons, who under the orders of the Commissioners by the said Regulation established, have been or may be registered as Slaves, are concluded by such orders and registration from claiming to be free persons; It is therefore hereby enacted, and declared, that no decision or order of the said Commissioners, shall prevent or bar any person who may be registered as a Slave, from claiming his or her freedom, and putting the proof of title and property on the person claiming him or her to be a Slave; any thing in any former law, Custom or Regulation to the contrary notwithstanding.

5. Provided always, that from and after the First day of April next ensuing, no person shall be entitled to claim a person of the Covia Nallua or Palla cast as a Slave, or to make any defence to the claim of any such person alleging him or herself to be free, unless the claimant or such person as a Slave be provided with a Certificate of the Registration of such alleged Slave, in the Registers established by the Ninth Regulation of the Year 1818.

*Given at Colombo, this Twenty-fourth day of September One Thousand Eight Hundred and Twenty-three.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For making a general provision in respect to Property found.*

*Made by the Honble J. as the Secy. Rec 569. P.C. Galle*

1. **W**HEREAS it is necessary to make the provision enacted in respect to property found, by several of the Regulations for the Police of the different parts of this Island, one of general regulation throughout the Maritime Districts.

2. It is therefore enacted by the Honourable the Lieutenant Governor in Council, that any person throughout the Maritime Districts of this Island, who may find any Money or goods of whatsoever description the same may be, do and shall bring the same forthwith to the Constable or the Police Vidahn of the Division or Village in which the same may be found, which said Constable or Police Vidahn shall forthwith report the circumstance to the nearest Sitting Magistrate, who shall cause public notice to be given of the same: And the finder, shall, if no fraud appear to have been by him committed in the matter, receive from the person who may substantiate, within Six Months, a right to the Property so found, One tenth of the value thereof; and if no Claimant shall appear or prove his right to the property within the period of Six Months, then the Magistrate shall cause the same to be sold, if the same be not Money, and shall pay One half of the proceeds, or of the Money, to the finder; and the remainder into the Public Treasury for the use of His Majesty.

3. And it is further enacted, that any person who shall be convicted of a breach of this Regulation, shall be subject to punishment, by fine, or imprisonment

REGULATION No. 14 of 1823.

Regulation No. 15 of 1823.

Preamble.

Persons finding property, to bring it to the Constable or Police Vidahn, who is to report the same to the nearest Sitting Magistrate.

Magistrate to publish the circumstance.

If claimant appear.

If no claimant.

Punishment for breach of this Regulation.

REGULATION No. 16 of 1823.

either with or without being employed at hard labour, at the discretion, and according to the powers of the Court or Magistrate before whom such conviction may take place.

*Given at Colombo this Twenty-fifth day of October One Thousand Eight Hundred and Twenty-three.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

*For suspending in the District of Jaffnapatam, the exaction of penalties incurred under the Twenty sixth Regulation of the year One Thousand Eight Hundred and Twenty three, from the Twenty eighth day of February, One Thousand Eight Hundred and Twenty-four.*

REGULATION No. 16 of 1823.

1. **W**HEREAS it is expedient to suspend in the District of Jaffnapatam, the exaction of all penalties in and by the Twenty sixth Regulation of the year One Thousand Eight Hundred and Twenty two imposed for disobedience to the enactments of the said Regulation, till the Twenty Eighth day of February next.

2. It is therefore enacted by the Honourable the Lieutenant Governor in Council, that from and after the receipt of this Regulation by the several Magistrates in the District of Jaffnapatam, till the Twenty eighth day of February next ensuing, no penalty shall be assessed on, or levied from any owner or occupier of any piece of Land in the said District, for any breach of the provisions of the said Twenty sixth Regulation of the year One Thousand Eight Hundred and Twenty two.

3. But that after the first day of March next, the several Magistrates in the said District, do proceed, strictly to enforce the provisions of the Regulation aforesaid, and to exact the full penalties incurred by disobedience to the provisions thereof.

*Given at Colombo this Twenty-fifth day of October One Thousand Eight Hundred and Twenty three.*

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 5 of 1833.)

*For amending the Proclamation of the First day of December One Thousand Eight Hundred and One in respect to the Penalties for possessing or selling Cinnamon without the license of Government.*

REGULATION No. 17 of 1823.

1. **W**HEREAS it is expedient to amend so much of the Proclamation of the First day of December One Thousand Eight Hundred and One, as regards the penalties thereby imposed, for possessing or selling Cinnamon without a license for that purpose.

2. It is therefore enacted by the Honourable the Lieutenant Governor in Council, that if any person, not having a license for that purpose according to the provisions of the Proclamation of the First day of December One Thousand Eight Hundred and One, shall be convicted of possessing any quantity of Cinnamon exceeding One Pound in weight, such person shall pay a fine of Ten Rixdollars, and if the quantity so possessed shall exceed Two Pounds in weight, such person shall pay a fine of Twenty Rixdollars; the fine to be paid, to go on increasing at the same rate of computation, according to the quantity so possessed by the party convicted.

3. And it is further enacted that if any person, not having a license for that purpose, according to the provisions of the aforesaid Proclamation, shall be convicted of dealing in Cinnamon by barter or sale, such person shall pay a fine of Ten Rixdollars for any quantity of Cinnamon however small so bartered or sold, and if such quantity shall exceed One Pound in weight, such person shall pay a fine of Twenty Rixdollars, the fine to be paid, to go on increasing at the same rate of computation, according to the quantity so bartered or sold by the party convicted. Provided always that the fine to be paid on conviction for every distinct offence shall never be less than Ten Rixdollars, however small the quantity of Cinnamon bartered or sold.

4. And it is further enacted, that in default of payment of such fines by persons convicted under the provisions of this Regulation, such persons shall be liable to be imprisoned and employed at hard labour for any period not exceeding One month for every Ten Rixdollars of fine or Six months in the whole.

5. And it is further enacted, that offences against this Regulation shall and may be tried before any Provincial Judge, Sitting Magistrate or Justice of the Peace throughout these Settlements, according to their local Jurisdiction; Provided that of all fines levied in consequence of any conviction under the provisions of this Regulation one half shall be given to the person or persons by whose information such conviction shall be obtained. And provided further that the infliction of corporal punishment enacted by the Proclamation of the First day of December



One Thousand Eight Hundred and One for breach of the Provisions thereof shall be and the same is hereby repealed.

REGULATION No. 17 of 1823.

Given at Colombo this Twenty-fifth day of October One Thousand Eight Hundred and Twenty-three.

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

For laying down general rules to produce an uniformity of practice in the Courts of this Island in the allowance of Interest, and for determining the rate at which such Interest shall be allowed in the absence of any specific agreement.

1. **W**HEREAS it is expedient to enact some settled Rules for the purpose of establishing an uniformity of practice in the several Courts of Justice in this Island, relative to the allowance of Interest on debts which may be subject of Suits in such Courts, and for fixing the rate at which Interest shall be allowed where no particular rate has been agreed upon between the parties.

2. It is therefore enacted, by the Honourable the Lieutenant Governor in Council, that from and after the date of this Regulation, in all cases where there shall appear to have been an express promise or agreement to pay interest or where from the custom of Merchants or from the usual course of dealing between the parties it is to be inferred, that it was intended interest should be paid, then and in all such cases interest shall be allowed.

3. And it is further enacted, that in all cases of Bonds, Obligations, Promissory Notes, Bills of Exchange or other written Securities, contracting for the payment of money on a certain day, Interest shall in all such cases be allowed, in default of payment from the date of such certain day.

4. And it is further enacted, that in all debts of what nature or kind whatsoever, if payment shall be delayed after a demand in writing for the same, Interest shall in all such cases be allowed from the date of such demand in writing: And if no such demand in writing shall be proved to have been made, then and in that case Interest shall be allowed from the commencement of the Suit.

5. And it is further enacted, that in all cases where Interest shall be allowed, if there is no Agreement between the parties specifying any particular rate thereof, then and in all such cases the allowance of Interest shall be made at the rate of Nine per cent per annum.

Given at Colombo this Thirty-first day of October One Thousand Eight Hundred and Twenty-three.

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

(Repealed by Regulation No. 5 of 1833.)

For repealing so much of the Tenth Regulation of 1816 as restricts Magistrates from awarding the full term of Imprisonment enacted by the Eighth Regulation of 1816.

1. **W**HEREAS it is expedient to extend the powers of Sitting Magistrates and Justices of the Peace in regard to the terms of Imprisonment which by the Eighth Regulation of the year One Thousand Eight Hundred and Sixteen are enacted in failure of the payment of the fines therein imposed, and therefore to repeal so much of the Tenth Regulation of the year One Thousand Eight Hundred and Sixteen as declares the Powers of such Magistrates to be confined within the limits of their ordinary Jurisdiction.

2. It is therefore enacted by the Honourable the Lieutenant Governor in Council, that from and after the publication of this Regulation, so much of the Tenth Regulation of the year One Thousand Eight Hundred and Sixteen as restricts Magistrates from awarding imprisonment beyond the limits of their ordinary Jurisdiction shall be and the same is hereby repealed, and that the said Magistrates and Justices of the Peace be empowered fully to carry into effect the provisions of the Eighth Regulation of the said year One Thousand Eight Hundred and Sixteen.

Given at Colombo this Thirty-first day of October One Thousand Eight Hundred and Twenty-three.

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

Regulation No. 19 of 1823.

Preamble.

Interest to be allowed in cases where there is an agreement or where an agreement may be inferred.

Interest on Security to pay money.

Interest on debts after demand in writing.

Interest in the absence of agreement.

Regulation No. 19 of 1823.

REGULATION.

(Repealed by Regulation No. 4 of 1827.)

For amending an error in the Tables B. & C. annexed to the 7th Regulation of 1823.

REGULATION No. 20 of 1823.

1. IT appearing that an error has taken place in the publication of the Tables B. and C. annexed to the Seventh Regulation of the Year One Thousand Eight Hundred and Twenty Three by using the word "under" instead of the words "not exceeding."

2. It is therefore enacted by the Honorable the Lieutenant Governor in Council, that the amended Tables annexed to this Regulation marked B. and C., shall be the Tables or Schedules of Stamp Duty of One-Half and of One-Quarter Per Cent referred to in the Sixth, Tenth and Twenty-fourth Clauses of the Seventh Regulation of the present Year; and such Stamp Duty shall be levied according to the same.

Given at Colombo this Twentieth day of November One Thousand Eight Hundred and Twenty Three.

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By the Lieutenant Governor's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

TABLE B.

Duty of  $\frac{1}{2}$  Per Cent.

On every Amount not exceeding	10 Rds.	no Stamp required
On every Amount exceeding	Rds. F.	Rds. F. P.
do. .. .. .	10 0 and not exceeding	33 4 .. 0 1 0
do. .. .. .	33 4 and not exceeding	50 0 .. 0 2 0
do. .. .. .	50 0 and not exceeding	66 8 .. 0 3 0
do. .. .. .	66 8 and not exceeding	83 4 .. 0 4 0
do. .. .. .	83 4 and not exceeding	100 0 .. 0 5 0
do. .. .. .	100 0 and not exceeding	116 8 .. 0 6 0
do. .. .. .	116 8 and not exceeding	134 4 .. 0 7 0
do. .. .. .	133 4 and not exceeding	150 0 .. 0 8 0
do. .. .. .	150 0 and not exceeding	166 8 .. 0 9 0
do. .. .. .	166 8 and not exceeding	183 4 .. 0 10 0
do. .. .. .	183 4 and not exceeding	200 0 .. 0 11 0
do. .. .. .	200 0 and not exceeding	216 8 .. 1 0 0
do. .. .. .	216 8 and not exceeding	250 0 .. 1 3 0
do. .. .. .	250 0 and not exceeding	300 0 .. 1 6 0
do. .. .. .	300 0 and not exceeding	350 0 .. 1 9 0
do. .. .. .	350 0 and not exceeding	400 0 .. 2 0 0
do. .. .. .	400 0 and not exceeding	450 0 .. 2 3 0
do. .. .. .	450 0 and not exceeding	500 0 .. 2 6 0
do. .. .. .	500 0 and not exceeding	550 0 .. 2 9 0
do. .. .. .	550 0 and not exceeding	600 0 .. 3 0 0
do. .. .. .	600 0 and not exceeding	700 0 .. 3 6 0
do. .. .. .	700 0 and not exceeding	800 0 .. 4 0 0

And so on at the rate of Six Fanams for every additional Hundred Rix Dollars of Amount but the duty in no instance required to exceed One Hundred Rix Dollars.

TABLE C.

Duty of  $\frac{1}{4}$  Per Cent.

On every Amount not exceeding	10 Rds.	no Stamp required
On every Amount exceeding	Rds. F.	Rds. F. P.
do. .. .. .	10 0 and not exceeding	33 4 .. 0 0 2
do. .. .. .	33 4 and not exceeding	66 8 .. 0 1 0
do. .. .. .	66 8 and not exceeding	100 0 .. 0 2 0
do. .. .. .	100 0 and not exceeding	133 4 .. 0 3 0
do. .. .. .	133 4 and not exceeding	166 8 .. 0 4 0
do. .. .. .	166 8 and not exceeding	200 0 .. 0 5 0
do. .. .. .	200 0 and not exceeding	233 4 .. 0 6 0
do. .. .. .	233 4 and not exceeding	266 8 .. 0 7 0
do. .. .. .	266 8 and not exceeding	300 0 .. 0 8 0
do. .. .. .	300 0 and not exceeding	333 4 .. 0 9 0
do. .. .. .	333 4 and not exceeding	366 8 .. 0 10 0
do. .. .. .	366 8 and not exceeding	400 0 .. 0 11 0
do. .. .. .	400 0 and not exceeding	450 0 .. 1 0 0
do. .. .. .	450 0 and not exceeding	550 0 .. 1 3 0
do. .. .. .	550 0 and not exceeding	650 0 .. 1 6 0
do. .. .. .	650 0 and not exceeding	750 0 .. 1 9 0
do. .. .. .	750 0 and not exceeding	850 0 .. 2 0 0

And so on at the rate of Three Fanams for every additional Hundred Rix Dollars of Amount but the duty in no instance required to exceed Twenty Rix Dollars.

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

## REGULATION.

*(Revoked by Order in Council of 1st November 1830.)**For removing all doubts respecting the rights of the Governor of this Island to arrest and detain in Custody any person or persons within the same.\**

1. WHEREAS doubts have arisen in respect to the powers which were ever heretofore considered to be vested in the Governors of this Island or during the absence of such Governors in the Lieutenant Governors thereof to arrest or cause to be arrested and to detain or cause to be detained in custody such person or persons within this Island and its Dependencies as in the opinion of such Governor Lieutenant Governor it might appear necessary for the benefit of His Majesty's Service so to arrest and detain in Custody, whereby persons so arrested and detained, may under process from Courts of Justice be set at large, wherefrom great and irremediable prejudice may accrue to the stability of His Majesty's Government.

*Regulation No. 1 of 1824.*

2. It is therefore declared and enacted by the Lieutenant Governor in Council, that it was and shall be lawful to any Officer Civil or Military, or other person in whose Custody or being any person or persons may be under orders from the Governor or in his absence the Lieutenant Governor of this Island, signified to him in writing under the hand of such Governor or Lieutenant Governor or by the signature of the Chief or Deputy Secretary to Government by authority of the said Governor or Lieutenant Governor, to certify a Copy of such order, as the authority under which such person or persons is or may be detained in his custody, in relation to any Process of any Court calling on him to produce the said person or persons, or to shew the authority for the detention of such person or persons; and such return shall be, and is hereby declared to be, a sufficient return to such Process, without the production of such person or persons, and shall be allowed as a good and sufficient return by every Court within this Island, and as barring every further proceeding of such Court, in respect to such person or persons upon such Process.

*Given at Colombo in the Island of Ceylon, this Tenth day of January One Thousand Eight Hundred and Twenty Four.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By the Lieutenant Governor's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For prohibiting during the Months of January & December in each year the catching of Sardiniæ at Trincomalie.*

1. WHEREAS it appears by information conveyed to Government, that at three several periods, at Trincomalie, death has been the consequence to several persons, from eating the fish called Sardinia, during the Months of January and December.

*Regulation No. 2 of 1824.**Preamble.*

2. It is therefore enacted by His Excellency The Governor in Council, that it shall not be lawful in the District of Trincomalie, to catch in any way whatever, the fish called Sardinia, during the Months of January and December in any year, and any person who shall be convicted of a contravention of this Regulation, shall be punished by Fine and Imprisonment, with or without hard labour, at the discretion, and according to the Jurisdiction of the Court or Magistrate before whom such person may be convicted,

*Not lawful to catch Sardiniæ at Trincomalie in the months of January and December.**Penalty.**Given at Colombo, this Nineteenth day of February One Thousand Eight Hundred and Twenty Four.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 9 of 1825.)**For regulating the Export duty on Tobacco from the 1st March 1824, and for allowing the Export of the Travancore assortment from the 1st September 1824 without the necessity of a license.*

1. WHEREAS it is expedient to alter the rates of duty on the export of Tobacco from the Ports of this Island, and to repeal from and after the First day of September next ensuing, so much of the Twenty Seventh Clause of the Sixth Regulation of the Year One Thousand Eight Hundred and Twenty, as prohibits the exportation of Tobacco, of the description commonly called the Travancore assortment without the license of Government, and the penalty therein enacted on the unlicensed export of the same.

*Regulation No. 3 of 1824.*

2. It is therefore enacted, by His Excellency the Governor in Council, that from and after the First day of March next ensuing, the rates of Export duties on Tobacco enacted by the Table No. 1 annexed to the Sixth Regulation of the Year One Thousand Eight Hundred and Twenty, shall be repealed, and that in lieu thereof, there shall be levied on the export by sea,

\* NOTE.—See order in Council dated 1st November 1830.

REGULATION No. 3 of 1824.

of all Tobacco from any Port of this Island, a duty at the rate of Fifteen Rix Dollars and a half, for every Hundred weight Avoirdupoise of such Tobacco.

3. And it is hereby further enacted, that the following drawbacks or repayments of duty, shall be made to the exporters of Tobacco to the places herein under mentioned;

To the exporter of any Tobacco to any Port in Europe, or to the Cape of Good Hope, a drawback or repayment at the rate of Fourteen Rix Dollars and a half the Hundred weight.

To the exporter of any such Tobacco to any other Port, save and except Ports or Places situate on the Coast of Malabar as far as Guzerat and the mouths of the Indus, or on the Coast of Coromandel, or within the Territories subject to the Presidency of Fort William including Chittagong; a drawback of Twelve Rix Dollars the Hundred weight.

4. And such drawback shall be paid to the person who exported the said Tobacco, or to his Agent duly authorized, on production at the Office of the Chief Secretary to Government, of a Certificate under the Hand of the principal Officer of the Customs, or other Principal Officer of Government resident at or near the Port where such Tobacco may be landed (authentic, if the same be a foreign Port, by the Certificate of the British Consul or Resident at the same, if any such there be) of the same having been actually landed and sold at the Port; Provided always such Certificate be produced within Eighteen months from the period of exportation, if the Tobacco be landed and sold in any Port of Europe, or at the Cape of Good Hope, and within six months if at any other port or place.

5. And it is further enacted, that on sufficient security by deposit or otherwise given to any Collector of Customs, he shall allow any exporter of Tobacco, save and except to any Port or places on the Coasts of Malabar and Coromandel, and within the Territories subject to the Presidency of Fort William, as particularized in the Third Clause of this Regulation, to postpone payment of Four-fifths of the amount of duty payable by such exporter for six months; and if the Tobacco be shipped in a vessel bound to the Cape of Good Hope or any port of Europe, for Eighteen Months from the date of exportation, without any Interest being chargeable thereon, for such periods of postponement.

6. And it is further enacted, that if Tobacco be imported from one Port of this Island into another, and the drawback thereon be consequently received by the Importer, if the same should be again shipped for re-exportation out of the Island such amount of drawback shall be refunded to Government by the exporter, or security given for the payment of the same, in manner specified in the fifth Clause of this Regulation.

7. And it is further enacted, that from and after the First day of September next ensuing, so much of the Twenty-seventh Clause of the Sixth Regulation of the year One Thousand Eight Hundred and Twenty, as prohibits the exportation of Tobacco of the description called the Travancore assortment, and enacts a penalty on such exportation if without the license of Government, shall be, and is hereby repealed.

*Given at Colombo this Nineteenth day of February One Thousand Eight Hundred and Twenty Four.*

By Order of the Court,  
GEO. LUSIGNAN,  
Sec. to Court.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

*A Regulation for further extending the Term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 30th September 1824.*

REGULATION No. 4 of 1824.

1. **W**HEREAS it appears by the Reports of the several Commissioners, Judges and Magistrates, acting under the Ninth and Tenth Regulations of the year 1819, that all the claims to Covia, Nallua and Palla Slaves pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the Registration of the said slaves may take place on or before the Thirty-first day of March current as by the Fourteenth Regulation of 1823 is directed and required.

2. It is therefore enacted by His Excellency the Governor in Council, that the term within which the registry of Covia, Nallua and Palla Slaves is, in and by the second clause of the Fourteenth Regulation of the year 1823, and clauses of the other Regulations therein referred to, required to be made, shall be and the same is, in respect to such Slaves, respecting whom claims have been given in before the Thirty first day of August 1819, and on which claims the Commissioners named under the Tenth Regulation of 1818, have not yet decided, enlarged till the Thirtieth day of September next, and all penalties consequent on neglect of such Registry shall, as connected with such Slaves, respecting whom claims are and shall be pending as aforesaid only have effect in reference to that date.

3. And it is further enacted, that the Transcripts of Registries of Covia, Nallua and Palla Slaves, in and by the third clause of the said Fourteenth Regulation of 1823 and the several Regulations therein referred to required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the 31st December 1824, and the Lists of alterations in the same every subsequent quarter of a year.

*Given at Colombo this Twenty-sixth day of March One Thousand Eight Hundred and Twenty-four.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For providing a means of determining on questions of cast arising between Government and the Natives of this Island or of India.\**

1. **W**HEREAS by a Proclamation of Government published on the 10th November 1802. It is provided, that it should be competent to the Provincial Courts to take cognizance of, try, hear, and determine all matters or questions of cast arising between Natives of this Island or of India; and Whereas it is expedient, that the said Courts should also be vested with authority to determine on matters or questions of cast which it may be necessary to refer to them either on the part of Government, or on the Petition of any Individual to the Governor, touching the cast of such individual.

REGULATION No. 5 of 1824.

2. It is therefore enacted by His Excellency the Governor in Council, that he shall be competent to the said Provincial Courts throughout this Island, to try, hear, and determine, on the reference of the Governor, or in his absence the Lieutenant Governor, all questions or matters of cast arising between the Government and any Native of this Island or of India.

3. And it is further enacted, that the proceedings to be had in consequence of such reference, in such Provincial Courts shall be liable to Costs in the first Class of cases before such Courts; and the claims of Government in respect to the employment of any Individual in any particular manner, shall be supported before the said Courts by the Collector of the District, or if it be a matter relating to the Mahabaddie, by the Superintendent of the Cinnamon Plantations.

4. And it is further enacted that the decisions of the Provincial Courts on questions of cast under this Regulation, shall be subject to revision in the nature of appeal by the Governor or in his absence the Lieutenant Governor, on the Petition of any Individual who may conceive himself aggrieved by the decision of any such Provincial Court, or of the Collector, or of the Superintendent of Cinnamon Plantations who may be dissatisfied with the same Provided such Petition be presented to such Court, within Fourteen days after the decision shall have been made.

*Given at Colombo this Twenty-sixth day of March One Thousand Eight Hundred and Twenty-four.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 13 of 1827.)*

*For declaring the duties and responsibility of Fiscals, and for the more certain and correct execution of the Process of the several Courts of Justice.*

**W**HEREAS doubts have arisen in respect to the powers and duties of Fiscals, and of the Officers acting under them, in respect to the execution of process of Courts and Magistrates, and the responsibility of such Fiscals and of their subordinate Officers in respect to the acts or duties by them required to be performed. And Whereas it is extremely necessary, that so important a branch of the administration of public Justice should, as much as may be possible, be put under defined rules publicly and generally known.

REGULATION No. 6 of 1824.

2. It is therefore enacted by His Excellency the Governor in Council, that all and singular the Fiscals, who may have been, or shall be appointed by the warrant of the Governor, or in his absence the Lieutenant Governor of these Settlements, in manner and form in and by the Nineteenth Clause of His late Majesty's Charter of Justice of the Eighteenth day of April in the Year One Thousand Eight Hundred and One directed, shall, by themselves or their sufficient Deputies, to be by them appointed and duly authorized under their respective hands and seals, be, and they are hereby authorized to execute all Citations, Monitions, Summonses, Mandates, Rules, Orders, Warrants, Commands and Process of the Supreme Court of Judicature in the Island of Ceylon, and all other Courts or Magistrates lawfully appointed, according to the extent of Jurisdiction of the said Courts and Magistrates, and to make and certify the return thereof, together with the execution thereof to the said Courts or Magistrates, and to receive and detain in Prison, such persons as shall be committed to the charge of such Fiscals respectively for that purpose, by the said Supreme Court, and by the Chief Justice and Puisne Justice thereof respectively and by all other Courts and Magistrates lawfully appointed throughout the said Settlements and Territories, in the said Island of Ceylon.

3. And it is further enacted, that every such Fiscal shall in the execution of the Process of every such Court or Magistrate, be civilly responsible in damages, to any person who may be aggrieved in consequence of any fraud, negligence or want of ordinary diligence of either such Fiscal, himself or of his Deputy or Deputies, or other subordinate Officers by him or them employed in the execution thereof.

\* NOTE. — See Charter of 18th February 1833.

## REGULATION No. 6 of 1824.

4. Provided always that no action shall lie against any such Fiscal to recover damages for any act or neglect of himself or his Deputies or other Officers, unless the same be brought within Nine months from the time of the cause of action occurring; nor without previous notice being given by the plaintiff or his proctor to such Fiscal, in writing, one month at the least before the commencement of such action, of his intention to commence the same; and it shall be lawful to such Fiscal, on receipt of such notice, and before the commencement of such action, to tender such amends as he shall think due to the party claiming to be aggrieved, and if the same be refused, to plead such tender, and pay in the amount tendered on appearing to the action, and if the Court before whom the action be brought, shall be of opinion on the hearing of the case, that such tender was sufficient, Judgment shall be entered for the said Fiscal with full costs against the party prosecuting.

5. And it is further enacted that save and except the Fees which in and by His Majesty's Charter herein abovementioned, the Supreme Court of Judicature is authorized to fix to be taken by Fiscals, and also save and except any Fees which may by this Regulation, or any subsequent Rule and Order to be made by the Governor, or in his absence the Lieutenant Governor of Island, be allowed or granted, no Fees shall be taken by the said Fiscals or any of their deputies or other Officers, for the execution of Process issuing from any other Court or Magistrate or for any other portion of the business of their office.

6. Provided always, that whenever the said Supreme Court of Judicature, or other Court or Magistrate lawfully appointed, shall direct or decree any Process against any such Fiscal, or direct any Process in any cause, matter or thing, wherein, on account of his being related to the parties, or for any other just cause it should appear to such Court to be improper that he should execute the same, in every such case, the said Court shall name and appoint some other fit person to execute and return the same, and the said Process shall be directed to the said person so named for that purpose; and the cause of such special proceeding shall be suggested and entered on the Acts of the said Court.

7. And it is further enacted, that every such Fiscal shall, whenever he shall nominate and appoint any person to be his Deputy, within three days after the execution of his Warrant of deputation, which shall be according to the Form (A) subjoined to this Regulation, send a correct transcript thereof to the Supreme Court and to every other Court or Magistrate having Jurisdiction within his province, and also to the Chief Secretary to Government, and shall also, in like manner, duly notify, whensoever he shall revoke any such deputation.

8. And it is hereby further enacted that the several Modliars of Districts, or other Principal Native Headmen thereof, and their subordinate Headmen, shall be in general, authorized and required, to execute all Process, either in Civil or Criminal cases sent to them by any such Fiscal for execution, and in the execution thereof, they shall severally be civilly answerable to such Fiscal for the due performance of the duty entrusted to them; and in the execution thereof, they and such subordinate Officers as they may employ, shall be maintained and protected by law, as the Officers of such Fiscal, although not holding any written Deputation or Warrant from him, further than a Copy authenticated by the signature of such Fiscal, of the Process; and such persons shall and may be employed to serve and execute. Provided always, that it may be lawful for such Fiscal or his Deputy, to appoint by writing under his signature, or seal, any other person or persons besides such Modliar or Native Headmen to execute Process, as either generally or in any particular case. And provided further, that from and after the first day of September next every person proceeding to execute Process under the authority of such Fiscal, shall have in his possession a Staff with a Crown and G. R. painted thereon, as also the name of the District, and shall produce and openly shew such Staff when in the act of executing such Process.

9. And it is further enacted, that any resistance to any such Fiscal, his Deputy or Deputies, or other his Officers, or to the Modliars or other Headmen or their subordinate Officers in the execution of process, shall subject the persons resisting to punishment, upon conviction before a competent Court.

10. Provided always, that nothing herein contained shall sanction or be construed to give legal sanction to any illegality or irregularity of proceeding or abuse of authority on the part of any Fiscal or his Deputy, or other his officers, or of the Modliars or other subordinate Officers in the execution of process, nor to preclude any person injured by such illegality or irregularity of proceeding, from appealing to the Laws for redress, according to the nature of the injury or from instituting an action (subject to the conditions contained in the Fourth Clause) against such Fiscal, who shall in all case be civilly responsible for any illegality, irregularity or abuse of authority on the part of any person executing Civil Process directed to and returnable by him.

11. And it is further enacted, that no process in Civil cases either at the suit of the Crown or of Individuals shall be served or executed on a Sunday, Good-Friday, or Christmas-day; nor in the night time of any day, between the period of sun-set and sun-rise.

12. Provided always, that this protection shall not extend or be construed to extend to prevent the arrest at all times, and on all days, whether by night or by day, and whether Sunday or other day, of any person charged with a Criminal offence, or of any person, who having been once duly arrested on Civil Process, shall have escaped, or shall have been rescued, and against whom a warrant, founded upon information or oath made before any Magistrate verifying such escape or rescue, shall issue.

13. And it is further enacted, that no Civil Process either at the suit of the Crown or of Individuals shall be served or executed on any Christian Clergyman or any other Minister of Religion while performing his functions in a place of public worship.

14. And it is further enacted, that in all Civil suits, it shall and may be lawful for any Plaintiff to obtain at one and the same time, process of execution, as well against the person, as against the property of any defendant, against whom judgment shall have been obtained.

15. And it is further enacted, that in all Civil cases where process of execution shall be issued against the person or property of any Defendant, the Writ, Warrant or Mandate shall in the case of Native Defendants be endorsed with a translation in the Cingalese language in the Southern Provinces, and in the Malabar language in the Northern Provinces, and upon the receipt of such Writ, Warrant or Mandate it shall and may be lawful for any Fiscal, his Deputy

or Deputies or other subordinate Officers as aforesaid to seize the property and the person of any such Defendant wherever the same may be found subject to the exceptions herein before contained in Clauses Eleventh, Twelfth and Thirteenth, and if it shall be necessary to force open any door of any dwelling House in order to seize the property, and if the Writ, Warrant or Mandate be issued at the suit of the Crown and then only, the person of such defendant.

16. Provided always, that before any door of any dwelling House be forced open, admittance shall first be demanded by the persons employed to carry into effect the process of execution; and if such door be not then opened, the Constable or Police Vidahn of the Division or Village in which such Dwelling House is situate shall in all cases be summoned and attend, before such door be forced, and then admittance shall be again demanded, and if such door be not then opened it shall and may be lawful for the persons employed to carry into effect the process of execution to proceed to force the same.

17. Provided also that nothing herein contained shall extend or be construed to extend to the forcing of any such door unless in suits of the Crown the person, or in any case the property of the Defendant be within such dwelling house; or to exempt such Fiscal from responsibility if any door of any dwelling house not containing the person or property of such Defendant should be forced in carrying into effect such process of execution.

18. And provided also that the persons employed in carrying such process of execution into effect shall always have with them a copy of the Writ, Warrant or Mandate of execution authenticated by the signature of such Fiscal, which authenticated copy shall, if required, be produced and shewn to the party against whom it is put in force.

19. And it is further enacted, that in all civil cases where process of execution may issue against the person of a Defendant, it shall be necessary to constitute an arrest, that the body of the person to be arrested shall be actually seized or touched by the Officer executing the process.

20. And it is further enacted, that after any person shall have been taken into the custody of any Fiscal in execution, under Civil process, such person shall not be allowed by any Fiscal, Deputy Fiscal or Gaoler on any pretence to go beyond the walls of the prison in which such person may be confined, unless upon the special Rule and Order of some competent Court or Magistrate requiring the attendance of such person; or on the application of such person to be carried before any such Court or Magistrate for the purpose of preferring any complaint or application, on pain that the Fiscal in whose custody such person may be, shall be answerable to the party at whose suit he shall have been confined, for the full amount of the Judgment for which such person shall have been taken in execution.

21. But in as much as it is proper and reasonable that Prisoners for debt should at stated periods be enabled to join in divine Service according to their Religious belief; and further as it is essential to health and cleanliness to have opportunities of bathing, and there is no establishment for divine Service, and in many instances the means of bathing are not accessible in any portions of this Island—it is enacted that it may be lawful for the Fiscal to permit the well as those professing Mahomatanism being prisoners for debt, to attend divine Service at the Church or Mosque nearest to the Gaol once in every fortnight between the hours of Nine in the Morning and two o'clock each day, under a proper guard: And to permit all Prisoners confined for debt, to bathe at the nearest bathing place to the gaol, once in every week under proper guard.

22. Provided that His Excellency The Governor may, upon its appearing to him satisfactorily that sufficient means for bathing may be had in any gaol suspend during the existence of such means, by Warrant under his hand and seal, this permission to bathe in any other place.

23. And it is further enacted that in all civil Cases where process of execution may issue against the property of any Defendant, all Fiscals shall duly observe the following Rules.

24. The Plaintiff at whose suit the process shall issue, shall within Ten days after the same shall be delivered to the Fiscal, point out to the Fiscal or his Deputy such property as he may have discovered to be the property of the debtor.

The Fiscal shall thereupon cause the same to be seized forthwith, and shall give notice of the sale thereof fourteen days at the least and not exceeding thirty days before the day of sale, specifying the Lands or Goods to be sold, in what suit, at what place, and on what day and hour, and if the sale be of Lands or Houses, a copy of such Notice shall be sent to be published in the Ceylon Gazette, in English, Tamul, and Cingalese, and in all cases a copy and Translation into the prevalent Native language of the District, viz. either Tamul or Cingalese of such Notice, shall be affixed Ten days at the least before the sale, on the Walls of the Cutcherry of the District; and the notice shall be inserted in the Gazette free of expense.

26. No Fiscal's sale shall be postponed after such notice except on the application to the Fiscal of or on behalf of the Plaintiff; and of which application a report shall be forthwith made to the Court from which the process issued, or except in the case mentioned in the succeeding or Twenty-seventh clause: and no renewed sale shall in such instances take place, until after a repetition of notice in the manner directed in the preceding or Twenty-fifth Clause.

27. If any person shall claim any lands or goods seized, the Fiscal shall stay the sale thereof, (unless the person at whose suit the Process is issued shall give him such security as he shall deem sufficient to indemnify him against any damages which he the Fiscal may incur by proceeding with the sale) till such time as he shall receive an order from the Court out of which the Process issued, (and to which he shall forthwith report the claim) to proceed with such sale.

28. Every sale shall be conducted in manner enacted by the Thirteenth Clause of the Seventeenth Regulation of One Thousand Eight Hundred and Twenty viz. such sales shall invariably be held by an Officer of the Fiscal's Department or some other person duly authorised by such Fiscal by writing under his hand; such sales if of moveable property shall be for ready money and not otherwise, and if of immoveable property that a deposit of one-tenth of the amount of the sale shall be made, and the balance be paid in two months, or in default, the property shall be re-sold at the risk of the first purchaser and the deposit besides forfeited; that no duty shall be levied on such auctions excepting one per cent, which shall be paid to the Fiscal's Officer who conducts the sale.

REGULATION No. 6 of 1824.

29. In the event of any person bidding for land, and not forthwith on his being declared the purchaser, paying down the amount of deposit required, the bidder next before him shall be considered the purchaser and required to make the deposit; and so on. And each person failing to make the deposit, shall be held liable to pay the difference between the amount of his offer, and the sum finally settled at the sale, to be levied by Parate Execution, on the plaint of the Fiscal to the Court to whose jurisdiction such person shall be liable, which plaint the Fiscal is hereby required in all cases to make forthwith, supported by the affidavit of the Fiscal or of the Officer who conducted the sale; and such process of Parate Execution shall then forthwith issue, without any further costs, fee or stamp.

30. And in like manner, if the purchaser of any Land shall not make payment of the full amount on the day appointed, and on a second sale taking place (publication whereof shall always be made in manner prescribed for the first sale) the amount of the purchase shall fall short of the amount for which the first sale was concluded Parate Execution shall, on the plaint of the Fiscal, which plaint the Fiscal is hereby required in all cases to make forthwith, supported by the affidavit of himself or his officers who conducted the two sales as to the circumstance issue against the property and person of the first purchaser to recover the amount of difference between the amount of the second and first sale, without any expense, stamps or otherwise.

31. Payments to Fiscals (with the exception of the deposit) shall only be made to the Cutcherry of the District in manner following.

Whenever any person, whether the original debtor or a purchaser of property sold in execution shall have occasion to pay money to the Fiscal, he shall notify the same to the Fiscal or his Deputy, who shall give him a note, addressed to the Collector, of the form subjoined (B) which the person who is to pay the money, is to carry to the Cutcherry, and deliver to the Shroff or Receiver of the Cutcherry, and pay to him the amount stated in the Fiscal's note.

32. The Shroff or Cutcherry receiver shall then acknowledge the receipt of the money, by his signature on that part of the note reserved for that purpose, and cut off the same for delivery to the person who has made the payment, reserving the remaining part as his authority for receiving the money.

33. The Cutcherry receipt being produced to the Fiscal or his Deputy, he shall if the payment be complete, and for the purchase of Land, make out, on being furnished by the purchaser with the necessary Stamped Paper, the usual Certificate of sale. If the payment be for moveable property or a partial payment for Land, he shall give a receipt accordingly on Stamped paper to be furnished by the purchaser.

34. As by the conditions of sales a deposit is to be immediately made with the Fiscal's Officer, the Fiscal shall take care that such Officer, make the payment of all such money received, within Forty-eight hours after the sale, to the Cutcherry, being furnished for that purpose, with a note of the usual form (B.)

35. A Register of these notes in the annexed form (C.) shall be kept by the Fiscal liable to the call of Government at any period.

36. And it is further enacted, that nothing before contained shall extend, or to extend, to interfere with or abridge the rights of the Crown.

Given at Colombo, this Fifteenth day of April, One Thousand Eight Hundred and Twenty-four.

By Order of the Council,

GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

A.

Know all men by these presents that I A. B. Esquire Fiscal for the Province of the Island of Ceylon have nominated and deputed and do hereby nominate and depute Dr. Gentleman, to be my deputy in the said Office of Fiscal during my pleasure.

Given under my hand and seal at the day of One thousand Eight hundred and

B.

FORM OF NOTE.

No. of Note No. of Suit Name of Payer Rixdollars Date of payment Signature of Cutcherry receiver	No. of Note To the Collector of Please to receive from Rix Dollars being for Fiscal's Office	No. of Suit
---	---	-------------

Signature of Fiscal or Deputy.

C.

FORM OF REGISTER OF NOTES.

No.	No. of Suit	Name of Payer	On what account	Amount	Date of issue	Date when receipt sent back.



## REGULATION.

*(Repealed by Regulation No. 13 of 1827.)*

*For specifying the application of the Monies to be paid into the several Catcherries by Fiscals under the Sixth Regulation of 1824.*

1. WHEREAS it is expedient to specify that Monies to be paid by Fiscals into the several Catcherries of the Island, under the Thirty first and other subsequent clauses of the Sixth Regulation of the present year, should be subject to the orders of the Court out of which the Process of execution shall have been issued under which such Monies shall have been levied.

2. It is therefore enacted by His Excellency the Governor in Council, that such Monies, so paid into any Catcherry, shall be subject to the directions of the Court or Magistrate by whom the Process of execution shall have been issued.

REGULATION No. 7 of 1824.

Enacted at Colombo this twentieth day of April One Thousand Eight Hundred and Twenty four.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council,

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 6 of 1835.)*

*For the relief of Insolvent Prisoners confined for Debt not being guilty of any Fraud on their Creditors, and for the punishment of debtors guilty of fraud.*

1. WHEREAS persons are frequently imprisoned in the several Gaols of this Island for Debts which they are unable to discharge, although willing to surrender to their Creditors all the Property they possess. And whereas it is the wish of His Excellency to establish a permanent system of relief for the unfortunate, who have not been guilty of fraud or breach of trust or gross injustice. And whereas it is also necessary to provide for the punishment of such Insolvent Debtors as may have been guilty of breach of trust and confidence, fraudulent conduct, or other gross injustice done by such debtors to their Creditors in contracting their several Debts, by fixing adequate terms of imprisonment for such debtors, after the expiration of which, they may be discharged by the different Courts, by and before which they may have been or may be severally committed to Prison.

Regulation No. 8 of 1824.

Therefore enacted by His Excellency the Governor in Council that from and after the first day of April now current (being the day fixed for the celebration of His Most Excellent Majesty's birth-day) any person who shall have been a Prisoner in execution for any debt, for the discharge of which he is confined in any Gaol in this Island, shall be entitled to be discharged, upon and subject to the conditions and Regulations hereinafter stated, that is to say;

3. That such Prisoner shall cause to be made out a full and perfect Statement of all such Property moveable and immoveable, as he or she shall be possessed of or entitled to, or of which any person in trust for him or her shall be so possessed of and entitled to, together with a list of all the several debts owing by such Prisoner with the names of the Creditors to whom such debts are owing, and their places of abode as nearly as he or she can ascertain the same, specifying also, the nature and quality of each particular debt; of which Statement, one copy shall be delivered to each and every Creditor at whose suit such person is detained, at least Six days before any application shall be made for the discharge of the Prisoner; and another Copy shall be delivered to the Court by whom or by whose authority such Prisoner may have been committed; which Court shall thereupon, cause the same to be inserted in English, with translation thereof into the Cingalese and Tamul languages, in the Ceylon Gazette, and shall, in the said Gazette, give notice, that on a day certain, not being less than Thirty days, or more than Forty days from the date of such notice, the Prisoner shall be brought before it, in order that the Court may examine into the merits of his application to be discharged.

4. That upon the Prisoner being brought before the Court on the day so appointed, or at any adjournment thereof, such Prisoner shall be required to prove to the satisfaction of the Court, by legal evidence, that the notice and statement herein required, have been given and furnished to his Creditor or Creditors at whose suit he is detained in prison, and to the Court.

5. That after proof of such notice and statement having been given to the satisfaction of the Court, it shall be lawful for any Creditor of such prisoner, or any person acting in behalf of such Creditor, to offer proof, that the Debt of such Prisoner was contracted by means of false pretences used by the Prisoner, or by breach of any trust reposed in him as Proctor, Attorney, Agent or Servant or otherwise, or that such Prisoner has acted with gross injustice towards his Creditor or Creditors, either in contracting debts, or entering into engagements, without any reasonable prospect or probable means of fulfilling such engagements, or paying such debts, or that such prisoner has wantonly wasted in prison, or fraudulently assigned, concealed, or disposed of his effects, within two years before, or at any time during his imprisonment with intent to deprive his or her Creditors of the benefit thereof, or that the prisoner has concealed, or omitted in his statement, any property of any kind whatever, above the value of Fifty Rix Dollars, save the necessary wearing apparel of him or herself and family and the instruments of his or her trade or occupation.

6. And if such proof, made by legal evidence, shall be satisfactory to such Court, such prisoner shall thereupon be remanded to prison for such period, not exceeding in the whole Three years, as the said Court shall direct; to be computed from the day of filing such Prisoner's Petition.

7. But if on the contrary no such charge shall be so proved, and the prisoner shall swear to the truth of the statement so delivered to the Creditors and to the Court, and shall

REGULATION No. 8 of 1824.

before such Court make and execute an assignment of all the property contained in such statement, (excepting only his or her necessary wearing apparel and the instruments of his or her trade or occupation) to his or her Creditor if there be only one, and if more than one, to a person to be named by the said Court as a Trustee for his or her Creditors, such prisoner shall be immediately discharged from Custody, and shall be no more liable to arrest for the debts for which he or she shall have been so in execution, or for any debts contracted by such prisoner prior to his or her discharge and specified in the Schedule by such prisoner delivered in and sworn to: But all the future property of every person so discharged, shall be, and continue liable to such debts, until the same shall be fully satisfied.

8. Provided always, that if it shall appear to the Court, that any defect or omission in the original statement of property delivered in by a debtor, did not proceed from fraudulent intention on the part of such debtor to evade the provisions of this Regulation, or to defraud his or her Creditors, it shall be lawful to such Court, to make an order, that such Debtor be allowed to amend his or her defective statement, and upon delivering or causing to be delivered a copy of such amended Statement to each and every Creditor at whose suit he or she may be confined, six days at the least before renewing his or her application, to be enlarged, such copy shall on his or her application be brought again before the Court, for the purpose of proceeding touching his or her release under this Regulation.

9. Provided always, and it is hereby enacted, that in the case of Prisoners at the Government, the statement required by the third Clause of this Regulation shall be delivered to the Collector of the District, in which such prisoner is confined, and if, upon the day appointed for hearing the prisoner's application, a warrant under the Great Seal of the Governor or in his absence the Lieutenant Governor of this Island, excluding and excepting such prisoner from the benefit of this Regulation, shall be then produced and filed, the Prisoner shall be remanded to his or her former custody; otherwise the Court shall proceed as is herein directed in the case of other prisoners.

10. Provided nevertheless, that if it shall appear expedient to the Court, to postpone the hearing of any prisoner from the day first appointed, such Court may appoint any further day or days, at an interval of not more than twenty days; before the expiration of which last period, the Court shall proceed as is hereinbefore directed.

11. And whereas it may happen, that a prisoner not justly entitled thereto, may obtain his discharge by surprize, or want of due notice to those at whose suit he or she may be imprisoned; It is enacted, that if within one year after the discharge of any prisoner by reason of this Regulation, any Creditor shall satisfy the Court, by affidavit, of such circumstances of surprize or want of notice, it may and shall be lawful for such Court, to issue a Warrant for arresting the person of such prisoner so discharged, in order to a rehearing of his application; at which rehearing, the Court shall proceed, as if upon the first application, and act upon the proof then made, as if such first application had never been made; and if the Court shall think such prisoner not entitled to his discharge, it shall re-commit him, and all the former proceedings, and every part thereof, save and except the assignment made by such prisoner, shall be null and void, to all intents and purposes.

12. And whereas it may happen, that prisoners in execution for debt, though they have property, do nevertheless prefer living in Gaol at the expense of their creditors, and to the prejudice thereof, it is enacted, that when any person shall be in custody in execution for debt, it shall be lawful for any creditor at whose suit he is so imprisoned, to apply to the Court, by Petition, stating the circumstances under which such person has been committed, by Petition, stating the circumstances under which such debt was contracted, and praying, that such prisoner may be required to furnish the statement, and make the assignment herein before required; and such Court shall thereupon, appoint a time, not less than ten days after, for hearing the said application, and shall direct a Copy thereof to be furnished to such prisoner, at least six days before such hearing, and if such prisoner shall refuse to comply with the terms aforesaid, it shall be no longer necessary for such creditor to pay any batta or allowance for the support of such prisoner in prison. But if on the contrary, such prisoner shall comply with the said terms, and, after the notices herein before directed shall have been published, shall appear to such Court to be entitled to the benefit of this Regulation, such Prisoner shall be thereupon discharged.

13. And it is further enacted, that in all cases of Insolvent Debtors applying to be discharged by virtue of this or any other Insolvent Regulation, they shall submit themselves to be examined on Oath touching the disposal of their Estate and Effects, and if such Insolvent Debtor, or any other person taking an Oath under the Provisions of this, or any other Insolvent Regulation, shall wilfully forswear and perjure himself, or herself, in any Oath to be taken under this Regulation, and shall be lawfully convicted thereof, he or she so offending, shall suffer such punishment as by law may be inflicted on persons convicted of wilful and corrupt Perjury.

14. And it is further enacted, that the Court before which any Prisoner confined for Debt shall be examined with a view to his or her discharge, shall declare in open Court, and record in its proceedings, the specific cause for which any Prisoner is remanded to Prison, if he or she be so remanded; or if such Prisoner be discharged, whether it be upon failure of proof of any allegation made against such Prisoner, of any of the charges in the 5th Clause of this Regulation specified.

15. Provided, that appeal be allowed to either Party, Creditor or Debtor, (such Debtor being allowed to plead in formâ Pauperis) feeling himself or herself aggrieved by any decision under this Regulation of any Provincial Court or Sitting Magistrate, to the High Court of Appeal, or to the Minor Court of Appeal, as the case may be, provided nevertheless, that no intervention of any appeal by any Creditor, shall have the effect of delaying the discharge of any Debtor who shall have obtained an order for his or her discharge, but such Debtor shall be discharged, subject to being again retaken and committed in satisfaction of the Debt adjudged to be due from him or her, in case the appeal against the order of Court allowing his or her discharge, shall prevail, and such order be reversed.

16. And it is further enacted, that notwithstanding any order for the Prisoner remaining in Custody, the property of such Prisoner shall be immediately assigned for the benefit of his Creditors, as by the Seventh Clause of this Regulation is required; and if the Prisoner shall refuse to make and execute the assignment of the same, such refusal shall be recorded, and the assignment shall be forthwith made and executed in the name of such Prisoner, by the Registrar or such other Officer as the Court may direct; and such assignment, being attested under the hand and seal of the Judge shall be valid to all intents and purposes, and proceedings shall be had thereon, as if the same had been duly made and executed by the prisoner.

17. Provided always, that if it shall appear to the Court to which any Insolvent Debtor shall have applied for his or her discharge under this Regulation, that the full notice required by the third Clause has not been given, it shall be lawful for the Judge of such Court, to appoint another day for the hearing of the said Insolvent's application to be discharged, upon due notice undertaken to be given by him or her in the mean time.

18. And it is further enacted, that in cases of one Creditor only, the form of assignment shall be as follows:

"I do hereby assign and give over to all the property moveable and immoveable contained in the annexed statement delivered by me upon oath to the Court of in pursuance of the Eighth Regulation of the Year 1824; excepting my wearing Apparel, and the Instruments of my trade and occupation."

But if there be more than one Creditor, and the Assignee be appointed to act as a Trustee, then after the word "occupation," shall be added, "in trust, to sell and dispose of the same, and out of the proceeds thereof, so far as the same will extend, to pay the debts owing to the Creditors named in the annexed statement delivered by me to the said Court on oath; according to the priority, preference, and proportion, to which by law they may be entitled."

And in order to enforce a due account of the property vested in Assignees under this Regulation, it is enacted, that every such Assignee, acting as a Trustee, shall, within six months after the date of his appointment file an account upon Oath in the Court before whom he is appointed, and the Schedule of a dividend upon such account, and so on from time to time, shall, in every six months, file a fresh account upon oath, so long as any thing remains under his charge to be accounted for.

20. Provided always, that no such dividend shall be paid until the Schedule thereof, shewing the proportion assigned to each creditor, according to the priority and preference to which he may be by law be entitled, has been submitted by the assignee to the Court, before which the assignment was made, and by order of such Court published in the Ceylon Gazette with notice, that on a certain day, not less than two, or more than three months from the date of such notice, the Court will proceed to confirm such Schedule, unless opposition be made thereto by any of the Creditors; and on such day, any such Creditor, may without any Cost or Fees of Court, bring forward, and proceed to substantiate, his or her objections to such Schedule; on which the Court shall proceed as soon as may be, to determine finally, and without appeal, and the dividends under this Regulation shall be made according to such decision: Provided nevertheless, that no decision of such Court, adverse to such Creditor, shall prevent further proceedings by such Creditor to substantiate his or her preferable claims against the Debtor by due course of Law.

21. And it is further enacted, that it shall and may be lawful to the Court by which any Assignee may be appointed under this Regulation, to allow to such Assignee, from the sums by him realized in the execution of the trust reposed in him, at the time of his filing his final account thereof, such amount of percentage upon the capital, not exceeding five per Cent, as shall appear to the said Court, a sufficient remuneration for the trouble or exertion of such Assignee.

In order to enforce a due account of the Property vested in such Assignees as shall be appointed pursuant to this Regulation, it shall be lawful for the Court before whom such assignment was made, upon the request, either of the person so assigning his or her Property, or of his or her Creditor or Creditors; to issue a Summons calling upon such Assignee to account, and appointing a day, not less than ten days after for receiving and considering such Assignees account, and in case such Assignee shall not appear, or appearing, shall not satisfactorily account before the Court for all such Property as may have come to his hands, then by a Warrant, under the seal of the Judge or Magistrate of such Court, to direct such Assignee to stand committed to prison, until full satisfaction shall be made: And no such Assignee shall be entitled to any of the benefits of this Regulation for or on account of the monies for the non payment of which he shall be so committed.

22. And it is further declared and enacted, that assignments under this Regulation shall not be subject to stamp duty; and that this Regulation be forthwith translated as usual, and that a Copy in each Language be posted and set up within the limits of every Gaol in this Island.

And it is further enacted, that no person, who shall have been at any time discharged by virtue of this Regulation or of any previous Regulation for the relief of Insolvent Debtors, shall again be entitled to the benefit thereof, within the space of Five years after such Discharge, unless Three-fourths in number and value of the Creditors against whom such Person shall seek to be discharged by virtue of this Regulation, shall signify his, her or their assent to such Discharge, or it shall be made to appear to the satisfaction of the Court, under whose committal such Person may be in custody, that such Person has, since his or her former discharge, endeavoured by Industry and Frugality to pay all just demands upon him or her, and has incurred no unnecessary Expense, and that the Debts which such Person has incurred, subsequent to such former Discharge, have been necessarily incurred for the maintenance of such Person, or his or her Family, or that the Insolvency of such Person has arisen from misfortune, or from inability to acquire subsistence for himself or herself, and his or her Family.

*Given at Colombo this Twentieth day of April, One Thousand Eight Hundred and Twenty four.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

To be Proclaimed in the Kandyan Provinces; the execution of the Regulation therein, in so far as relates to the Courts before whom the proceedings are to take place, and appeals made to, being guided by the Proclamation of the 21st November 1818, and other order connected therewith.

By His Excellency's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Provs.*

## REGULATION.

\* For granting to the Registrar of the Supreme Court of Judicature Process of Parate Execution against Persons borrowing Money from the Funds under the administration of the Supreme Court, and not paying the same, or the Interest thereof.

REGULATION No. 9 of 1824.

Preamble.

1. **W**HEREAS it has been determined, that the Monies belonging to suitors in the Supreme Court of Judicature in the Island of Ceylon, and to Intestate Estates under the administration of the Registrar of the said Court, and lying in deposit in the Public Treasury at the disposal of the said Supreme Court, may be lent out on Interest to Individuals by the said Registrar, under the superintendence of a Board constituted for the purpose; and it is expedient, that for the more prompt and effectual recovery of such Loans and the Intere thereon, the Registrar should be empowered to demand, and the several Justices of the Peace and these Settlements should be empowered to grant Process of Parate Execution against all and every Debtor or Debtors who shall borrow Money from any of the Funds under the administration of the said Supreme Court, and not pay the same at the period stipulated, or one Month in default in the payment of the stipulated Interest.

The Registrar of the Supreme Court to sue out process of Parate Execution against debtor.

2. It is therefore enacted by His Excellency the Governor in Council, that it shall be lawful for the Registrar of the said Supreme Court for the time being in his capacity as such, to sue out from any Court of Justice within this Island having Jurisdiction over the person or effects of any person or persons who shall borrow Money from any of the Funds under the administration of the said Supreme Court, including those formerly administered by the Weeskamers, and who shall not repay the principal Amount at the period by his, her, or their obligations, stipulated, or if no period be stipulated, in one Month after demand made in writing by the said Registrar; or shall make default in the payment of the stipulated Interest due on the same for more than one calendar Month, Process of Parate Execution against the body and effects of such person or persons; and every such Court is hereby authorized and directed, on the application and affidavit of the said Registrar for the time being, forthwith, and without further notice or delay to issue such Process.

Given at Colombo this Thirtieth day of August One Thousand Eight Hundred and Twenty-four.

By Order of the Council

GEO. LUSIGNAN,

Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,

Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 5 of 1833.)

For modifying the pecuniary Penalties against breaches of the Eighth Regulation of 1816, and for employing prisoners under sentence to hard labour for such breaches similarly as other prisoners sentenced to labour.

Regulation No. 10 of 1824.

1. **W**HEREAS it is expedient to modify the provisions of the Eighth Regulation of the year One Thousand Eight Hundred and Sixteen, in so far as to vest the power of sentencing Magistrates, or Justices of the Peace, before whom persons may be convicted of any of the offences punishable under the said Regulation, with a discretion as to the amount of Fine or Penalty to be levied on the parties convicted.

2. It is therefore enacted, by His Excellency the Governor in Council, that from and after the publication of this Regulation, it shall and may be lawful, for any Sitting Magistrate or Justice of the Peace, before whom any person shall be convicted of a breach of the enactments of the Eighth Regulation of the year One Thousand Eight Hundred and Sixteen to assess on the person so convicted, such Fine or Penalty as in his discretion such Magistrate shall think fit, not exceeding the amount of Fine or Penalty enacted by the said Regulation in each of the several cases it provides for, not being less than one-fifth of such amount; and such Sitting Magistrate, or Justice of the Peace shall award in default of the Fine or Penalty he shall so assess being paid, that the person convicted, shall be imprisoned at hard labour for the term which is enacted by the said Eighth Regulation of the year One Thousand Eight Hundred and Sixteen, as the commuted or alternative punishment of the particular offence, of which such person shall be convicted.

3. And it is further enacted, that Persons sentenced to imprisonment and labour for breaches of the said Eighth Regulation of the year One Thousand Eight Hundred and Sixteen, shall not in future be employed exclusively in the Cinnamon Plantations, but in the same manner as all other Prisoners sentenced to hard labour are employed under the Tenth Regulation of the Year One Thousand Eight Hundred and Twelve.

Given at Colombo this Thirtieth day of August One Thousand Eight Hundred and Twenty-four.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For preventing the counterfeiting of Coin by washing or gilding and the uttering of any Coin so counterfeited.*

1. **W**HEREAS it is necessary to prevent frauds on the public from altering or falsifying the current Coin of this Island, by the washing of Copper Coin so as to resemble Silver or of Silver Coin so as to resemble Gold, or by the uttering of any such altered or falsified Coin.

REGULATION No. 11 of 1824.

Preamble.

2. It is therefore enacted by His Excellency The Governor in Council, that if any person shall alter or falsify any Coin whatever current in this Island, by colouring, or casing over the same with Gold, or Silver, or with any wash, or otherwise producing the colour of Gold or Silver; or if any person shall utter any such altered or falsified Coin, knowing it to be altered or falsified, or if any person or persons so offending, or aiding and abetting in such offence, be, on conviction thereof, if he, she, or they be Europeans, sentenced to be kept in solitary confinement, in any of the Goals of this Island, for any term not exceeding Two years; during which time he, she or they shall have such allowance only for diet, as the Governor, or in his absence the Lieutenant Governor of this Island, shall by His Warrant direct: And if he, she or they be not Europeans, shall be liable to fine, Imprisonment, hard labour and Corporal Punishment, or any of them, at the discretion of the Court having competent Jurisdiction, before which such person or persons shall be convicted.

Penalty on Europeans who shall alter or falsify Coin.

On other than Europeans.

*Given at Colombo, this Thirtieth day of August One Thousand Eight Hundred and Twenty-four.*

By Order of the Council  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 6 of 1835.)*

*the course of proceedings under which the privilege of Cessio Bonorum may be obtained by unfortunate Debtors.*

**W**HEREAS by the Roman Dutch Law as prevailing in these Settlements, persons in distressing circumstances are allowed, upon the surrender of their property, and upon proof that their debts have not been incurred by fraud or misconduct, to solicit and obtain the privilege of Cessio Bonorum, whereby their persons may be protected from arrest and imprisonment on account of such debts; And whereas the rules of proceeding for obtaining such privilege ought to be generally known and understood.

Regulation No. 12 of 1824.

2. It is hereby declared and enacted by His Excellency The Governor in Council that any person who may desire to obtain this privilege by a fair and honest surrender of all his property, may, before any Judgment shall have been obtained against him at the suit of any Creditor, proceed, by presenting to the Governor or Lieutenant Governor, a Petition to the effect following.

"The Petition of A. B. of C. in the British Settlements of the Island of Ceylon."  
"Represents."

"That the Petitioner has been resident in the District of \_\_\_\_\_ for six months prior to this date, and through misfortunes and losses sustained by him, has become so far involved in debts, as to be unable to satisfy his Creditors, and his said Creditors notwithstanding press him for payment of the same."

"Petitioner therefore finds himself under the necessity of claiming the Privilege of Cessio in order that such property as he now possesses, may be rendered available for his debts, and his person may be protected from imprisonment."

3. And it is enacted, that upon lodging such petition with the Chief Secretary or Deputy Secretary of Government, and entering into a Bond with two sufficient Securities for the payment of such Costs not exceeding Two hundred and fifty dollars as may be incurred in the course of the proceedings; the said Governor or Lieutenant Governor may, unless the Petitioner be a debtor to the Crown, and it shall appear to the Governor or Lieutenant Governor that it is improper therefore to grant the Petitioner's prayer; by his endorsement on the Petition, refer the same to the Supreme Court of Judicature, if the Petitioner be one of that class of persons known and described as Europeans, or a native resident within the Town, Fort and District of Colombo; otherwise to the Provincial Court of the District wherein such Petitioner has been for six months resident, as stated in his Petition, for enquiry and decision thereupon.

4. And if such Court, after having proceeded in the manner herein after directed, shall decide that the Petitioner is entitled to the privilege by him claimed, and shall report a copy of such judgment under the seal of such Court, the Governor or Lieutenant Governor may, by endorsement on such Copy, direct it to be enrolled in the Secretary's Office as of record.

5. And it is enacted, that when the said judgment shall have been so enrolled, the person of the Petitioner shall be free from all arrest or imprisonment on account of his debts contracted before the date of his Petition.

## REGULATION No. 13 of 1824.

6. And it is enacted, that when such Petition shall have been referred to the Supreme Court, or Provincial Court, a Certificate of such reference shall be granted to the Petitioner by the Chief Secretary or Deputy Secretary of Government, and notice of such Petition and reference shall be inserted in the Ceylon Gazette published next after the said reference shall be made.

7. And it is enacted, that on such reference having been made, the Petitioner, if not then imprisoned on account of his debts, shall immediately upon such reference being made, and until there shall be a final decision upon his Petition, be exempt from arrest at the suit of any of his Creditors: And if he shall be notwithstanding arrested, such arrest shall be null and void, and he shall, upon producing the said Certificate before any Judge or Magistrate, be forthwith discharged: Excepting always, that upon Affidavit by any Creditor to the value of One Hundred Rixdollars or upwards, that such Petitioner is about to leave the Island of Ceylon, such Petitioner may in that case be arrested, until he shall tender sufficient security not to depart from the said Island until the decision on the Petitioner's application for Cessio be made known.

8. And it is enacted, that the Supreme Court of Judicature, or the Chief Justice thereof, which any Petition may be referred, shall, on receiving the same, send for the Petitioner to attend before such Court within ten days, and deliver on oath an account of his debts and credits, and of all such property as he may be possessed of, and to be forth at large in a Schedule to be prepared and furnished by him, and to be appointed to be hereby empowered to sequester all such the Petitioner's property, and to be appointed Trustee by the Creditors as herein after directed.

9. And such Court shall appoint a day at a distance of not less than thirty, or more than fifty days, for all Creditors of the Petitioner to come and prove their several debts, and to assent or dissent to the granting of the said Privilege of Cessio, and shall give public notice of the day so fixed, by advertisement in the Ceylon Gazette, and by affixing copies and translations of the said Advertisement at the Court House and Cutcherry of the District.

10. And it is enacted, that the said Creditors may on the day appointed prove their debts either by affidavit duly sworn before such Court, or the standing or other Commissioners thereof, or if resident in any Country out of Ceylon, before the Judge or Chief Magistrate of the district in which such Creditors may reside.

11. And it shall be lawful for every Creditor having proved a debt either viva voce before such Court or by affidavit as aforesaid, and against whose debt no valid objection shall be made either by the Petitioner or any Creditor, to assent or dissent to the granting of the said privilege of Cessio; And it shall be lawful for absent Creditors to authorise a person by Proxy to assent or dissent on behalf of such Creditor: And if it shall appear, that four fifths in number and value of such Creditors do not assent, or if it shall be alleged on the part of any dissenting Creditor that the said Petitioner has been guilty of any fraud or concealment of the truth, and it shall appear to such Court, that such allegation is founded, upon examination of the Petitioner or of such Witnesses as may be proffered in support thereof, then such Court shall record such its judgment, and certify the same to the Governor or Lieutenant Governor, and the sequestration shall be dissolved, and all further proceedings on the said Petition shall cease, save and except, that notice shall be inserted in the Ceylon Gazette, that the privilege of Cessio has been refused to the Petitioner.

12. But in case of the assent of four fifths in number and value of the Creditors, no such allegation should be made, and that the said Petitioner shall satisfy such Court of the truth of his Petition, and shall submit to be examined upon his oath touching his conduct, losses, and misfortunes, and shall surrender all his books of account, and all papers, deeds, titles, and other documents relating to his property; then such Court shall record its opinion that he has supported the allegations of his Petition. And the said Creditors or the majority in number and value shall proceed, under the direction of such Court, to nominate a Trustee or Trustees for the management and distribution of the Petitioner's property, amongst the several creditors who have, or within twelve Months from the said day, shall have in manner and form herein before mentioned, proved debts against the Petitioner: and a Cession of all his property shall be made in open Court by the Petitioner to such Trustee or Trustees for the purposes aforesaid and the said Cession shall be and remain of record in such Court, and a copy thereof under the seal of such Court, shall be evidence of the execution thereof, in any Court of Justice in the Island of Ceylon.

13. And it is enacted, that on the next Court day ensuing the expiration of twelve months from the making of the said Cession, the Trustee or Trustees therein named, shall furnish to such Court upon oath, an account of the said property, and shall lodge the proceeds thereof in Court; and such Court shall thereupon direct one judgment to be recorded in favor of all the Creditors who shall have proved debts, and shall direct out of the proceeds, a proportionate dividend to be made to the said Creditors, after deducting a reasonable Commission, to be assigned to the Trustee or Trustees, not exceeding Five per cent, on the amount collected by them.

14. Provided always, that all property which may be acquired by such Petitioner, subsequent to such Cession, shall be liable to be taken in Execution in satisfaction of such debts; and that it shall and may be lawful, for each and every Creditor, in whose favor such judgment is recorded, to sue out from time to time, in his own name, execution against the property of the Petitioner for the balance remaining unsatisfied, until such his debt shall be paid and discharged.

15. And it is enacted, that if any Trustee, shall neglect or refuse to render such account, and to deposit such proceeds at the time to be appointed by such Court, such Trustee shall stand attached, and shall be liable to arrest and imprisonment, until he shall have complied with this Regulation.

16. And it is enacted, that no such Trustee shall be entitled either to the benefit of this Regulation, or of any Insolvent Regulation, or be relieved from imprisonment thereby, for or on account of any monies so received by him, or of not rendering such account as is hereby required.

*Given at Colombo, in the said Island of Ceylon this Thirtieth day of August 1824.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command;  
JOHN RODNEY,  
Chief Sec. to Govt

## REGULATION.

*For simplifying the transactions between Government and Merchants trading to the Ports of Colombo, Trincomalee and Point de Galle, by abolishing the receipt of boat hire by the Departments of the Master Attendant, and increasing the Fees on Port Clearances; and for otherwise amending the laws relating to the Customs.*

*(Repealed by Regulation No. 9 of 1825.)*

(The repealed enactments relating to the Customs are not published at length.)

REGULATION No. 10 of 1824.

## REGULATION.

*For preventing the wetting of Coffee the growth of this Island with the intent of increasing its apparent weight or quantity.*

A fraudulent practice prevails in this Island, of wetting Coffee in, previously to selling the same to Merchants, which practice has been found to be injurious, not only to the individual interests of the exporting Merchant, but to the general prosperity of the Island, by debasing the quality, and in consequence of the character of the produce.

It is therefore hereby enacted by His Excellency The Governor in Council, that if any person or persons, from and after the First day of January next, shall wet, or cause to be wetted any Coffee within this Island, with the intent, and for the purpose of increasing the apparent weight or quantity thereof, every such person, shall on conviction before any Provincial Judge or Sitting Magistrate, be liable to pay a fine at the rate of Ten Rix Dollars for every Parrah of Coffee so wetted; one moiety of the said Fine to be paid to His Majesty, and the other moiety to the person or persons informing against the said offender or offenders; and which Fine shall be made and levied of the lands, goods, chattels, and effects of the offender or offenders, by warrant under the Hand of such Judge or Magistrate, and in default of sufficient property whereof to levy the said fine, the person or persons so convicted, shall be imprisoned, and employed at hard labour for a period not exceeding six months, unless the said fine be sooner paid.

5. And it is further enacted, that it shall be lawful for any Provincial Judge or Sitting Magistrate before whom any information shall be laid by virtue of this Regulation, to summon to the trial of the case either for his own assistance, and satisfaction, or on the application of the Defendant, any number of Persons not exceeding nine, nor less than three, whom the said Judge or Magistrate may consider competent to decide whether the Coffee in question has been wetted or not; which summons all persons are hereby directed to obey; And such persons, not being excepted to either by the Defendant, for a cause which the said Judge or Magistrate shall consider just and reasonable ground for objection, shall be duly sworn well and truly to declare according to the best of their knowledge and belief, and according to the evidence which shall be adduced before them, whether the Coffee in question has been wetted by the Defendant or Defendants; of which fact, the opinion of the persons so sworn, or the opinion of the majority of them, shall be conclusive.

*Given at Colombo this Twenty-third day of September One Thousand Eight Hundred and Twenty four.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

Regulation No. 14 of 1824.

Preamble.

Penalty on person wetting Coffee.

Evidence of wetting.

## REGULATION.

*(Repealed by Regulation No. 12 of 1825.)*

*For relieving immoveable Property from the duty on Auctions payable to Government.*

1. WHEREAS it is His Excellency's wish to relieve immoveable Property from the Duty it is subjected to when sold by Auction

2. It is therefore enacted by His Excellency The Governor in Council, that from and after the First day of October next, it shall be lawful for every Auctioneer licensed under the Seventeenth Regulation of the year One Thousand Eight Hundred and Twenty, to deduct from the proceeds of immoveable property by him sold, Two Per Cent only; which shall be in full discharge of his Fees as Auctioneer: And all such provisions of the said Seventeenth Regulation of the year One Thousand Eight Hundred and Twenty, as relate to any further deduction to be paid over as a duty to Government on immoveable property sold at Auction, shall be, and the same are hereby repealed.

*Given at Colombo, this Twenty-third day of September One Thousand Eight Hundred and Twenty Four.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council,

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

Regulation No. 16 of 1824.

## REGULATION.

*(Repealed by Ordinance No. 1 of 1836.)*

*For the more effectual prevention of the smuggling of Tobacco out of this Island without payment of the Export duties by Law enacted, and for regulating the transport of Tobacco by Land within the Island.*

REGULATION No. 16 of 1824.

1. **W**HEREAS it is necessary for the more effectual prevention of smuggling, to place under due regulation, the transport of Tobacco from one part to another of this Island by Land.

2. It is therefore enacted by His Excellency the Governor in Council, that from and after the First day of November next, it shall not be lawful to remove Tobacco from any one District of this Island, by Land, to any other part thereof, in any larger quantity than Ten pounds weight, unless the same shall have been manufactured thereon under a license under the hand of the Collector of the District, or of the Assistant Collector of Customs, or of an Agent of Government in the place to which the same is to be carried: And when the quantity to be removed shall exceed Ten pounds weight, previous to such License being issued, the person drawing the same shall give bond to Our Lord the King, in a sum calculated at the rate of Sixteen pence for every hundred weight of Tobacco so to be removed, upon condition that the same shall be conveyed to the place for which it is declared to be intended, or to some other place within the Island, and exhibited to some Magistrate or Agent of Government, resident at or near to such place, within four months from the date of the Bond, or in default, that the amount in such Bond expressed shall be forfeited.

3. And it is further enacted, that such Bond may be put in Suit on behalf of the Crown, before any Court having Revenue Jurisdiction in these Settlements, according to the course of Revenue Process before the same; and the property of the person bound, shall be liable to such Process, for the amount expressed in such Bond. And that it shall be incumbent on the person bound in such Bond, to prove, that the said Tobacco has been conveyed according to the condition of the said Bond, by production of one or more Certificate or Certificates from a Magistrate or Agent of Government, resident at, or near to the place where such Tobacco shall have been conveyed to, of the same having been so conveyed.

4. And it is further enacted, that any person who shall be convicted of forging any Certificate required by this Regulation, or of knowingly uttering any such forged Certificate, shall be sentenced to imprisonment for any term not exceeding two years, and to be employed at hard labour during the said term.

5. And it is further enacted, that any quantity of Tobacco exceeding the weight of Ten pounds, except when in the shape of Cheroots, which shall be discovered to be conveyed by Land, from one District to another, without being accompanied by a License of the kind specified in the Second Clause of this Regulation, shall on proof of the circumstance to a Court having Revenue Jurisdiction, be confiscated, and One half of the value thereof shall be paid to the person on whose information the same shall have been seized against, and the other moiety to the Crown.

*Given at Colombo this Twenty Third day of September One Thousand Eight Hundred and Twenty four.*

By Order of the Council.

To be Proclaimed in the Kandyan Provinces

By His Excellency's Command,

GEO. LUSIGNAN,  
*Sec. Kand. Prou.*GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Gen.*

## REGULATION.

*(Expired.)*

*For further extending the term in which the Registry of Covia, Nallua, and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st March 1825.*

REGULATION No. 17 of 1824.

1. **W**HEREAS it appears by the reports of the several Commissioners, Judges and Magistrates, acting under the Ninth and Tenth Regulations of the Year 1818, that all the Claims to Covia, Nallua, and Palla Slaves, pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the Registration of the said Slaves may take place on or before the Thirtieth day of September current, as by the Fourth Regulation of the present Year is directed and required.

2. It is therefore enacted by His Excellency the Governor in Council, that the term within which the Registry of Covia, Nallua and Palla Slaves is, in and by the second Clause of the fourth Regulation of the present Year, and Clauses of the other Regulations therein referred to, required to be made, shall be, and the same is, in respect to such Slaves, respecting whom Claims have been given in before the Thirty first day of August 1819, and on which Claims, the Commissioners named under the Tenth Regulation of 1818 have not yet decided, enlarged, till the Thirty first day of March next, and all penalties consequent on neglect of such Registry, shall, as connected with such Slaves, respecting whom Claims are and shall be pending as aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the Transcripts of Registries of Covia, Nallua, and Palla Slaves, in and by the Third Clause of the said Fourth Regulation of the present year, and the several Regulations therein referred to required to be sent to the Office of the Chief Secretary



to Government, shall be transmitted on or before the Thirty first day of July 1895, and the Lists of Alterations in the same, every subsequent quarter of a year.

REGULATION No. 17 of 1824.

Given at Colombo, this Twenty-third day of September One Thousand Eight Hundred and Twenty-four.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(*Repealed by Ordinance No. 4 of 1834.*)

ment on Houses in the Town Fort and Four Gravets of Point de Galle  
ing the Roads in the same in good repair, and also for establishing for  
on bullock bandies licensed to be employed in the Town Fort and

Regulation No. 18 of 1824.

HERE expedient to provide a fund for the repairs of the Roads in the Town  
Contributions from Owners or Occupiers of Houses within such limits and by the Owners  
of bullock Carts within the same.

2. It is therefore enacted by His Excellency The Governor in Council, that a tax shall be levied on all dwelling Houses or Shops within the Town, Fort, and Four Gravets of Galle, to the amount of Five Per Cent on the annual rent of the same, provided that such Assessment shall in no instance exceed the rate of One Hundred Rix Dollars per annum.

3. That the Assessment shall be made by a Committee of three respectable persons, of whom one at least shall be a burgher, to be annually nominated by The Governor, for which purpose the Collector of Galle shall annually on the 10th day of December, present a list of Six Burghers to the Governor for his selection.

4. That the assessment shall be reported to the Collector of Galle, and by his authority notified to each person liable, through the Constable or Police Vidahn of the division, and the same shall be subject to Appeal to the said Collector, within ten days after notice, but the decision of the said Collector shall be final.

5. That the rent of Houses occupied by the Proprietors shall be estimated by the rent paid on Houses of the same description in the neighbourhood.

6. That no tax shall be levied on unoccupied Houses, nor on buildings appropriated to a Workshop, or on houses the annual rent of which does not exceed Ten Rix Dollars.

7. That the tax shall be paid to the Collector quarterly, and in case of refusal or evasion the Collector may levy the same by distress of the Property of the occupant of the House at the end of the quarter, or the occupant may be called on at his option, to work on the roads or find a labourer for one day, if his tax for the quarter does not exceed Three fanams; for two days, if it does not exceed Six Fanams, and so on for an additional day for every additional Three fanams of quarterly tax.

8. That the tax shall be considered as having effect from the First day of January next.

9. That the amount of Collections under this Regulation be exclusively applied under the superintendence of the Committee; subject to the controul and direction of the Collector, to the substantial repair of the roads in the Fort Town and Gravets, including paving where necessary.

10. That no Bullock Cart shall ply for hire or for the conveyance of Goods within the Town Fort and Gravets of Galle unless the same be licensed by the Collector at the commencement of each year; and that for such annual License, a Fee of Three Rixdollars be exacted, the proceeds whereof, deducting the expense of a board, bearing painted on it the number of the Cart corresponding with the Number of the License, shall be applied to the purposes of this Regulation.

11. That if any Bullock Cart shall be found on or after the First day of January next plying for hire, or conveying any sort of Goods within the Town Fort and Gravets without a Board affixed to it, such as is directed in the Tenth Clause of this Regulation, or if it shall be otherwise proved that any such cart has not been duly licensed by the Collector as herein before provided, the owner of such Cart shall be liable, upon due proof of such fact or facts before the Sitting Magistrate, to a Fine of Ten Rixdollars; to be levied by sale of the Cart, unless the amount of Fine be paid within Ten days from the day of the seizure of the said Cart: Provided always, that nothing in this Regulation, contained shall affect or be construed to affect Carts which may have paid the Tax at Colombo or may be only bringing goods from other districts or from places beyond the Gravets of Galle, or returning thither.

12. That the accounts of the Fund be made up by the Committee at the end of each quarter, and delivered to the Collector who shall examine and authenticate the same, and transmit them to the Auditor General for final Audit, under such instructions as shall be given by Government to that officer.

Given at Colombo, this Twenty-seventh day of October One Thousand Eight Hundred and Twenty Four.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

For amending the 13th Regulation of the Year 1824, and vesting in the Governor the power of modifying and altering the rates of Boat & Cooly hire at the Ports of Colombo, Trincomalee and Galle.

(Repealed by Regulation No. 9 of 1825.)

Regulation No. 19 of 1824.

(The repealed enactments relating to the Customs are not published at length.)

REGULATION.

(Repealed by Ordinance No. 7 of 1824.)

For the better security of individuals in their transactions relating to landed Property and for the further prevention of Frauds and Perjuries.

Regulation No. 20 of 1824.

See Reg. No. 19 of 1824 & 266.

1. WHEREAS it is necessary for the further prevention of frauds relative to landed property should be invariably passed

2. It is therefore enacted by His Excellency the Governor in or purporting to be passed in any part of the Maritime Districts on the first day of February next, shall be of force or avail in Law, for landed property, or of any security or incumbrance affecting the pledging any such property or such security, or for any lease or interest in any such property, other than a lease at will determinable at such Months, as may be according to the custom of the Country; unless such Deed be passed and executed, or the execution thereof be acknowledged within Ten days from the day of its date, by the grantor or grantors of such Deed, before a licensed Notary Public either European, Burgher, or Native, and two Witnesses; and bear the attestation of such Notary, that the same was so passed and executed, or the execution thereof so acknowledged as aforesaid, before him such Notary and Witnesses.

3. And it is further enacted, that every such Deed shall be executed or acknowledged in Duplicate before every such Notary, and that such Notary shall, at the end of every month, transmit the Duplicates of all Deeds, passed, executed, or acknowledged before him, to the Provincial Court of the District wherein he shall be licensed to officiate, together with a List in Duplicate of such Deeds; of which List, one copy with receipt signed by the Judge or Secretary of such Provincial Court shall be returned to such Notary, and the Duplicate Deeds shall be preserved carefully of record in the said Court.

4. And it is further enacted, that every European and Burgher Notary shall be entitled to demand and receive for attesting in duplicate the execution or acknowledgement of any such Deed, a Fee of Six fanams, provided such Deed be written on Paper, and One Rixdollar if the Deed be on ola or olas; and every Native Notary may demand and receive a fee of Three fanams on the same account, where the Deed shall be written on paper, and Six fanams if the Deed be on ola or olas; such fees being exclusive, and in addition to any other fees such Notaries may be already entitled to receive for drawing up Deeds.

5. Provided always, that the Duplicates of the Deeds herein above required shall not be required to be written on stamped Parchment, Paper or Olas, but that the Duplicates of such Deeds only, shall be written on Parchment, Paper, or Olas, stamped with the Stamp required by the Seventh Regulation of the year One thousand eight hundred and twenty-three.

6. And it is further enacted, that any Notary Public, European Burgher or Native, who shall fail or neglect, within fifteen days after the expiration of each month, to transmit to the proper Provincial Court, the Duplicate of any Deed or Deeds which shall be passed, executed, or acknowledged before him, shall on conviction, be liable to Fine and Imprisonment at the discretion of the Court before which he may be convicted.

7. And it is further enacted, that in so far as relates to the several descriptions of Deeds mentioned in the fourth Clause of the Seventh Regulation of the Year One thousand eight hundred and twenty-three, and in the Second Clause of this Regulation, the provision of the fifth Clause of the said Seventh Regulation of the Year One thousand eight hundred and twenty-three shall be and the same are hereby repealed.

8. Provided always, that the Provisions of this Regulation shall not be taken as applying to any Grants, Sales or other Conveyances of Land from or to the Government, or to any Lease or other Instrument or Agreement touching Land whereto the Government shall be a party, nor to any Mortgage of Land made to the said Government.

Given at Colombo this sixteenth day of December One Thousand Eight Hundred and Twenty four.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council,

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

(Repealed by Ordinance No. 6 of 1835.)

For making the Regulation No. 8 of 1824, applicable to Debtors arrested under Mesne Process against whom judgment may have been subsequently recovered.

Regulation No. 21 of 1824.

See Reg. No. 19 of 1824 & 266.

1. WHEREAS it is necessary to declare, in how far the Eighth Regulation of the Year One thousand eight hundred and twenty four, is applicable to Debtors arrested under Mesne Process, against whom judgment may have, or shall pass, and such Debtors may have continued, or may continue in Goal subsequent to such judgment.

2. It is enacted by His Excellency the Governor in Council, that any Debtor who shall have been or may be taken under a Mandate of Arrest in Mesne Process, and shall have been or shall be in custody at the time of judgment being given in favor of his or her Creditor, shall be taken to be, from and after the expiration of ten days from the date of such judgment, without further Process, a Prisoner in execution of such judgment, unless he or she shall have appealed against the same; in which case, such confinement in execution shall be considered

to commence, from the day on which the judgment or order of His Majesty in Council, or of the High, or Minor Court of Appeal, affirmatory, of the first judgment, shall be made public in the original Court.

REGULATION No. 21 of 1824.

Given at Colombo this Sixteenth day of December One Thousand Eight Hundred and Twenty Four.

By Order of the Council,  
GEO. LUSIGNAN  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION.

(Enacted by the Charter of 18th February 1833.)

Establishing a Provincial Court at Manar.

It is expedient to establish a Provincial Court for the District of Manar and to transfer to the Provincial Court of Calpentyne.

Regulation No. 22 of 1824.

It is therefore ordered by His Excellency the Governor in Council, that from and after the first day of January next there shall be a Court at Manar to be styled the Provincial Court of Manar, which shall exercise a Civil and a Criminal Jurisdiction, in and throughout the District of Manar.

3. This Court shall have the following jurisdiction:—  
CIVIL.

Over all cases excepting cases relating to the Revenue, not exceeding One hundred Rix Dollars between Europeans or where an European is Defendant; and over all Cases of whatever nature and amount excepting Cases relative to the Revenue, between Natives or wherein a Native is Defendant.

CRIMINAL.

Over all inferior offences, breaches of the Peace, and disorders against the Police with a power of inflicting punishment by fine not exceeding One Hundred Rix Dollars, by imprisonment at hard labour not exceeding a period of Three months, and by whipping not exceeding One Hundred lashes.

4. And whereas it may happen, that cases which have arisen between persons residing within the District hereby allotted to the Provincial Court at Manar, are now depending in the Provincial Court of Calpentyne; in all such cases the proceedings shall on the said first day of January next be transferred to the Provincial Court of Manar, and shall there be continued and carried on as if they had originally been commenced in the Provincial Court of Manar and the said Provincial Court of Manar is hereby enabled to grant Execution upon judgments had before the said Provincial Court of Calpentyne, in suits commenced and carried on against persons residing in the District of the Provincial Court of Manar.

It is further enacted, that so much of the Fourteenth Regulation of the Year One Thousand Eight Hundred and twelve as gives the Provincial Court of Calpentyne a jurisdiction over the District of Manar shall be and the same is repealed from the said first day of January next.

Given at Colombo this Sixteenth day of December One Thousand Eight Hundred and Twenty Four.

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

PROCLAMATION.

WE His Excellency Lieutenant General Sir EDWARD BARNES, Knight Commander of the most Honorable Military Order of the Bath, Governor and Commander in Chief in and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof, considering it necessary to provide for the security of this Town and of the lives and property of the Inhabitants thereof, which are so very frequently endangered by fires occurring in the temporary Buildings now existing. Do hereby proclaim and order that from and after the publication of these Presents no House, Out-house or other Building having a roof of Thatch, Leaves, Straw, Grass or Shingle shall be newly erected in the Town of Kandy within the limits of the Three Guard houses without Our special permission in writing—And in respect to buildings so roofed now existing within the said Limits, We do direct that the same shall not be allowed so to continue after the Thirty-first day of January which will be in the Year One Thousand Eight Hundred and Twenty Eight. And We do hereby order and direct the Agent of Government doing the duty of Magistrate of Kandy to carry this our Proclamation into effect by pulling down or caused to be pulled down any House, Out-house or other Building which shall be erected contrary to the provisions thereof or being now in existence shall remain covered with a roof of Thatch, Leaves, Straw, Grass or Shingle after the Thirty-first day of January One Thousand Eight Hundred and Twenty-eight, and to sell such portion of the Materials of such Buildings as shall be sufficient for the purpose of defraying the expense of pulling the same down.

Proclamation 1st February 1825.

Given at Kandy in the said Island of Ceylon, the First day of February in the Year of Our Lord One Thousand Eight Hundred and Twenty-five.

By His Excellency's Command,  
GEO. LUSIGNAN,  
*Sec. Kand. Provs..*

## REGULATION.

*(Expired.)*

*For further extending the term in which the Registry of Covia, Nallua and Palla Slaves, respecting whom claims are still pending for decision, may take place, till the 31st December 1825.*

REGULATION No. 1 of 1825.

1. WHEREAS it appears by the reports of the several Commissioners, Judges and Magistrates, acting under the Ninth and Tenth Regulation of the year 1818, that all the claims to Covia, Nallua and Palla Slaves, pending before the Commissioners in and by the said Tenth Regulation established, cannot be decided, so as that the registration of the said Slaves may take place on or before the Thirty first day of March current, as by the Seventeenth Regulation of the year 1824, is directed and required.

2. It is therefore enacted by His Excellency the Governor in Council, within which the Registry of Covia, Nallua and Palla Slaves is, in and by the said thereon the Seventeenth Regulation of the year 1824, and clauses of the other of Jus, red to, required to be made, shall be, and the same is, in respect to all the exec, claims have been given in before the Thirty first day of August 18 Commissioners named under the Tenth Regulation of 1818 have enlarged the Thirty first day of December next; and all penalties consequent of such P, aforesaid, only have effect in reference to that date.

3. And it is further enacted, that the Transcripts of Registries of Covia, Nallua and Palla Slaves in and by the Third clause of the Seventeenth Regulation of the year 1824, and the several Regulations therein referred to required to be sent to the Office of the Chief Secretary to Government, shall be transmitted on or before the Thirty first day of March 1826, and the Lists of alterations in the same, every subsequent quarter of a year.

*Given at Colombo this Fifteenth day of March One Thousand Eight Hundred and Twenty Five.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 4 of 1834.)*

*For repealing so much of the Seventh Regulation of 1821, as removed the responsibility of the Tax imposed by the Fifth Regulation of 1820 from the occupants to the owners in the Town &c. of Colombo, and for enforcing the collection of the Tax on Carriages by the said Fifth Regulation of 1820.*

REGULATION No. 2 of 1825.

1. WHEREAS it is expedient to repeal the second Clause of the Seventh Regulation of the year One Thousand Eight Hundred and Twenty One, entitled a Regulation for amending the Fifth Regulation of the year One Thousand Eight Hundred and Twenty; and also to provide more effectually for the collection of the Tax on Bullock Carts plying for hire or for the conveyance of Goods within the Town Fort and Gravets of Colombo, established in and by the said Fifth Regulation of the year One Thousand Eight Hundred and Twenty.

2. It is therefore enacted, by His Excellency the Governor in Council, that the said Second Clause of the Seventh Regulation of the year One Thousand Eight Hundred and Twenty One, be repealed; and that the Tax assessed on the rent of occupied Houses within the Town, Fort and Gravets of Colombo, in and by the Fifth Regulation of the year One Thousand Eight Hundred and Twenty, be collected from the occupant of each House, in the manner and mode laid down by the Seventh Clause of the said Fifth Regulation of the year One Thousand Eight Hundred and Twenty.

3. And it is further enacted, that no Bullock Cart shall ply for hire, or for the conveyance of Goods within the Town, Fort, and Gravets of Colombo, unless the same shall have been, or shall be licensed by the Collector, for which license, which shall be renewed annually, the Tax of Four Rix Dollars enacted by the Fifth Regulation of the year One Thousand Eight Hundred and Twenty is to be paid.

4. And it is further enacted, that if any Bullock Cart shall be found, on or after the First day of June next, plying for hire, or conveying any sort of Goods within the said Town, Fort and Gravets without a Board affixed to it, such as is directed in the Tenth Clause of the said Fifth Regulation of One Thousand Eight Hundred and Twenty, or if it shall be otherwise proved that any such Cart has not been duly licensed by the Collector as herein before provided, the owner of such Cart shall be liable, upon due proof of such fact or facts, before the Sitting Magistrate, to a fine of Ten Rix Dollars, to be levied by sale of the Cart, unless the amount of fine be paid in Ten days from the day of the seizure of the said Cart: Provided always, that nothing in this Regulation contained shall affect or be construed to affect Carts which may have paid the Tax at Galle, or may be only bringing Goods from other Districts, or from places beyond the Gravets of Colombo, or returning thither.

*Given at Colombo the Third day of May One Thousand Eight Hundred and Twenty-five.*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 9 of 1836.)*

*For repealing the Third Regulation of the year 1819, and vesting in the Governor the power of fixing the rates of Allowances to Prisoners, and of altering the same from time to time.*

1. WHEREAS the rates of Gaol allowance to Prisoners in the custody of the Fiscals of Districts mentioned in the Schedule annexed to the Third Regulation of the year One Thousand Eight Hundred and Nineteen, have been found by experience, in some Districts of the Island to be greater than is required for the maintenance of such Prisoners, and thereby to become an encouragement to commit offences; while it has also occasionally happened, from the dearth of provisions in other places, that the amounts therein granted were insufficient.

REGULATION No. 3 of 1836.

enacted by His Excellency the Governor in Council, that from and after the next ensuing, the said Third Regulation of the Year One Thousand Eight Hundred and Nineteen, be repealed, and that from that date it shall and may be lawful to His Excellency the Governor, or in his absence from this Island to the Lieutenant Governor, by his Order, the Chief or Deputy Secretary to Government to the Fiscal of each District, an allowance to be paid to the several classes of Prisoners confined in the several Provinces of this Island, as upon consideration of the state of the said Provinces, shall appear to him sufficient for the proper maintenance of such Prisoners in each Province respectively. And such rates from time to time as occasion may require, may be fixed in similar order to vary and alter.

3. Provided always that every Fiscal shall within three days from receiving any Order fixing, or varying the rates of Gaol allowance, affix or cause to be affixed in a conspicuous part of the Gaol a true Copy thereof, attested under his hand, and translations thereof into the Cingalese and Tamul languages.

4. And it is further enacted with respect to Prisoners confined for debt, that the charge to every Creditor for the maintenance of a Debtor confined at his Suit, shall be at the rates so to be fixed by the Governor or Lieutenant Governor as payable to such Prisoners; and the same shall be advanced by such Creditor, in such manner as by the Thirty-third Clause of the Proclamation of the Twenty-second day of January One Thousand Eight Hundred and One is directed: and shall be subject also, to the provisions in the second Regulation of the Year One Thousand Eight Hundred and Ten, by which Courts are authorized to increase, where they shall see reasonable cause, the allowance to such Prisoners for Debt.

*Given at Colombo, this Third day of May One Thousand Eight Hundred and Twenty-five*

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 2 of 1834.)*

*For effecting during the Year 1825, a commutation of the several Capitation Taxes paid in the District of Jaffnapatam under the denominations of Joy Tax, Tax on Toddy Drawers and Tappal exemption Tax.*

1. WHEREAS in the District of Jaffnapatam sundry Taxes in the nature of Capitation Taxes are paid under various Laws, Customs, Regulations and Orders, falling in various proportions on different classes of the Inhabitants, and levied at various rates in the said District. And whereas the same, more especially the Joy Tax and Toddy Tax, have been represented to Government to bear hardly upon the lower and poorer orders, and it is expedient to commute the same for a General Tax, which by the report made to Government of the inclinations of the Inhabitants, it appears will be more easy of collection, and relieve His Majesty's subjects, without detriment to the public Revenue.

REGULATION No. 4 of 1825.

2. It is therefore enacted by His Excellency the Governor in Council, that during the present year of our Lord One Thousand Eight Hundred and Twenty Five, the collection of the Tax on the wearers of Joys and Ornaments in the District of Jaffnapatam, under the Proclamation of the First day of April One Thousand Eight Hundred; of the Tax levied under various orders on persons drawing Toddy in the said District; and the Assessments levied under the authority of Government at various rates in the said District to provide more effectually for the conveyance of the public mails in lieu of calling on each Individual to carry the same gratuitously in turn, shall be suspended. And that in lieu of all the said Taxes and Assessments, being all of them more or less in the nature of Capitation Taxes, there shall be levied upon all and every male Inhabitant of the said District of Jaffnapatam, being above the age of Fifteen and under Sixty Years, the sum of One Rix Dollar.

3. And it is enacted, that such sum shall be paid by every person liable thereto, on or before the Thirtieth day of September next, at such place, and to such person as the Collector of the said District shall appoint and publicly notify. And that every such person shall furnish himself with a Certificate under the hand of the Collector of the District or of his Assistant.

4. And it is enacted, that if it shall appear to the Collector of the said District, on or after the First day of October next ensuing, that any person liable to this Tax has not complied with the exigencies of this Regulation, such person shall be liable to be called on by the Collector to work gratuitously at any public work which may be selected for a period not exceeding Fourteen days; and if any such person shall abscond from, or evade being employed on such work,



REGULATION No. 3 of 1825.

he shall be then liable to be committed by such Collector to Imprisonment, and to be employed at hard labour for such period of Fourteen days, or such portion thereof, as may remain after reckoning the days he may have voluntarily worked under the previous order of such Collector.

5. And it is declared and enacted, that the Collector shall exempt from this Tax, the Headmen and Police Vidahns in actual employ in his District on the First day of June next.

6. And it is further enacted, that any person who may be employed under the Collector in the execution of this Regulation, who may be convicted before any competent Court or Magistrate, of embezzlement, extortion, or of any attempt to embezzle, or extort Money, or any other valuable consideration or of any fraud in the execution of his duty, shall be liable to punishment by fine or imprisonment at hard labour, or both, at the discretion and according to the Jurisdiction of the Court or Magistrate before whom the conviction may take place: and such Court or Magistrate may award one half of any fine levied, to be paid to the Informer on whose prosecution any conviction shall take place.

7. And it is further enacted that during the Year One Thousand Eight Hundred and Twenty-five, the sale of Toddy within the District aforesaid, shall be free in the places of retail of the same in the Town and Gravets of Jaffnapatnam, that District, may, by Order in writing limit and restrict.

8. And it is further enacted, that any Law Rule or Custom herebefore in force in that District, at the present Year, suspended, and of no effect.

Given at Colombo this Third day of May One Thousand Eight Hundred and Twenty-five.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 8 of 1834.)

For explaining certain parts of the Thirteenth Regulation of the Year 1822, entitled "For fixing the periods of prescription in Civil Cases and repealing all previous Laws or Customs touching the same."

REGULATION No. 5 of 1825.

1. WHEREAS doubts have arisen, whether Bonds, not being sealed by the obligor (of which nature are in general all Bonds passed in this Island), come under the description of Bonds specified in the Fourth Clause of the Thirteenth Regulation of the Year One Thousand Eight Hundred and Twenty Two; and also what period of prescription shall be allowed in cases of money lent without any written agreement or stipulation touching the same.

2. It is therefore hereby declared and enacted by His Excellency the Governor in Council, that all and every Instrument of Hypothecation or Mortgage or Bond conditioned for the future Payment of money, or the performance of any agreement, or trust, or the payment of any penalty being if made or passed, or purporting to be made or passed within any of the Maritime Districts of this Island, duly stamped, and whether Notarial or not Notarial, and whether under the seal of the obligor or not, provided the same be otherwise executed according to Law, shall be considered as an Instrument of Hypothecation or Mortgage or Bonds, of the Class of Instruments specified in the Fourth Clause of the Thirteenth Regulation of the Year One Thousand Eight Hundred and Twenty Two.

3. And it is further declared and enacted, that actions to recover money lent without any bond, acknowledgement, note or other written security, shall be considered as coming under the Class of actions for the recovery of moveable property specified in the sixth Clause of the said Thirteenth Regulation of the Year One Thousand Eight Hundred and Twenty Two.

Given at Colombo, this Fourteenth day of June One Thousand Eight Hundred and Twenty Five.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Regulation No. 9 of 1825.)

For settling any doubt as to the Jurisdiction of the Sitting Magistrate of the Port of Colombo to decide Cases relative to the Collection of Customs for the said Port,

REGULATION No. 6 of 1825.

1. WHEREAS doubts have arisen whether the power vested in the Sitting Magistrate for the Port of Colombo, in and by the Twenty first Clause of the Tenth Regulation of the Year One Thousand Eight Hundred and Six, to try all cases of whatever nature either civil or criminal, which relate to the collection of the Customs of the Port of Colombo, are taken away by the operation of the sixth Regulation of the Year One Thousand Eight Hundred and Twenty.

2. It is therefore declared and enacted by His Excellency The Governor in Council, that nothing in the said sixth Regulation of the Year One Thousand Eight Hundred and Twenty, or any other Regulation contained, shall be construed to take away or affect the Jurisdiction in and by

the said tenth Regulation of the Year One Thousand Eight Hundred and Six, vested in the Sitting Magistrate for the Port of Colombo, in relation to the collection of the Customs at the said Port, and the enforcing the penalties for the contravention of the laws relative thereto.

REGULATION No. 6 of 1825.

3. Provided always, that such jurisdiction in civil cases be exercised in such form and manner as the other Courts of this Island having a Revenue jurisdiction are authorised and required to exercise the same in similar cases; and also subject to Appeals from the decision of the said Magistrate to the High Court of Appeal, and the Minor Court of Appeal for Revenue causes, according to the value of the object in suit: and also subject to the controuling Jurisdiction of the Supreme Court of Judicature, in all matters of Criminal Jurisdiction.

*Given at Colombo the Fourteenth day of June One Thousand Eight Hundred and Twenty Five.*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Ordinance No. 4 of 1834.)*

*For establishing a mode of recovering the arrears due by the Owners of Houses in the Town, Fort and Gravets of Colombo, of the Tax on the rent of the same up to the 31st day of March 1825.*

1. **W**HEREAS the second Regulation of the present Year has not provided for the recovery of the arrears of Taxes due and assessed under the provisions of the seventh Regulation of the year One Thousand Eight Hundred and Twenty One.

*Regulation No. 7 of 1825.*

2. It is therefore enacted by His Excellency The Governor in Council, that all such arrears of Tax on the rent of Houses and Shops situated in the Town, Fort, and Gravets of Colombo, as were due under the provisions of the seventh Regulation of the year One Thousand Eight Hundred and Twenty One, from the proprietors of the same on the Thirty-first day of March last, shall and may be collected, if need be, by the sale of the Houses or Shops themselves under Process of Parate Execution against the owner or owners thereof: unless such owner or owners, shall within fourteen days after notice given to him her or them, of such Process, pay the amount of such arrears, or shew sufficient cause to the Sitting Magistrate of Colombo, why he or they, should not pay the same; and such Process shall be issued by the said Sitting Magistrate upon the certificate of the Collector of Colombo, supported by the affidavit of the division, or other officers to whom the collection of the Tax may have been committed, such Collector, being filed in the Court of the said Magistrate.

It is further enacted, that if there be any difficulty in discovering the owner or owners so as to serve the notice herein above mentioned on him, her, or them personally, the affixing of such notice on the outer wall of the House or Shop, shall be deemed and taken to be a sufficient service.

*Given at Colombo this Fourteenth day of June One Thousand Eight Hundred and Twenty Five*

By Order of the Council,  
GEO. LUSIGNAN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*For declaring the legal and established currency of the Island of Ceylon to be the Silver and Copper current Coin of Great Britain, and also the Ceylon Silver and Paper Rix Dollar and the Copper subdivisions thereof already current therein.*

*Regulation No. 8 of 1825.*

*Preamble.*

1. **W**HEREAS it is His Majesty's most gracious command, that an uniform currency shall be established in the whole of His Majesty's foreign Possessions, founded upon, and having reference to the currency of the United Kingdom of Great Britain and Ireland; and that all accounts within this Island should be kept and settled in British currency, to wit, in Pounds, Shillings, Pence and Farthings. And Whereas His Majesty has also been pleased to direct, that the Silver Rix Dollar of this Island now current therein, being of the coinage of the Royal Mint of the Year 1821, shall pass current and be received in the Island as One Shilling and Six Pence of British Silver Money, and also the Treasury Notes of this Island expressed in Rix Dollars at the same rate. And that British Silver Coin, whereof Sixty six Shillings go to one Pound Troy of standard Silver, should be received and pass as the lawful Coin of this Island, and British Copper Coin also pass as the lawful Copper Coin of this Island, save that no one shall be compelled to receive more than One Shilling, or twelve Pence of the said Copper Coin at one payment.

REGULATION No. 8 of 1825.

Accounts to be kept in Pounds Shillings, Pence and Farthings.

British Silver Coin a legal tender.

Rix Dollars of 1821 and Rix-dollar Notes to be reckoned at one Shilling and Six pence.

British Copper Coin to be current.

Also present Copper Coin.

No person required to take more copper than twelve Pence.

Till new Tables of rates be established, Customs &c. to be collected in Rix Dollars but brought to account in British Currency.

Public receipts to be granted in British Currency.

Judgments and process of Courts to be expressed in British Currency.

All pleadings to express money in British Currency.

The Rix Dollar to be valued at One Shilling and Six Pence.

2. It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the first day of July now current, all accounts of this Government shall be kept, entered, and adjusted in the currency of the United Kingdom of Great Britain and Ireland, to wit, in Pounds, Shillings, Pence and Farthings.

3. And it is further enacted, that British Silver Coin consisting of Crowns, Half Crowns, Shillings and Sixpences, whereof Sixty six Shillings go to the Pound Troy of standard Silver consisting of Eleven Ounces and Two penny weights pure Silver and Eighteen Penny weights of alloy, shall be a legal and full tender in every matter of account or Debt throughout this Island, from and after the publication of this Regulation in the several Districts thereof.

4. And it is further enacted, that from and after the first day of July now current, the Silver Rix Dollars current in this Island, being the issue of His Majesty's Mint in England of the year 1821, and the value thereof expressed in Rix Dollars, shall be received and valued to British Silver currency, of One Shilling and Six Pence the Rix Dollar.

5. And it is further enacted, that the Copper Coin of Great Britain consisting of Pence, Half Pence, and Farthings shall be current throughout this Island, and that the Copper Coin now current in this Island shall also continue current therein, at the following relative rates.

The Copper Fanam at a Penny and a Half Penny.

Half a Fanam at Three Farthings.

A Pice at Three Eighths of a Penny.

Half a Pice at Three Sixteenths of a Penny.

A Dutch Challie at One eighth of a Penny.

Provided always, that no person shall be required to receive more than One Shilling, or Twelve Pence, or Eight Fanams in Copper Coin at one time.

6. And it is further enacted, that until new Tables of Rates of Customs, Taxes, Duties, Fees, Fines, or Penalties shall be established for the collection of the public Revenue, the said Customs, Taxes, Duties, Fees, Fines and Penalties heretofore by Law established, shall continue to be levied, assessed and collected in such manner, and in such number of Rix Dollars, Fanams, and Pice, as by Law now in force the same are authorized to be levied, assessed and collected; and that in bringing the same to the credit of the public, the same be stated in British Currency at the rate of One Shilling and Six Pence the Rix Dollar; and from and after the publication of this Regulation, all receipts by public Departments to persons paying in money for public purposes, be granted and expressed, either solely in British Currency, or if need be, and until further order only, in such Currency, and in the present Island Currency, valuing as aforementioned, the Rix Dollar at One Shilling and Six Pence of British Currency.

7. And it is hereby further enacted, that from and after the publication of this Regulation, all Judgments and Process of Courts of Justice, in cases, relating to the recovery of money, or of the value of any Lands or Goods required to be estimated in money, shall unless in very special cases, pass and be expressed in British Currency; and that all Pleadings in such Courts, wherein money shall require to be expressed, shall state the same in British Currency; Reference being had if necessary, to the relative value of such British Currency to any other Coins or Currency wherein the transaction which is the subject of the suit may have taken place, at such rate of exchange between such other Coin or Currency and British Currency, as the parties may please to put on the same; of the Justice of which rate, the Court will decide, as of the other matters in the case; save and except as to the Ceylon Rix Dollar, which is fixed and shall be estimated in all cases at One Shilling and Six Pence,

Given at Colombo, this Fourth day of July One Thousand Eight Hundred and Twenty-five.

By Order of the Council,  
GEO. LUSIGNAN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

To be proclaimed in the Kandyan Provinces,

By His Excellency's Command,  
GEO. LUSIGNAN,  
Sec. Kand. Provs.



## REGULATION.

*For repealing all former Laws relating to the collection of Customs, and enacting new Laws Rules and Tables for collecting the same, and for the export or import of Goods, and landing and shipping the same and for granting certain drawbacks, and also allowing the Warehousing of certain Goods for re-exportation, and also for preventing the introduction of any pestilential or contagious disease into this Island.*

(Repealed by Ordinance No 5. of 1837.)

(The repealed enactments relating to the Customs are not published at length.)

REGULATION No 9 of 1825.

## REGULATION.

(Repealed by Ordinance No. 2 of 1834.)

*For the operation to the Regulation No. 4 of 1825 for effecting a commutation of the several Capitation Taxes, paid in the District of Jaffnapatam under the denominations of Joy Tax, Tax on Toddy Drawers, and Tappal exemption Tax; and for extending the provisions of the said Regulation to the Districts of Manar & Trincomalee and the Wannu Provinces.*

It is expedient to render permanent the provisions of the Regulation No. 4 of 1825 for effecting during the year 1825 a commutation of the several Capitation Taxes in the District of Jaffnapatam under the denominations of Joy Tax, Tax on Toddy Drawers, and Tappal exemption Tax; and to extend the operation of the same to the District of Manar & Trincomalee and the Wannu Provinces: And Whereas in the said Districts and Provinces the several Capitation Taxes are paid under various Laws, Customs, Regulations and Orders, falling in various proportions on different classes of the Inhabitants, and levied at various rates in the said Districts and Provinces: And whereas the same, more especially the Joy Tax, and Toddy Tax, have been represented to Government to bear hardly upon the lower and poorer orders, and it is expedient to commute the same for a general Tax, which, by the reports made to Government of the Inclinations of the Inhabitants, it appears will be more easy of collection, and relieve His Majesty's subjects, without detriment to the public revenue.

Regulation No. 10 of 1825.

1. It is therefore enacted by His Excellency the Governor in Council, that from and after the first day of January next, the collection of the Tax on the wearers of Joys and Ornaments in the Districts of Jaffnapatam, Manar, and Trincomalee and in the Wannu Provinces under the Proclamation of the First day of April One Thousand Eight Hundred; of the Tax levied under various orders on persons drawing Toddy in the said Districts and Provinces, and the Assessments levied under the authority of Government at various rates in the said Districts and Provinces to provide more effectually for the conveyance of the Public Mails in lieu of calling on each Individual to carry the same gratuitously in turn, shall be suspended: And that in all the said Taxes and Assessments, (being all of them more or less in the nature of Capitation Taxes) there shall be levied annually upon all and every Male Inhabitants in the said Districts and Provinces, being above the age of Fifteen and under Sixty years the sum of Five Shilling and Six Pence.

2. It is enacted, that such Sum shall be paid by every person liable thereto, on or before the Thirtieth day of June in each year at such place, and to such person as the Collector of the District or Province to which such person may belong shall appoint and publicly notify: And that every such person shall furnish himself with a Certificate under the hand of such Collector or of his Assistant.

3. And it is enacted, that if it shall appear to any such Collector on or after the first day of July next ensuing, that any person liable to this Tax has not complied with the exigencies of this Regulation, such person shall be liable to be called on by such Collector to work gratuitously at any public work which may be selected, for a period not exceeding fourteen days; and if any such person shall abscond from, or evade being employed on such work, he shall be then liable to be committed by such Collector to Imprisonment, and to be employed at hard labour for the said period of Fourteen days, or such portion thereof, as may remain after reckoning the days he may have voluntarily worked under the previous order of such Collector.

4. And it is declared and enacted, that every such Collector shall exempt from this Tax, the Headmen and Police Vidahns in actual employ in his District during the period of such Employment.

5. And it is further enacted, that any person who may be employed under any such Collector in the execution of this Regulation, who shall be convicted before any competent Court or Magistrate, of embezzlement, extortion, or of any attempt to embezzle, or extort money, or any other valuable consideration, or of any fraud in the execution of his duty, shall be liable to punishment by fine or Imprisonment at hard labour, or both, at the discretion and according to the Jurisdiction of the Court, or Magistrate before whom the conviction shall take place: and such Court or Magistrate may award one half of the fine levied or any lesser proportions of such fine to be paid to the Informer, on whose prosecution any conviction shall take place.

6. And it is further enacted, that from and after the said first day of January next the sale of Toddy within the Districts and Provinces aforesaid shall be free and unrestricted; save and except as to the places of retail of the same which the Collectors may by order in writing limit and restrict.

7. And it is further enacted, that any Law, Rule, or Custom hereto repugnant, shall be suspended, and of no effect.

Given at Colombo, the Twenty-fifth day of November One Thousand Eight Hundred and Twenty Five.

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Partially Repealed by Charter of 18th February 1833.)

*For establishing in the Provincial Courts a course of proceeding by which debts due upon mortgage and pledge may be more easily recovered from Native Debtors, where such Debtors may be dead or not to be found.*

## REGULATION No. 11 OF 1825.

## Preamble.

Where action brought by Creditor holding Lands in mortgage before Provincial Court unless Defendant be an European, and Fiscal certify that Defendant is not to be found, Court on affidavit of Plaintiff to issue Citation in the nature of Edictile Citation.

## Form of Citation.

## Mode of serving Citation.

## Proceeding on return of Citation.

Where action brought by Creditor holding moveable property in pledge, and Defendant not to be found, property to be sequestered, and Citation issued.

## Form of Citation.

## Mode of serving Citation.

**W**HEREAS it is expedient to provide a course of proceeding whereby a Creditor holding a mortgage of the immoveable property of his Debtor or having in possession moveable property of such Debtor pledged to him, may recover from the proceeds of such immoveable or moveable property the amount of his claim although it may not be possible from death or absence to serve the Debtor with presentment and answer the demand.

1. It is therefore enacted by His Excellency The Governor or the Executive Council thereof whensoever an action shall be brought by any Creditor holding a mortgage of any other immoveable property of his debtor for the recovery of the amount due thereon such mortgage before any Provincial Court within which the mortgagor or his representative resides or has been known to have last resided if such person was domiciled within the British Settlements in the Island of Ceylon (save and except in cases where such Debtors may be persons commonly known and distinguished in the Island by the appellation of Europeans,) and the second Citation or Summons to the Defendant shall be returned by the Fiscal of the District with his Certificate that the Defendant is dead or not to be found, it shall be lawful to the said Court, on the application of the Plaintiff, and on his Affidavit stating how much remains due upon such mortgage exceeding the Sum of Seven Pounds Ten Shillings, and that he holds such Lands or immoveable property as shall in such Affidavit be described in mortgage therefore, and on his filing the Instrument under which he claims such debt and the Title Deeds of the Land or other immoveable property, to issue a Citation in the nature of an Edictile Citation, setting forth the claim of the Plaintiff and the names and descriptions of the Land or other immoveable property he alleges to be mortgaged to him and calling generally upon the Defendant or his Representative and all persons interested therein to be and appear before the Court on a day certain there to be named not being at a shorter distance of time than three months from the date of the Citation, to answer the claim of the Plaintiff, intimating that in default of any such appearance the Court will proceed to hear Evidence on the part of the Plaintiff in support of his claim, and to decide thereon, and if the decision should be for the Plaintiff to decree that the Lands or other immoveable property mortgaged shall be in Execution to satisfy the said Plaintiff; and such Citation shall be served by the Fiscal by affixing a Copy and Translation thereof on the Land mortgaged, and a Copy and Translation thereof at the door of the Cutcherry, and a Copy and Translation thereof at the door of the Provincial Court of the District; which Translations shall be in the prevalent language of such District viz. either Tamul or Cingalese, and by sending a Copy and Translations thereof to be published in the Ceylon Gazette in English, Tamul and Cingalese, which shall be inserted in such Gazette free of expense, and also by public Proclamation thereof once in every month of the said term of three months on or near to such Land and at the doors of the Cutcherry and of the Provincial Court, and such Service shall be duly and distinctly certified by the said Fiscal, on the day on which the said Citation shall be returnable to the said Provincial Court; whereupon, if neither the Defendant nor his Representative nor any Proctor duly authorized on their behalf, shall appear to defend the suit, the Court shall proceed to call on the Plaintiff to verify his claim by Evidence, and if such Evidence shall satisfy the said Court of the Justice of his claim, the Court shall decree accordingly, and Execution shall thereupon issue against the Land and other property mortgaged, and the same may and shall be sold under the same.

2. And it is further enacted, that in any case where a Plaintiff in any action before any competent Court may hold moveable property in pledge for any debts due to him by any person who at the time of incurring such debt was amenable to the Jurisdiction of such Court, and a second Citation to the Defendant shall be returned by the Fiscal of the District with Certificate that the Defendant is dead or not to be found, it shall be lawful for such Court, on the application of the Plaintiff and on his satisfying the Court by affidavit of the Justice of his claim to cause such property to be sequestered in the hands of the Fiscal, and to issue a Citation, setting forth the claim of the Plaintiff and a list or description of the property sequestered and calling generally upon the Defendant or his Representative and all persons interested therein, to be and appear before such Court on a day certain therein to be named, not being at a shorter time than three months from the issuing of such Citation, to answer the claim of the Plaintiff, and intimating that in default of any such appearance the Court will proceed to hear Evidence on the part of the Plaintiff in support of his claim, and to decide thereon, and if the decision should be for the Plaintiff to decree that such sequestered property shall be sold in Execution to satisfy the said Plaintiff; and such Citation shall be served by the Fiscal by affixing a Copy and Translation thereof at the door of the Cutcherry, and a Copy and Translation thereof at the door

of the Provincial Court of the District; which such Translations shall be in the prevalent language of such District viz. Tamul or Cingalese, and by public Proclamation thereof once in every month of the said term of three months at the doors of such Cutcherry and Provincial Court: and such service shall be duly and distinctly certified by the said Fiscal on the day on which the said Citation shall be returnable to the said Provincial Court whereupon if neither the Defendant nor his Representative nor any Proctor duly authorized on their behalf, shall appear to defend the suit, such Court shall proceed to call upon the Plaintiff to verify his claim by Evidence, and if such Evidence shall satisfy the said Court of the Justice of his claim, the Court shall decree accordingly, and Execution shall thereupon issue against such sequestered property and the same may and shall be sold under the said

REGULATION No. 11 of 1825.

Proceeding on return of Citation.

that in all such cases, and in the cases provided for by the first clause of the said Ordinance, the Defendant or his Representative shall be entitled to the same privilege as is allowed under certain limitations in and by the Twenty-ninth clause of the said Ordinance, on the Twenty-second day of January in the Year One Thousand Eight

so that nothing herein contained shall be construed to give to any Court or Judge in any case which according to the provisions of His Majesty's Letters Patent and Regulations now existing would be subject to the exclusive Jurisdiction of the Supreme Court.

Given at Colombo, the Twenty-fifth day of November One Thousand Eight Hundred and Twenty-five.

By Order of the Council,

THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 5 of 1836.)

Consolidating the Regulations concerning Auctioneers and the duties on Auctions.

AS it is expedient to consolidate the Regulations of Government No. 17, of 1823, and No. 15 of 1824, concerning Auctioneers, and the duty on Auctions payable to Government, and further to amend the same.

Regulation No. 12 of 1825.

1. It is therefore enacted by His Excellency the Governor in Council, that from and after the First day of January next ensuing the above enumerated Regulations No. 17 of 1820 and No. 15 of 1824 shall be and the same are hereby repealed: Provided always that such repeal shall not at all affect the legality of any thing done before such day of January or prejudice any rights of the Crown or of individuals which may accrue to them on account of any thing done before such day of January by virtue of the said enumerated Regulations.

2. And it is further enacted that no persons within these Settlements shall after the First day of January next ensuing act as an Auctioneer without a license under the hand and Seal of the Governor or Lieutenant Governor of this Island, excepting as is herein after excepted.

3. Such license shall continue in force for Twelve Months from the date thereof and no longer and shall be subject to a Stamp duty of Seven Pounds Ten Shillings or Six Dollars One Hundred.

4. No such license shall be granted to any person unless he can tender sufficient Sureties, to be approved of by the Collector of the district in which he is to act, for his duly performing the functions of an Auctioneer, for his duly accounting to his employers for the net amount of all Sales made by him according to the Provisions of this Regulation, for his duly accounting and paying over to Government such duties as are hereby imposed and for duly complying in all other respects with the provisions of this Regulation; for the more effectually securing of which the person applying for a license together with his Sureties, shall enter into a Bond to such effect with the said Collector, before the delivery of the license, (the said Sureties renouncing all the privileges which by any existing Laws Sureties might otherwise claim) in such sum as the said Collector shall direct. And if it shall be necessary to put such Bond in Suit it shall be done in the name and on behalf of the Government, and according to the form of Revenue process before any Court having Revenue jurisdiction. And it is hereby enacted that such Collector shall put such Bond in Suit on the application in writing of any party accompanied by a certificate from any Competent Court that a judgment has been obtained in such Court against such Auctioneer, for any sum exceeding Seven Pounds Ten Shillings or Six Dollars One Hundred, in an action to recover the amount of property sold by him at Auction, and that the party applying has satisfied such Court by affidavit or otherwise that such judgment has remained unsatisfied for more than one calendar month. And a recovery in one or more suit or suits on such Bond shall not abate or cancel the same; Provided always that the amount recoverable from the sureties shall not exceed in the whole the amount specified in such Bond.

5. And no such license shall be renewed, nor any fresh license granted, unless the person applying for the same shall satisfy the said Collector of the continued sufficiency of his sureties, or had new ones, as the case may require.



## REGULATION No. 13 of 1825.

6. In all sales of Moveable Property every such Auctioneer shall deduct from the amount sold by him, Six per Cent, of which he shall account for and pay over as a duty to Government three per Cent, the remaining three per Cent to be in full discharge of his fees as Auctioneer, that is to say, for inventoring the property and numbering the lots and conducting the sale and for being responsible to the seller for the due payment of the net amount for which such moveable property shall have been sold.

7. In sales of immoveable property (it being His Excellency's wish to relieve immoveable property from Auction duty) he shall deduct two per Cent, from the amount of every such sale, which shall be in full discharge of his fees as Auctioneer; that is to say for writing the Conditions of sale according to the instructions of his employer, for conducting the sale, and for being responsible to the seller for the due payment, according to the conditions of sale, of the net amount for which such immoveable property shall have been sold.

8. And it is further enacted that conditions of sale by Auction shall be valid and binding upon all parties thereto though written on unstamped paper, and notwithstanding to the contrary notwithstanding.

9. And whereas there are certain extra charges and expenses, not fees incidental to sales by Auction and usually incurred by Auctioneers, and to establish some fixed rate, it is further enacted, that every such Auctioneer shall recover from his employer, (or from the Buyer, if the conditions of sale case they shall expressly specify the particular items and the rate of charge according to the Table hereunto annexed due thereupon) all such extra charges and expenses incurred by the direction of his employer, as are enumerated in the said Table, at the rates therein fixed.

10. Provided always that nothing herein contained shall be construed to prejudice the claim of any such Auctioneer to recover from his employer fair and reasonable Costs and charges for any additional expenses incurred or additional services performed other than are herein enumerated and provided for if the same shall have been incurred or performed by the special direction of, or upon special agreement duly stamped and entered into with such employer.

11. In all sales of moveable property every such Auctioneer shall within two months after each sale account for and pay over to the seller the net amount of all moveable property sold by him at such sale; and in all sales of immoveable property, he shall account for and pay over to the seller the net amount of all immoveable property sold by him, according to the conditions of sale, upon which such immoveable property shall have been sold.

12. And every such Auctioneer shall on the first day of every month make a return to the said Collector of all such Sales as shall have been made by him in the month preceding stating the amounts thereof, and specifying the duties payable to Government arising therefrom, which duties he shall at the same time pay into the Cutcherry.

13. And the better to enable licensed Auctioneers to fulfil the injunctions of this Regulation, and to discharge the responsibility incurred by them to their employers and to themselves against the losses which they may sustain by the insolvency of Bidders, any such Auctioneer is hereby permitted to refuse to deliver goods sold by him at Auction until the money due to him is paid.

14. And further to aid licensed Auctioneers in recovering sums due for property sold by them at Auction for which they may have given credit, it is hereby declared that any such Auctioneer may, at the end of one month after the sale, in the case of moveable property, and at the expiration of the time appointed for payment in the conditions of sale in the case of immoveable property, sue for the amount due for the same by way of parate execution, before any Court of competent Jurisdiction, and every such Court, before which such suit shall be brought, is hereby authorised and required to grant parate execution, upon the plaint and affidavit of any such Auctioneer without further pleading or process.

15. And it is further enacted that no sale by Auction shall be held in any district except by such licensed Auctioneers, save and except by Officers of Government in Selling Government property or farms, Fiscals or their Deputies in Selling Lands and Goods in Auction, and fishermen or fish renters in Selling the fish caught daily, under penalty that all any person, or persons concerned in any such illegal Auction shall be liable, on conviction before any Provincial Court, to fine and imprisonment.

16. Provided always, that in any district where there shall not be a licensed Auctioneer resident, the Collector shall, on application from any individual, direct a fit person belonging to his Office, to execute for the occasion the functions of an Auctioneer, and shall direct all payments for goods or lands sold at Auction by him, to be made directly into the Treasury of his Cutcherry, and Six per Cent on moveable, and Two per Cent on immoveable property, shall be charged by such Collector, as well as such other extra charges according to the said annexed Table as shall have been incurred with the sanction of the seller on his account, and the same shall be deducted from the proceeds, and the balance shall be paid at the expiration of two months to the person to whom the said property belonged; and from such per centage so deducted the said Collector may assign One per Cent as a remuneration to the Officer of his department who shall have been entrusted with such sales,

17. And as it may often happen, even in districts where there is a licensed Auctioneer resident, that it may become necessary to sell by Auction moveable and immoveable property of such small value as to make it difficult for any of the parties interested therein to defray the travelling expenses and other extra charges which are by this Regulation allowed to be charged by such Auctioneer, if incurred by the consent of his Employer; and as without such Extra charges, if such moveable or immoveable property be far distant, it may not be worth the while of such Auctioneer to undertake the sale of the same, for the mere remuneration of his Fees of two per cent: It is provided also, that in all cases of moveable and immoveable property, not exceeding the value of Fifteen Pounds Sterling or Two Hundred Rix Dollars, if the same be situate at more than Ten Miles distance from the residence of the nearest licensed Auctioneer resident in the District, the Collector of such District shall be authorised, upon application from the party interested, to direct a fit person to execute the functions of an Auctioneer for the occasion, and conduct the sale of such moveable or immoveable property, in the manner and upon the terms and conditions directed in the preceding clause: provided always that such Collector

before proceeding to issue such direction shall first be satisfied that such licensed Auctioneer has been applied to, and has declined to act in conducting such sale.

REGULATION No. 12 of 1825.

Given at Colombo the Twenty-fifth day of November One Thousand Eight Hundred and Twenty-five.

By Order of the Council,  
THOMAS EDEN,  
Secretary to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

TABLE of EXTRA CHARGES to be allowed to AUCTIONEERS.

	£.	s.	d.
<i>In Sales of Moveable Property.</i>			
Proclamation by beat of Basin or otherwise three several days (9d.) for each Proclamation .. .. .	0	0	9
Transport of the place of Sale is more than a mile distant. .. .. .	0	1	0
Clerk and Crier per mile .. .. .	0	1	0
All property bought in.			
<i>In Sales of Immoveable Property.</i>			
Proclaiming Sale by beat of Basin three several days (9d.) for each Proclamation .. .. .	0	0	9
Printing and publishing four Advertisements in such languages as shall be directed by the employers;—one at the place of Sale, another at the Cutcherry, another at the Provincial Court, another at such public place as is directed (4d.) for each Advertisement if in one language; (8d.) if two, and so on at the same rate for each additional language.			
Interpreter's attendance at the Sale .. .. .	0	1	6
Travelling expenses if place of Sale more than a mile distant.			
Auctioneer per mile .. .. .	0	1	0
Person officiating as Clerk or Crier per mile .. .. .	0	1	0
Interpreter per mile .. .. .	0	0	6
If immoveable property is bought in or the Sale thereof postponed altogether for want of Buyers, the employer shall pay all extra expenses incurred and 1 per Cent. as a remuneration to the Auctioneer. Provided always that this remuneration of one per Cent, shall never be less than (7s. 6d.) nor more than (30s.) for any one day's employment.			

REGULATION.

(Annulled by the Charter of 18th February 1833.)

For abolishing a Provincial Court at Batticaloa and for abolishing the Sitting Magistrate's Court at Batticaloa and the Commissioner's Court at Batticaloa, and for repealing the Regulations by which these Courts were established.

Regulation No. 13 of 1825.

WHEREAS it is expedient to establish a Provincial Court at Batticaloa, and Whereas in consequence of such establishment the Sitting Magistrate's Court of Batticaloa and the Commissioners Court at Batticaloa will become unnecessary and it is therefore expedient to abolish the same.

1. It is hereby enacted by His Excellency the Governor in Council that from and after the first day of January next there shall be established a Court at Batticaloa for the Town and District thereof to be styled the Provincial Court of Batticaloa.

2. This Court shall have the following Jurisdiction (subject to all the rights of appeal according to the Nature and amount of the case as by law established) in and throughout the Town and District of Batticaloa.

CIVIL.

Over all cases not exceeding seven Pounds ten Shillings or 100 Rix Dollars between Europeans or wherein there is an European Defendant; and over all cases of whatever nature or amount between Natives or wherein there is a Native Defendant.

CRIMINAL.

Over all inferior offences, breaches of the Peace, and disorders against the Police, with a power of inflicting punishment by fine not exceeding seven Pounds ten Shillings or 100 Rix Dollars by imprisonment at hard labour not exceeding a period of three Months and by whipping not exceeding one hundred lashes.

3. Provided always that nothing herein contained shall be construed to limit or restrain the Provincial Court of Batticaloa from exercising Jurisdiction over any case Civil or Criminal occurring within the Town and District of Batticaloa which by the special provision of any Regulation enacted or to be enacted may be subjected to the Jurisdiction of the Provincial Court of the District in which such case shall have occurred.

4. And it is further enacted that from and after the first day of January next, the Sitting Magistrate's Court of Batticaloa and the Commissioner's Court at Batticaloa shall be and the same are hereby from that date abolished, and that the Regulations No. 15 of 1812 and No. 7 of 1814 shall be from and after the first day of January next, and the same are hereby from that date repealed.

5. Provided always that in all cases which may be pending in the said Sitting Magistrate's Court of Batticaloa, and in the said Commissioner's Court at Batticaloa or which may be pending in appeal from the decisions of either of such Courts on the first day of January next, the proceedings in such cases shall be transferred and returned to the Provincial Court of Batticaloa hereby established, and shall there be continued carried on and completed as if they had

RESOLUTION No. 13 of 1825.

been originally, commenced in such Court, and the said Provincial Court of Batticaloa is hereby authorised to grant execution upon all Judgments had before the said Sitting Magistrate's Court of Batticaloa and before the said Commissioners Court of Batticaloa as if such Judgments had been pronounced by the Provincial Court of Batticaloa hereby established.

Given at Colombo this Thirtieth day of December One Thousand Eight Hundred and Twenty-five.

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

PROCLAMATION.

Proclamation 14th January 1826.

WE His Excellency Lieutenant General Sir EDWARD BARNARD, Commander-in-Chief in and over the British settlements and Territories of Ceylon with the dependencies thereof, having received information that in several instances fictitious transfers of land have been made to persons for the purpose of evading the payment of Taxes and duties upon such land which practice is highly injurious to His Majesty's Revenue, and being desirous to establish some fixed rules by the due observance of which, the interests of the Revenue may be protected, and the exemption of land really and truly belonging to Chiefs and Headmen from the payment of Taxes and duties may be secured to such Chiefs and Headmen during their continuance in office do hereby proclaim, command and enact as follows:

1. From and after the first day of May next, no exemption from the payment of any Tax or duty shall be allowed to any Chief or Headman in official employ in respect to any land belonging to any such Chief or Headman unless the same shall have been possessed by him for the full term of twelve months.

2. Every Chief or Headman in official employ claiming exemption from the payment of any Tax or duty in respect to any land belonging to him, which shall have been possessed by him for the full term of twelve months, shall forthwith and from time to time as often as occasion may require, apply to the Cutcherry of the Province in which such land is situate, to have the same registered, and to satisfy the Revenue Commissioner, if the land be in the Provinces under the immediate control of the Board of Commissioners, or, if the land be in any other Province, the Agent of Government entrusted with the collection of the Revenue in such Province, by the production of the title deed if the land has been acquired by transfer, or by such other evidence as may be required, if the land has been acquired by inheritance, that such land is in truth and in fact absolutely and irrevocably the property of such Chief or Headman and that he has possessed the same for the full term of twelve months, then, and in every such case, every such Revenue Commissioner and Agent of Government is hereby authorised and required thereupon to register the same, and to grant to such Chief or Headman, a certificate of such registration, which certificate shall exempt such Chief or Headman during his official employ from the payment of all Taxes and duties upon all lands so registered.

3. And from and after the first day of May next, no exemption from the payment of any Tax or duty in respect to any land whatsoever, shall be allowed to any Chief or Headman, who shall not have obtained a certificate, according to the provisions of this Proclamation, that such land has been duly registered in the Cutcherry of the Province in which the same is situate.

4. And from and after the first day of May next, if any person or persons shall be concerned in any fictitious transfer of any land to any Chief or Headman for the purpose of evading the payment of any Tax or duty upon such land, such persons shall be guilty of a misdemeanour and upon conviction thereof before any competent jurisdiction, the land belonging to such persons so fictitiously transferred shall be confiscated for the use of His Majesty and the Chief or Headman so convicted of being concerned in taking such land upon such fictitious transfer shall be liable to a fine not exceeding four times the amount of Tax or duty due upon such land and to imprisonment till such fine be paid.

Given at Colombo the Fourteenth day of January in the Year of Our Lord One Thousand Eight Hundred and Twenty-six.

By His Excellency's Command,  
THOS. EDEN,  
Dep. Secy, to Govt.

*This Proclamation being a special proclamation must be construed strictly. Therefore before a decree of confiscation is allowed it must be shown that the party against whom the decree is made, has been personally concerned in a fictitious transfer. Mang. Dig. p. 8. § 42.*

## PROCLAMATION.

WHEREAS it appears to have been the custom in the Kandyan Provinces with respect to Women capially convicted and condemned to suffer death, that such sentence of condemnation should be carried into effect by drowning; and Whereas we deem it expedient to abolish any such peculiar mode of inflicting capital punishment upon Women.

PROCLAMATION 23D MARCH  
1836.

We do therefore hereby Proclaim and enact, all Laws, Proclamations, Usages and Customs to the contrary notwithstanding, that from and after this date when any Woman within the Kandyan Provinces shall be found Guilty of any capital Offence, which in the opinion of the Court and the Assessors renders her liable to the punishment of death, every sentence so reported to be passed, shall invariably bear to be, by being hanged by the neck until she be dead, and every such sentence when passed by His Excellency The Governor, shall be so carried into effect by his Warrant, shall be so carried into effect at such time and place as His Excellency The Governor shall be pleased

at Colombo in the said Island of Ceylon, the Twenty-third day of March One Thousand Eight Hundred and Twenty-six.

By His Excellency's Command,

THOS. EDEN,  
Dep. Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 4 of 1836.)

For amending the 3d Regulation of the year 1814, relative to the punishment for knowingly receiving stolen Cattle.

WHEREAS on account of the continued prevalence of Cattle stealing to the great loss of individuals and to the general discouragement of Husbandry, it is expedient to amend so much of the Regulation of Government No. 3 of the Year 1814, as limits the punishment of knowingly receiving stolen Cattle, upon conviction thereof before a Provincial Judge or Sitting Magistrate, under the provisions of the said Regulation, to imprisonment for a term not exceeding two months.

Regulation No. 1 of 1836:

It is therefore enacted by His Excellency the Governor in Council, that from and after the date hereof, any person who shall be convicted under the provisions of the Regulation No. 3 of 1814, before the Court of any Provincial Judge or Sitting Magistrate of knowingly receiving stolen Cattle, shall be liable to any punishment which such Court may, without exceeding its general powers, in its discretion award, according to the nature and circumstances of the case: Provided always, that nothing in the Regulation No. 3 of 1814, or herein contained shall be construed to prevent or discourage any Magistrate from committing for trial before the Supreme Court any person charged with Cattle stealing, or with knowingly receiving stolen Cattle, if it shall appear to him that the proof of the charge is made out by other evidence than such as is by the particular provisions of the Regulation No. 3 of 1814, made conclusive against the party accused.

2. Provided that when the conviction for having stolen Cattle in possession shall be founded only on the non-production of the note of description required by the Regulation of 1814 the penalty shall remain as by that Regulation is enacted.

Enacted at Colombo this Third day of May One Thousand Eight Hundred and Twenty-six.

By Order of the Council,  
THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

For defining the application of the provisions of the Regulation No. 9 of 1825, relating to the registering of Vessels and the granting of Certificates of Registry, and for amending and altering certain other provisions of the said Regulation with reference to the act of Parliament intitled an act for the Registering of British Vessels.

(Repealed by Ordinance No. 5 of 1837.)

(The repealed enactments relating to the Customs are not published at length.)

Regulation No. 2 of 1836.

## REGULATION.

(Repealed by Regulation No. 5 of 1833.)

For declaring and explaining the true intent and Meaning of the Regulation No. 8 of 1816, and for the more effectual preservation of the rights of His Majesty to all the Cinnamon growing within the maritime Provinces of this Island.

WHEREAS doubts may be entertained upon the construction of the Regulation No. 8 of 1816 for preserving the Cinnamon Plantations, as to the intended application of the said law

Regulation No. 3 of 1836.



REGULATION No. 3 of 1826.

gulation to the offence of cutting or destroying Cinnamon growing in other places than in the Cinnamon plantations belonging to Government, and as to the true and proper meaning of the words "Cinnamon plant" used in the said Regulation; And Whereas it is of the highest importance to the resources and propriety of this Island to remove by a declaratory Regulation all doubts that may interfere with the strict and effectual preservation of the rights of His Majesty to all the Cinnamon, whether growing in the Plantations belonging to Government, or upon lands granted or sold to individuals or elsewhere within the Maritime Provinces of this Island.

1. It is therefore declared and enacted by His Excellency the Governor in Council to be unlawful for any person, upon any pretext whatsoever, except with the permission of His Majesty's Government, to cut or in any way injure or destroy any Cinnamon Tree, Bush, Plant, stock or scion whether growing upon public land the property of His Majesty, or upon private land the property of any individual (all such Cinnamon Trees, Bushes, Plants stock and Scions, without distinction, being the property of His Majesty and his Heirs and Successors) and that any person who shall upon any pretext whatsoever, except with the permission of His Majesty's Government, Cut or in any way injure or destroy any Cinnamon Tree, Bush, Plant, stock or scion, whether growing upon land the property of His Majesty or upon the property of any individual, upon conviction thereof before any Sitting Magistrate or Justice of the Peace shall for every such Cinnamon Tree, Bush, Plant, Stock or Scion so cut or injured, or destroyed, be liable to the same penalties as are in and by the said Regulation No. 8 of 1816 enacted against any person who shall cut or destroy any Cinnamon

2. Provided always that nothing herein contained shall be construed to alter the penalties enacted by the said Regulation No. 8 of 1816 for the protection of Cinnamon growing in the abandoned gardens belonging to Government in the different Cories, but that such particular offences committed in such abandoned gardens, shall still be subject to the particular penalties in the said Regulation laid down.

3. And provided also that nothing herein contained shall be construed to alter or repeal the Regulation No. 10 of 1824 for Vesting the several Sitting Magistrates and Justices of the Peace with a discretion to modify the penalties against breaches of the said Regulation No. 8 of 1816; and for employing prisoners under sentence to hard labour for such breaches, in the same manner as all other Prisoners sentenced to hard labour are employed.

*Given at Colombo this Fourth day of July One Thousand Eight Hundred and Twenty-six.*

By Order of the Council,

THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Gov.*

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

*For restricting the share of Fines to be paid by Government to Informers in Cases where the same are not recovered from the party Convicted.*

REGULATION No. 4 of 1826:

WHEREAS there are various Regulations of Government which provide when the party convicted of any breach of the same shall in default of paying the fine or penalty thereby incurred suffer Imprisonment, that the informer or person prosecuting the offender to Conviction shall notwithstanding receive from Government a certain share of such fine or penalty: And whereas great inconvenience is occasioned by the operation of these Regulations in all their extent, besides the inducement which is thereby held out to collusive informations: And whereas it is expedient to modify the provisions of all such Regulations, so as to establish a maximum beyond which no such share shall be paid by Government, unless some special circumstances in any particular case may appear to His Excellency The Governor to require a larger remuneration.

1. It is therefore hereby declared and enacted by His Excellency the Governor in Council, that from and after the first day of August next in all cases whereby any Regulation of Government it is provided, if the party convicted of any breach of the provisions of the same shall, in default of payment of the fine or penalty incurred thereby, suffer imprisonment, that the informer or person prosecuting the offender to conviction shall notwithstanding receive from Government a certain share of such fine or penalty, no such share so to be received from Government shall be paid by Government beyond the amount of Seven Pounds Ten Shillings or One Hundred Rix Dollars; and no informer or person prosecuting any offender to conviction under the provisions of any such Regulation shall be entitled to claim from Government any share of any such fine or penalty beyond such amount, any thing in any former Regulation to the contrary notwithstanding.

2. Provided always that it shall and may be lawful for His Excellency the Governor to enlarge such amount to any extent not exceeding the sum to which such share would have amounted under the provisions of the Regulations hereby modified respectively, if it shall appear to His Excellency from any special circumstances belonging to the case that the informer or person prosecuting such offender to conviction is deserving of a larger remuneration.

*Given at Colombo this Fourth day of July One Thousand Eight Hundred and Twenty-six.*

By Order of the Council,

THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Gov.*



## REGULATION,

*For legalizing all past acts of the Provincial Court of Colombo, and of all other Provincial Courts, in the exercise of a Testamentary Jurisdiction over the estates of Natives, against any objection affecting merely the competency of such Courts to exercise such Testamentary Jurisdiction: For legalizing all past acts of the Supreme Court, against any objection on the mere ground of that Court having exceeded the local limits of its Testamentary Jurisdiction: And for quieting all future doubts, as to the respective limits of the Supreme and Provincial Courts, in the exercise of Testamentary Jurisdiction, by declaring and defining the respective limits of the same.\**

1. **WHEREAS**, by Proclamation of 30th December 1802, His Excellency the then Governor did declare, that certain Commissions should, from time to time, be issued to certain persons for securing and managing the estates of deceased Natives, in pursuance of the powers provided for by His Majesty's Charter of 18th April 1801: and the said Commissions were (among other things) directed to transmit the wills of such deceased Natives to the respective Provincial Courts, which Courts should proceed to examine the executors to make proof of the said wills, should pronounce for or against the validity thereof, and if proved, should grant probate thereof; with divers other powers and authorities, in the said Proclamation mentioned. And whereas, such Commissions having been issued since the year 1805, the Provincial Courts in this Island have, since that time, exercised an original Testamentary Jurisdiction over all Natives, by granting probates of wills left by them, and letters of Administration of the estates of such as have died intestate, within the limits of their respective Jurisdictions. And the Provincial Court of Colombo has, since that time, exercised such original Testamentary Jurisdiction, as well over Natives dying within, or leaving goods chattels, credits and effects within, the limits of the district of the Town and Fort of Colombo, as declared by Proclamation of 13th February 1802, hereinafter more particularly mentioned, as over Natives dying without the said limits, and not leaving goods chattels credits or effects within the same: Which said Testamentary Jurisdiction, although the exercise thereof, as well by the said Provincial Court of Colombo, as by other the Provincial Courts in this Island, has, ever since the year 1805 aforesaid, been acquiesced in and has, on several occasions, been recognized by Judicial sanction, is nevertheless found to be not warranted by legal authority. And whereas it would produce great public inconvenience and occasion irreparable confusion, if the legality of any thing heretofore done in the exercise of such Testamentary Jurisdiction, by any of the said Provincial Courts, were now to be called in question, on the ground of any objection to the mere competency of such Courts, to exercise such Testamentary Jurisdiction. It is therefore hereby enacted by His Excellency the Governor in Council, that all such acts, heretofore done by the said Provincial Court of Colombo, whether within or without the limits above mentioned, and by all the other Provincial Courts, in the exercise of a Testamentary Jurisdiction, over the estates of deceased Natives, whether by granting probates of wills, or letters of Administration, or otherwise, touching such estates, shall (saving all other just exceptions) be good and valid, to all intents and purposes, against all objections, founded merely on the want of competency in such Provincial Courts, to exercise such Testamentary Jurisdiction; and all Courts of Justice, and all persons and authorities, within these settlements, are hereby directed and required to recognize and admit the validity of all such acts, heretofore done by the said Provincial Courts, in the exercise of such Testamentary Jurisdiction, (saving all other just exceptions) notwithstanding any objections to the competency of such Courts to exercise the same; all laws, regulations, judgments, customs, and usages, to the contrary, notwithstanding.

2. Provided always, that nothing herein contained shall be construed to give any legal validity to any future exercise of Testamentary Jurisdiction, by the said Provincial Court of Colombo, or any other Provincial Court, over the estate of any Native, being an Inhabitant of, or dying within, or leaving goods, chattels, credits, and effects within, the town and fort of Colombo, or the limits of the District of the said town and fort, as the same were declared by the said Proclamation of the 13th February 1802, or over the estate of any person, which shall, in any other manner, be subject to the exclusive Jurisdiction of the said Supreme Court.

3. And whereas, by His Majesty's said Royal Charter, dated the 18th of April 1801, establishing the Supreme Court of Judicature in the Island of Ceylon, it was directed that the Governor of these settlements should declare what district, surrounding the Town and Fort of Colombo, should be, and be deemed to be, the district of the said town and fort of Colombo: And whereas, in pursuance of such direction, it was, by a Proclamation, dated the 13th of February 1802, by His Excellency the then Governor, declared that the space, then included within the limits, commonly called and known by the denomination of the four

REGULATION No. 5 OF 1826.

All acts done by Provincial Courts in Testamentary Jurisdiction valid, notwithstanding any objection to competency.

\* Several of the provisions of this Regulation are annulled by the Charter of 18th February 1833.

## REGULATION No. 5 of 1826.

All acts done by Supreme Court  
in Testamentary Jurisdiction  
valid, notwithstanding objec-  
tions to competency.

gravets, together with such part of the Cinnamon Garden called the Marendahn, as was not already included, or deemed to be included, within the said limits called the four gravets, should be, and be deemed to be, the district of the said Town and Fort of Colombo, for the intents and purposes in the said Charter set forth: And whereas by the Regulation of Government No. 4 of 1807, the limits of the said district of the said Town and Fort were enlarged, for the intents and purposes set forth in the 29th clause of the said Charter. And whereas doubts have arisen whether, by the said Regulation, the limits of the said district were extended, except in so far as relates to the exercise of the Civil Jurisdiction, conferred upon the Supreme Court, by the said Twenty-ninth Clause of the Charter: For removing therefore such doubts, and preventing all inconvenience to parties, who may have taken out letters of Administration in the Supreme Court, or may have, in any other manner, resorted to that Court in Testamentary suits, causes, matters of business, regarding the estates of Natives, who may have died without the limits prescribed by the said Proclamation of the 13th February 1802, and who may have left goods, chattels, credit, or effects, within the said limits. It is hereby declared by the authority aforesaid, that all acts, heretofore done by the said Court, in the exercise of a Testamentary Jurisdiction, without the limits prescribed by the said Proclamation of 13th February 1802, shall (saving all other just exceptions) be good and valid, to all intents and purposes, notwithstanding any objections to the competency of the said Court to Exercise such Jurisdiction and Courts of Justice, and all persons and authorities, within these settlements, are hereby directed and required to recognize and admit the validity of the same (saving all other just exceptions) accordingly.

4. Provided always, that nothing in this, or in the Regulation No. 4 of 1807, or in any other Regulation of Government, contained, shall be construed to give legal validity to any future exercise of Testamentary Jurisdiction, by the said Supreme Court, over the persons, or towards or upon the estate, of any Native, excepting such as, by the said Charter, and within the limits of the District of the said Town and Fort of Colombo, as declared by the said Proclamation of 13th February 1802, may be subjected to the Testamentary Jurisdiction of the said Supreme Court.

5. And whereas, by the Charter, bearing date the 16th of August 1810, and the 30th of October 1811, it is directed that, in cases where the administration of Justice shall not have been sufficiently provided for by the Charter of 1801, and the other said Charters, the Governor of these Settlements shall take the same into consideration, and provide for the same, by Regulation or otherwise, as he shall deem expedient, free from any controul whatever: And whereas, by the said Charter of the 30th of October 1811, it is ordained that the Governor of these Settlements shall direct, order and regulate, the Provincial Courts of the said Settlements, and the proceedings thereof, in such manner as to him may seem most expedient, for the public service, and the well being of the Inhabitants. And whereas the said Charters have not sufficiently provided a Testamentary Jurisdiction, for the Estates of the Natives, being neither Inhabitants of, nor dying within, nor leaving Goods, Chattels, Credits, and Effects, within the limits of the Town, Fort, and District of Colombo, according to the definition of such limits contained in the Proclamation of 13th February 1802, as aforesaid. It is therefore further enacted by His Excellency the Governor in Council, that without the limits, which, by the said Proclamation of 13th February 1802, are declared to be the district of the Town and Fort of Colombo, for the intents and purposes in the said Charter set forth, the said Provincial Court of Colombo shall and may, and is hereby authorized, to exercise throughout the rest of the District of Colombo, and all other Provincial Courts in these Settlements shall and may, and are hereby authorized to exercise, within the several local limits, subject to their Civil Jurisdiction respectively, according to due course of law, and as may hereafter be provided by Regulation, a Testamentary Jurisdiction over the Estates of all Natives, not being Inhabitants of, nor dying within, nor leaving Goods, Chattels, credits or effects, within the Town and Fort of Colombo, or the limits of the District of the said Town and Fort, as the same were declared by the said Proclamation of 13th February 1802, for the intents and purpose of the said Charter.

6. And whereas it may be expedient to prevent the possibility of any future doubts, as to the true intent and construction of the said Regulation No. 4 of 1807, (supposing that the same was not virtually repealed, by the re-establishment of the Provincial Court of Colombo by Regulation No. 2 of 1809) by a formal repeal thereof, as far as concerns any extension of the Jurisdiction of the said Supreme Court: It is therefore declared and further enacted, by the authority aforesaid, that all such parts of the said Regulation No. 4 of 1807, as extend the local limits of the district of the Town and Fort of Colombo, for any of the intents and purposes of the said Charter shall be, and the same are, hereby repealed Provided only, that the limits therein prescribed, which have been adopted by the said Regulation No. 2 of 1809, for defining the Jurisdiction of the Provincial Court of Colombo, thereby re-established as aforesaid, shall continue to be the limits of the District of Colombo, subject to such Jurisdiction.

*Given at Colombo this Fourth day of July One Thousand Eight Hundred and Twenty-six.*

By Order of the Council,

THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*For authorising the use of Stamps, expressed in the Currency of Great Britain in all cases where Stamps expressed in Rix Dollars, Fanams or Pice are required to be used.*

**W**HEREAS it is necessary in consequence of the establishment of Pounds Shillings Pence and Farthings as the legal Currency of the Island of Ceylon,—to introduce new Stamps expressed in such Currency. And whereas it is expedient to authorise the introduction and use of Stamps expressed in Pounds Shillings or Pence in lieu of those Stamps which by the several Regulations now in force have been established for the Assessment and levying of Stamp duties.

REGULATION No. 1 of 1827.

1. It is therefore enacted by His Excellency the Governor in Council, that, from and after the date hereof, it shall and may be lawful throughout these Settlements to use Stamps expressed in Pounds Shillings Pence or Farthings, in all cases, instead of Stamps expressed in Rixdollars, Fanams or Pice (provided only that the same be of equal amount) and that every Deed and other instrument whatsoever which by any Law or Regulation required to be Stamped, shall, if Stamped with a Stamp expressed in Pounds Shillings Pence or Farthings of equivalent amount to the Comparative Standard established by the Regulation No. 8 of 1825, be as good and valid to all intents and purposes, and as free from all exception or objection, as if such Deed or other instrument were Stamped with the particular Stamp expressed in Rix Dollars Fanams or Pice, required for the same by any such Law or Regulation, any thing in any Law or Regulation to the contrary notwithstanding.

2. Provided always that nothing herein contained shall be construed to prohibit the continued use of Stamps expressed in Rix Dollars Fanams or Pice in all Cases according to the Regulations now in force until the said Regulations authorising the use of Stamps in Rix Dollars Fanams and Pice be repealed.

*Given at Colombo this First day of May One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council  
THOS. EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 5 of 1833.)*

*For supplying an omission in the Regulation No. 9 of 1825, by declaring the illegality of any exportation of Cinnamon Trees or Plants, or the Seeds of such Trees or Plants, under pain of the forfeiture of any Ship, Dhoney, Boat or other Vessel employed in such exportation.*

**W**HEREAS it appears that no distinct provision is contained in the Regulation of Government No. 9 of One Thousand Eight Hundred and Twenty Five expressly prohibiting the exportation of Cinnamon Trees and Plants, and the cuttings of such Trees and Plants and the Seed of such Trees and Plants, all such Trees and Plants and the cuttings of such Trees and Plants and the Seeds of such Trees and Plants wherever found or in whatever ground growing being the exclusive Property of His Majesty. And Whereas it is essential to the due preservation of His Majesty's interests in that behalf, and to the welfare and prosperity of these settlements, formally to declare the illegality of any such exportation, and to prohibit the same under certain express penalties.

REGULATION No. 2 of 1827

1. It is therefore hereby declared and enacted by His Excellency the Governor in Council that it is, and from and after the date hereof, shall be unlawful for any person to export or attempt to export from any part of this Island or its Dependencies (without the express permission of Government in writing for that purpose) any Cinnamon Tree or Plant, or the cutting of any such Tree or Plant, or the seed of any such Tree or Plant, and that from and after the date hereof (in addition to any penalties which may be incurred under the general provisions of the said Regulation No. 9 of One Thousand Eight Hundred and Twenty Five) every Ship, Dhoney, Boat, or other Vessel which shall be employed in exporting or attempting to export (without such permission as aforesaid) any such Cinnamon Tree or Plant, or the cutting of any such Tree or Plant, or the seed of any such Tree or Plant, shall be subject to forfeiture, with all the guns, furniture, ammunition, and tackle belonging to the same.

2. Provided always that all prosecutions for any forfeiture under the provisions of this Regulation shall be carried on before such Courts respectively, and in the same manner, and according to the same rules, directions, and limitations as are laid down and provided for the prosecution and recovery of penalties, forfeitures and confiscations by the said Regulation No. 9 of One Thousand Eight Hundred and Twenty Five.

*Given at Colombo this First day of May, One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council,  
THO. EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Regulation No. 5 of 1833.)*

*For providing suitable punishments for persons convicted of unlawfully exporting Cinnamon Trees or Plants, or the Seeds of such Trees or Plants; or of unlawfully having the same in possession; or of enticing away Chalias from this Island.*

REGULATION No. 3 of 1827.

**W**HEREAS it appears that evil disposed persons have been from time to time employed to sever from the soil, steal, and secretly export from this Island Cinnamon Trees and Plants, and the cuttings of such Trees and Plants, and the seeds of such Trees and Plants, and to seduce and entice away Chalias from these Settlements, to the manifest injury of His Majesty's interests in that behalf (all such Cinnamon Trees, Plants, and Seeds throughout these Settlements being the exclusive property of His Majesty; and all such Chalias being bound by their Oath to serve His Majesty in the cultivation and preparation of the same:) And whereas it is essential for securing the prosperity of these Settlements that such property should be protected, and that such evil practices should be restrained, by providing suitable punishments for all persons in any such case offending, or who shall unlawfully have any such Tree or Plant or Seed in possession.

\* 1. It is therefore hereby enacted by His Excellency the Governor that if any person after the date hereof shall export or attempt to export, or shall be proved to have exported or attempted to export, from any part of this Island or its Dependencies, any Cinnamon Tree or Plant, or the cutting of any such Tree or Plant, or the Seed of any such Tree or Plant, (without the express permission of Government in writing for that purpose, to be produced and proved by the party accused) or shall contract with, entice, persuade, or endeavour to seduce or encourage any Chalia to go away from this Island to any part beyond Sea, every person so offending in any of the cases aforesaid shall, upon conviction thereof before the Honorable the Supreme Court of Judicature, be sentenced by such Court, to transportation or to fine and imprisonment, or to imprisonment at hard labour, according to the nature and circumstances of the offence, and the condition of the offender as the said Supreme Court shall in its discretion think fit: Provided always, that in no case shall any person convicted under any of the provisions of this Clause be sentenced by the said Supreme Court to a shorter term of imprisonment, whether with or without hard labour, than Twelve Calendar Months: And provided further that nothing herein contained shall be construed to prevent the prosecution and conviction before the said Supreme Court of any person for theft, who shall unlawfully sever from the soil and take away any Cinnamon Tree or Plant growing in these Settlements, (all such Trees and Plants being the exclusive property of His Majesty) if the same shall have been done under circumstances; which, as connected with any other description of property would support a charge of theft.

2. And it is further declared and enacted by the authority aforesaid, that from and after the date hereof, it shall be unlawful for any person, in any part of this Island or its Dependencies, (without lawful excuse arising out of the permission of Government either express or implied) to have in his or her possession any Cinnamon Tree or Plant, severed from the soil or the cutting of any Cinnamon Tree, or Plant, or the Seeds of any Cinnamon Tree or Plant, and that if any person shall knowingly and willingly have in his or her possession any such Tree, Plant, cutting or Seed (without lawful excuse as aforesaid the proof whereof shall lie upon the party accused) every person so offending, in any of the cases in this Clause mentioned, shall, upon being convicted thereof before the said Supreme Court, be sentenced by such Court to fine and imprisonment, or to imprisonment at hard labour, according to the nature and circumstances of the offence, and the condition of the offender, as the said Supreme Court in its discretion shall think fit: Provided always, that in no case shall any person convicted under any of the provisions of this Clause be sentenced by the said Supreme Court to a shorter term of imprisonment, whether with or without hard labour, than Six Calendar months.

*Given at Colombo, this First day of May, One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council,  
THO. EDEN,  
Sec. to Council

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 6 of 1836.)*

*For repealing the Regulation No. 7, and No. 20 of 1823, under which Stamp duties on Deeds and other instruments have been heretofore assessed and levied, and for establishing new Tables of Stamp duties payable upon the same in British Currency, with various alterations and amendments.*

Regulation No. 4 of 1827.

**W**HEREAS it has become necessary in consequence of the Establishment of Pounds, Shillings, Pence and farthings as the Currency of this Island and its Dependencies, in which Currency all the accounts of these Settlements are now kept entered and adjusted, to establish a new Table of Stamp duties—And whereas it is expedient to revise, correct, alter and amend the Regulations now in force by which the Stamp duties are at present assessed and levied.

1. It is therefore hereby enacted by His Excellency the Governor in Council that from and after the first day of November next the Regulations No. 7 and No. 20 of 1823 shall be and the same are hereby repealed, save and except as to the recovery of penalties incurred for transgressions against the same.

2. Provided always, that the repeal of the said Regulation No. 7 of 1823 shall not be deemed, or taken to make valid any Conveyances, Deeds, or other Instruments which by

\* This Section is repealed by Order in Council of 12th April 1832.



any thing contained in the said Regulation were required to be written on Stamped Parchment, Paper or Olah, and which may have been, or may be written on Parchment Paper or Olah either unstamped, or insufficiently stamped, except in so far as the same may be expressly provided for, by the third Regulation of the year One Thousand Eight Hundred and Seventeen and by this Regulation.

3. And provided further that the repeal of the said Regulation No. 7 of 1823 shall not be construed to revive any of the Regulations which by the said Regulation No. 7 of 1823 were repealed.

4. And it is further enacted, that from and after the first day of November next ensuing the several written instruments herein after enumerated, executed within this Island and its Dependencies, shall bear the several Stamp duties herein after provided.

5. All Conveyances of immovable property within these Settlements, that is to say, every deed or other instrument purporting to convey a Title to Lands or Tenements, whether by way of Sale, Gift, or Settlement, (save and except Leases and Mortgages of Lands and Tenements) shall be written on Stamped Paper, Olah, or other Material, bearing an ad valorem duty upon the consideration or actual value of the same, to be assessed according to the Table in the annexed Schedule marked A.

6. All Conveyances of moveable property, whether by Bill of Sale, or by Deed or other instrument, or Settlement, all Mortgages, Bonds, and Obligations for the payment of Money, all Leases or Tenements, all assignments of Ships, and all assignments of Mortgages, Bonds, Obligations, and other securities (excepting always Government Debentures and other Government Obligations, and endorsements upon Bills of Exchange and promissory Notes,) shall be written on Stamped Paper, Olah, or other material, bearing an ad valorem Stamp duty upon the value of the subject matter of the same to be assessed according to the Table in the annexed Schedule marked B:—Provided always, that all such Bonds and obligations as may be required and become necessary in the course of proceedings in the Supreme Court, or in any other Court of Judicature, shall be exempted from such Stamp duty:—And Provided further that all Bonds of indemnity and all penal Bonds for the performance of any duty or trust, all Bonds by which any suit, difference, matter, or thing is submitted to arbitration, all Deeds or other instruments of partnership where the capital amounts to Seventy-five Pounds Sterling, and all composition Deeds, or other instruments of composition between Debtor and Creditor, shall be written on Stamped Paper, Olah, or other Material, bearing a fixed Stamp duty of Seven Shillings and Six Pence each.

7. All Bills of Exchange and Promissory Notes shall be written on Stamped Paper, Olah, or other Material, bearing an ad valorem Stamp duty to be assessed according to the Table in the annexed Schedule marked C.

8. All Protests of Bills of Exchange shall be written on Stamped Paper, Olah, or other Material, bearing an ad valorem Stamp duty, according to the Table in the annexed Schedule marked D; and every protest of any other kind shall bear a fixed Stamp duty of Three Shillings each.

9. All contracts and Agreements for the future conveyance of Immoveable or moveable Property, whether by way of Sale Gift or Settlement; and all contracts and agreements for the future purchase or sale of Goods; and all Bills of parcels or other memorandum whatever of any bargain or sale already concluded concerning any Goods or other Property already purchased or sold, which shall contain any recital of the terms of such bargain or sale, or any mention or stipulation concerning the time or mode of paying the amount due or for the payment of any Interest on the amount due for the same (whenever it is intended that such Bill of parcels or other memorandum shall be binding on and be signed by the parties thereto or any or either of them); and all contracts and agreements for the future payment of money on any consideration whatever, shall be written on Stamped Paper, Olah, or other material bearing an ad valorem Stamp duty upon the value of the subject matter thereof (where there is any stipulation to show the bonâ fide actual value, or the whole pecuniary amount to be paid in furtherance and satisfaction of the same, or as a penalty for the non-performance of the same,) to be assessed according to the table in the annexed Schedule marked E, excepting always as is therein excepted: Provided always, that whereas there are various contracts and agreements, and mutual covenants and articles of agreement between parties, in which the value of the subject matter cannot be measured in money, all such contracts and agreements as do not contain any stipulation to shew the bonâ fide actual value thereof, or the whole pecuniary amount to be paid in furtherance and satisfaction of the same, or as a penalty for the non-performance of the same, shall be written on Stamped paper, olah, or other material, bearing a Stamp duty of One Shilling and Six Pence for every page of such paper, olah, or other material, and no more than One Hundred and Twenty words shall be contained in any such page, under pain of subjecting the whole instrument to be invalid, as insufficiently stamped, and the parties thereto and writer of the same to all the fines penalties and forfeitures hereinafter imposed, in the same manner as if such instrument had been written on unstamped or insufficiently stamped paper: Provided further nevertheless, that nothing in this clause contained shall be construed to make it necessary, in order to the legal validity of the same, that any Bargain Contract or Agreement should be reduced to writing further than is made necessary by the Laws and Regulations already established, but only to require, that, if reduced to writing for the purpose of binding and being signed by the parties thereto or any or either of them, all such Contracts and Agreements and memorandums of bargains as are herein before described shall be written on stamped paper olah or other material bearing such Stamp duty respectively as is herein provided: And provided further that nothing in this or any other Regulation contained shall be construed to prevent the admission of account Books, and of accounts stated between merchants and others between whom there may be accounts current, not containing such stipulations or agreements as are herein before required to bear a Stamp, and of bonâ fide letters between the parties in any suit, as Evidence in any suit or cause, in the same manner and to the same extent as the same may according to Law be admissible, any thing in this or any other Regulation to the contrary notwithstanding.

10. All Releases receipts, discharges, or acquittances for money, and all Vouchers, Shop Bills, Auction Bills, and Bills of parcels, containing any thing to denote that the amount of such Voucher,

REGULATION No. 4 of 1827.

Shop Bill, Auction Bill or Bill of Parcels, or any part thereof, has been paid settled balanced or otherwise discharged, (whether by any express word to that effect, without any signature, or by the signature of the person entitled to receive the same, or of any other person on his behalf, being attached thereto) shall where the sum expressed in such release, receipt, discharge, or other note or memorandum whatever amounting as aforesaid to such release receipt or discharge, exceed the sum of Fifteen Shillings, be written on stamped paper, olah, or other material, bearing an ad valorem Stamp duty, to be assessed according to the annexed Table in the Schedule marked F, excepting always as is therein excepted: Provided always, that if no sum be expressed in such release, receipt, or discharge, it shall be taken to be a General Release Receipt and Discharge and bear a Stamp duty of Ten Shillings, and provided further, that such Stamp duty on releases, receipts, and discharges of any kind, shall be paid by the person receiving the money, and the party paying the same may at the time of payment, if no such stamped receipt is tendered by the receiver, tender to the receiver a receipt prepared on a proper Stamp for his signature, and deduct the value thereof from the amount due to such receiver.

11. All Letters and Powers of Attorney (excepting such as may be made by Settlers and Sailors and their Executors and Administrators for pay or prize money) executed in these settlements shall be written on paper, olah, or other material, bearing a fixed Stamp duty as follows, that is to say; General Powers of Attorney, Ten Shillings each; Special Powers of Attorney, Five Shillings each; Substitutions under a general Power of Attorney, Five Shillings each; Substitutions under a special Power of Attorney, Two Shillings and Six Pence each.

12. And it is further enacted that every Notarial Act, not otherwise specified herein, shall bear a fixed Stamp duty of Three Shillings and that all Extracts and Copies of Notarial Acts, shall bear a Stamp duty of One Shilling and Six Pence.

13. And it is further enacted that from and after the First day of November next, if any person within these Settlements shall execute, grant, accept, negotiate, or in any way become a party to any Deed or other Instrument, herein required to bear a Stamp duty, which shall be written on unstamped or insufficiently Stamped paper, olah, or other material, every such person, as well as the writer of such Deed or other Instrument (if not a Notary) upon due proof thereof before any Magistrate, shall incur if such Deed or other Instrument be liable to Stamp duty under Table A. a fine of Ten Pounds: if such Deed or other Instrument be liable to Stamp duty under Tables B & C. a fine of Seven Pounds and Ten Shillings; and if such Deed or other Instrument be liable to Stamp duty under any other provision of this Regulation, a fine of Five Pounds; and any Notary, who shall be convicted before any Magistrate of having written or attested the execution of any such Deed or other Instrument, shall incur a fine of Twenty Pounds, in addition to any civil responsibility to which he may be liable: Provided always that in default of paying such fines the parties convicted shall be liable to imprisonment at hard labour for any period not exceeding Six Months: And provided further that one half of every such fine shall go to the person by whose information the conviction may take place; and, in the event of the party convicted not paying the same and suffering imprisonment, the Magistrate, before whom the conviction takes place, shall give a Certificate of the same to the informer, on production of which to the Collector of the District, such informer shall have the share of the Penalty which he is hereby declared entitled to receive, subject always however to the provisions of the Regulation No. 4 of 1826.

14. And it is further enacted, that if any person, being a party or becoming a party to any unstamped or insufficiently Stamped Deed or other Instrument, shall, within Two Months after such offence shall have been committed, furnish such information as shall lead to the conviction of any other party to such offence, or to the conviction of the Notary or writer of such Deed or other Instrument, such informer shall be exempt, and hereby is exempted from any penalty, and shall also be entitled to the same reward, as in the last clause is given to informers in general: Provided always that nothing in this clause shall extend to render valid such Deed or other Instrument, wherein such fraud or evasion has been practised, further than is hereinafter expressly provided.

15. And it is further enacted that from and after the said First day of November next, all Courts of Justice within these Settlements, and all Judges and Magistrates presiding therein shall, without allegation or proof in that behalf take Judicial notice of the several Stamps to which by virtue of this or of any other Regulation any Deed or other written Instrument is subjected; and that no Deed or other Instrument, which by this or any other Regulation was at the time of executing the same subject to Stamp duty, shall on any pretence whatsoever be given or received in Evidence, or admitted in any such Court to be good or available in Law or Equity, unless it shall bear such Stamp, as by law, at the time of the execution thereof, was proper for the same.

16. And it is further enacted, that if any person from and after the said first day of November next, shall file, exhibit, record, or cause to be filed, exhibited, or recorded, for the purpose of putting the same in evidence, or for any other purpose whatsoever, in any Court of Justice, any Deed or other Instrument, required by this or any other Regulation to bear a Stamp duty, which shall not bear such Stamp, as by Law at the time of the execution thereof was proper to such Deed and other Instrument respectively, (whether such person be the party interested in the case or matter in question, or be the Proctor or Agent of such party) every such person shall incur a fine of twenty times the amount of the legal Stamp duty proper to such Deed or other instrument respectively: And all Courts of Justice, and all Judges and Magistrates presiding in the same within these Settlements, before whom any unstamped or insufficiently stamped Deed or other Instrument may be so filed exhibited or recorded, as aforesaid are hereby empowered and required, (without motion or information in that behalf) to take Judicial Cognizance of every offence against this clause, and are hereby empowered and required, upon due proof, to sentence the offending party to pay such fine as is herein before enacted, and in default thereof to be imprisoned for any period not exceeding six months.

17. Provided always nevertheless, that whensoever it shall appear to the satisfaction of any such Court of Justice, that any Deed or other instrument which by the present or any former Regulation is subject to Stamp duty, and which may be produced before such Court, being either wholly unstamped, or insufficiently stamped, is really and bona fide produced in Evidence

*Handwritten note:* Every thing to be paid to the collector.

by, or on behalf of any party in a Suit, who, at the time of the execution of the said Deed or other Instrument, or at the time of becoming a party thereto, or acquiring a beneficial interest therein, was not resident, or commorant within these Settlements, then, and in any such case, such Court shall and may receive the same upon an undertaking of the party producing it (who shall in such case be liable to no fine for so producing it) to have the said Deed or Instrument duly stamped; and on treble the amount of the Stamp duty payable thereon being deposited with the proper officer of such Court, for the purpose of being paid over to Government, and on a Certificate from the proper officer of the Court, that such Deed or Instrument has been so received being sent with the said Deed or Instrument, and with the amount of treble duty deposited as aforesaid, to the Stamp Office at Colombo, the said Deed or Instrument shall have the necessary Stamp affixed thereto, by the proper officer of Government; And such Court shall and may award, that the amount of such treble Stamp duty, shall be repaid to the party so producing the said Deed or other Instrument, by the adverse party in the suit, if it shall appear, that such adverse party had signed, or executed the same, on unstamped or insufficiently stamped paper, olah, or other material: Provided only, that the relaxation hereby granted shall be strictly confined to the persons in this clause described and none others.

And provided further that whereas, owing to ignorance and inadvertence, many persons have been misled and mistaken, and though really desirous of obeying the law, may be liable to have their Deeds and other Instruments insufficiently stamped, It is further enacted, that any Deed or other Instrument, which is stamped, and the only objection against it is that it is insufficiently stamped, may at any time apply to the Judge or Collector of the District in which he resides, and upon payment of the full fine to which, according to the law in force at the time of the execution of such Deed or other Instrument, the party executing the same would upon conviction have been liable, together with the full stamp duty, which according to the law in force at the time of the execution thereof, would have been proper for such Deed or other Instrument, such Collector or Provincial Judge shall transmit such Deed or other Instrument, together with a Certificate of the payment of such fine and Stamp duty, to the Stamp Office at Colombo, and the proper officer shall thereupon affix the proper Stamp to the same, and such Deed or other Instrument shall then be good, and available and admissible in Evidence, to all intents and purposes against all objections founded on the mere want of Stamp; any thing in this or any other Regulation to the contrary notwithstanding.

19. And it is further enacted, that it shall not be lawful to attach or annex, to any Deed or other Instrument hereby made liable to stamp duty, any stamped paper, olah, or other material, so as to make up, either wholly, or in part, the amount of Stamp duty, which is by law chargeable thereon, but every stamped paper, olah, or other material, which purports to belong to any such Deed or other Instrument as by the present Regulation is subjected to stamp duty, shall have written on the same, a portion of such Deed or other Instrument, and that any such Deed or other Instrument, as by the present Regulation is subjected to stamp duty, which, being written on or after the said first day of November next, on unstamped, or insufficiently stamped paper, olah, or other material, shall have any other stamped paper olah or other material annexed thereto, not having a part of such Deed or Instrument written thereon, shall be void; and the parties thereto, and writer of the same shall be subject to all the fines and penalties herein before declared against persons, who shall be parties to, or writers of, Deeds or other Instruments unstamped or insufficiently stamped.

20. Provided always nevertheless, that as cases may occur, in which it may be impracticable to procure the necessary stamp at the time of executing conveyances of immoveable property, It is hereby enacted, that in such case, the parties executing any such conveyance, may within three days after the execution thereof, lodge the same, together with the full amount of the stamp duty thereon, in the hands of the Provincial Judge, or any Sitting Magistrate of the District, and such Provincial Judge, or Sitting Magistrate, shall endorse upon such conveyance, the date of the receipt thereof, and shall with all convenient speed transmit the same to the Stamp Office at Colombo; and it shall thereupon be lawful for the proper officer to affix the necessary stamp to such conveyance, and such conveyance shall have the like validity; as if stamped before the execution thereof, any thing in this or any other Regulation contained to the contrary notwithstanding.

21. And it is further enacted, that nothing in this Regulation shall be construed to extend to charge with stamp duty, any conveyance of immoveable property, made by, or to, or for the use or behalf of His Majesty's Government; or any lease of Government farms, or any sub-lease thereof; or any bond, obligation or Contract entered into with, or any Security for money taken by direction of His Majesty's Government; or any Bills, or Notes, or Receipts, or acquittances made or given to, or by the said Government, or any of the public officers thereof, acting in its behalf; or in any way to charge the said Government with stamp duty in any transaction whatever.

22. And it is further enacted, that nothing herein contained shall be construed to subject last wills and Testaments or Codicils to any stamp duty whatever: And it is further declared and enacted, when any immoveable property is left and disposed of by any last will and Testament or Codicil, and the party entitled by virtue of the same may wish to have a Title Deed prepared to shew such party's right to such immoveable property, that it shall and may be lawful for any Notary to prepare and make out a Notarial act, declaratory of such Title being vested in such party, (if the same be accompanied and duly substantiated by an exemplification of such last will granted by the competent Court) and such Notarial act, declaratory of such title, shall be good and valid, if written on paper olah or other Material bearing the fixed stamp duty of three Shillings, (as provided by clause 12th) and shall not be considered as a conveyance of immoveable property liable to stamp duty under clause 5th, any thing in this or any other Regulation to the contrary notwithstanding.

23. And it is further enacted, that no exception shall ever be taken, nor any penalty be ever incurred, under any clause in this or any other Regulation, on the ground of any illegality or impropriety in the Stamp, if any Deed or other instrument shall bear a higher stamp than by law, at the time of the execution thereof, was respectively necessary for the same.

24. And it is further enacted, that the Schedule, and the Tables therein contained, which are hereunto annexed, and the exemptions and exceptions therein declared, together with all the

REGULATION No. 4 of 1827. Contents of the said Schedule and Tables, shall be and are hereby declared to be part of the enactments of this Regulation.

Given at Colombo this Twenty-third day of June One Thousand Eight Hundred and Twenty Seven

By Order of the Council,  
THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

Schedule referred to in the foregoing Regulation.

TABLE A.

Ad valorem Stamp duty of 5 per Cent on all conveyances of immoveable Property, by Sale, Gift, Settlement or otherwise according to the value of the subject matter under Clause 5.

	£	s.	d.
On every amount under	2	0	0
— £— 2 and under	4	0	0
„— „ 4 and under	6	0	0
„— „ 6 and under	8	0	0
„— „ 8 and under	10	0	0
„— „ 10 and under	12	0	0
„— „ 12 and under	14	0	0
„— „ 14 and under	16	0	0
„— „ 16 and under	18	0	0
„— „ 18 and under	20	0	0
„— „ 20 and under	25	0	0
„— „ 25 and under	30	0	0
„— „ 30 and under	35	0	0
„— „ 35 and under	40	0	0
„— „ 40 and under	45	0	0
„— „ 45 and under	50	0	0
„— „ 50 and under	55	0	0
„— „ 55 and under	60	0	0
„— „ 60 and under	65	0	0

And so on at the rate of 5 Shillings for every £5 of additional value, but the duty not to exceed in any case £ 75.

TABLE B.

Ad valorem Stamp duty upon all conveyances of moveable property, Mortgages, Bonds, Obligations, Leases, Assignments &c. &c. under Clause 6.

	£	s.	d.
Not above..	0	15	0
above .. 0 15 and not above	1	10	0
above .. 1 10 and not above	2	10	0
above .. 2 10 and not above	5	0	0
above .. 5 0 and not above	10	0	0
above .. 10 0 and not above	20	0	0
above .. 20 0 and not above	30	0	0
above .. 30 0 and not above	40	0	0
above .. 40 0 and not above	50	0	0
above .. 50 0 and not above	75	0	0
above .. 75 0 and not above	100	0	0
above .. 100 0 and not above	150	0	0
above .. 150 0 and not above	200	0	0
above .. 200 0 and not above	300	0	0
above .. 300 0 and not above	500	0	0
above .. 500 0 and not above	1000	0	0
above .. 1000 0 and not above	2000	0	0
above .. 2000 0 and not above	3000	0	0
above .. 3000 0 and not above	4000	0	0
above .. 4000 0 and not above	5000	0	0
above .. 5000 0			7 10 0

The duty never to exceed £7 10 0



TABLE C.

Ad valorem Stamp duty on Bills of Exchange and Promissory Notes under Clause 7.

£ s.		£ s. d.	
Not above	1 0	0	0 0 ½
above	1 0 and not above	1	10
above	1 10 and not above	2	0
above	2 0 and not above	3	0
above	2 0 and not above	5	0
above	5 0 and not above	10	0
above	10 0 and not above	20	0
above	20 0 and not above	40	0
above	40 0 and not above	50	0
above	50 0 and not above	75	0
above	75 0 and not above	100	0
above	100 0 and not above	150	0
above	150 0 and not above	200	0
above	200 0 and not above	300	0
above	300 0 and not above	500	0
above	500 0 and not above	1000	0
above	1000 0 and not above	2000	0
above	2000 0 and not above	3000	0
above	3000 0 and not above	5000	0
above	5000	1	10 0

Foreign Bills drawn in sets to be charged at the same rate per set.

TABLE D.

Ad valorem Stamp duty on Protest of any Bill of Exchange or Promissory Note under Clause 8.

£		s. d.	
Not above	10	1	0
above	10 and not above	2	0
above	20 and not above	2	6
above	50 and not above	3	0
above	100 and not above	4	0
above	200 and not above	5	0
above	500	7	6

Every Protest of any other kind a fixed duty of 3s. each.

TABLE E.

Ad valorem Stamp duty, under Clause 9, on Contracts and Agreements and Bills of Parcels or Memorandum whatever (where the same is intended to be binding on the parties) containing any recital of the terms of sale, or any mention or stipulation as to the time or mode of paying the amount due upon any bargain or Sale already concluded; and on all Contracts for the future conveyance of immoveable or moveable property by way of Sale, Gift or Settlement, or for the future payment of Money on any consideration whatever, where any pecuniary amount is expressed whereby the value of the subject matter can be measured in Money.

£ s.		£ s. d.	
Not above	1 10	0	0 3
above	1 10 and not above	5	0 0 6
above	5 0 and not above	10	0 1 0
above	10 0 and not above	20	0 2 0
above	20 0 and not above	30	0 3 0
above	30 0 and not above	50	0 4 0
above	50 0 and not above	75	0 5 0
above	75 0 and not above	100	0 6 0
above	100 0 and not above	150	0 7 6
above	150 0 and not above	200	0 9 0
above	200 0 and not above	300	0 12 0
above	300 0 and not above	500	0 15 0
above	500 0 and not above	1000	1 0 0
above	1000 0 and not above	2000	1 5 0
above	2000 0	1	10 0

N. B.—The value of a Contract or Agreement to pay an annuity for life shall be estimated at ten years amount of such annuity.

Where there is no pecuniary amount stipulated by which the value of the subject matter can be assessed.

s. d.			
Not above	120 words	1	6
above	120 words and not above 240 words	3	0

and so on at the rate of 1s. 6d. for every additional 120 words, (if figures made use of every figure to count as a word) and no page to contain more than 120 words, the duty however in no case to exceed £1 10.

Exemptions and exceptions from the above Stamp duty.

1. Contracts and Agreements for the hire of any Labourer, Artificer, Manufacturer or Menial Servant.
2. Memorandum or Agreement for wages made between any Master of any Vessel or boat and the Mariners or Crew of the same.
3. Agreements and Contracts to Marry. *(See Regulation No. 10. of 1827)*
4. Bills of Lading
5. Conditions of Sale of any property sold by any licensed Auctioneer.

REGULATION No. 4 of 1827.

TABLE F.

Ad valorem Stamp duty on all releases, receipts, discharges and acquittances under Clause 10. If not above 10s. no Stamp required.

£ s.		£ s.		s. d.	
above ..	0 15	and not above ..	..	..	0 0 1/2
above ..	1 10	and not above ..	..	..	0 1
above ..	3 0	and not above ..	..	..	0 2
above ..	5 0	and not above ..	..	..	0 3
above ..	10 0	and not above ..	..	..	0 6
above ..	15 0	and not above ..	..	..	0 9
above ..	20 0	and not above ..	..	..	1 0
above ..	30 0	and not above ..	..	..	1 6
above ..	50 0	and not above ..	..	..	2 0
above ..	100 0	and not above ..	..	..	3 0
above ..	200 0	and not above ..	..	..	4 0
above ..	300 0	and not above ..	..	..	5 0
above ..	500 0	and not above ..	..	..	7 6
above ..	1000 0	and not above ..	..	..	10 0
	1000 0	and upwards ..	..	..	..

This duty in no instance to exceed 10s.

Exemptions from this Stamp duty.

Receipts for the payment of Interest upon any bond or other Security bearing such receipt be written on the same piece of Paper, Olah or other material, with bond or other security.

REGULATION.

(Repealed by Ordinance No. 15 of 1843.)

For establishing certain rules for the guidance of Provincial Judges, Sitting Magistrates, and Justices of the Peace, in determining upon the propriety of admitting persons to bail, who may be charged before them with crimes and other offences, requiring to be finally tried before the Honorable the Supreme Court.

Regulation No. 5 of 1827.

WHEREAS an order of the Honorable the Supreme Court of Judicature in the Island of Ceylon, bearing date the Fourteenth day of August One Thousand Eight Hundred and Twelve, relating to the powers of Sitting Magistrates and Justices of the Peace to admit Prisoners to bail, has been revoked by the said Supreme Court. And whereas it is expedient for the purpose on the one hand, of providing for the effectual administration of Justice, and on the other hand of protecting individuals from unnecessary restraint of their personal liberty, to establish, by a legislative enactment, some certain rules for the guidance of all Provincial Judges, Sitting Magistrates and Justices of the Peace within these Settlements, in determining upon the propriety of admitting persons to bail, who may be charged before them with any crime belonging to that higher class of offences which do not come within the Criminal jurisdiction of such Provincial Judges, Sitting Magistrates and Justices of the Peace to try and finally dispose of, but which would require that the party so charged should ultimately be committed to trial before the said Supreme Court.

1. It is therefore enacted by His Excellency the Governor in Council, that when any person shall be charged upon oath before any Provincial Judge, Sitting Magistrate, or Justice of the Peace with any crime or other offence, such as would require to be finally tried before the said Supreme Court, and the evidence is sufficient to induce such a reasonable suspicion against such person, as to dispose such Judge or other Magistrate to commit such person so charged for further examination, or for trial before the said Supreme Court, it shall and may be lawful for any such Provincial Judge, Sitting Magistrate or Justice of the Peace to admit such person so charged, to bail, upon giving adequate and reasonable security (according to the circumstances and condition of the party) to appear before such Provincial Judge, Sitting Magistrate, or Justice of the Peace, if the Committal be for further examination, or to appear before the said Supreme Court at its next Criminal Session, if the committal be for trial, in all cases, save and except such as are hereinafter specified, that is to say:—

1. Treason.
2. Murder or any kind of Homicide.
3. Burglary or any kind of Nocturnal stealing from any Church, Temple, dwelling House, or other building.
4. Robbery or any stealing effected by means of personal violence or putting the owner of the property stolen in fear.
5. Horse, Cattle, or Sheep stealing.
6. Stealing any letter or the contents of any letter consigned to any Post Office or Tappal.
7. Any theft or embezzlement where it shall be proved to the satisfaction of the committing Magistrate that the amount of stolen property exceeds Five Pounds.
8. Sodomy or Bestiality.
9. Rape.
10. Arson.
11. Malicious shooting at cutting or wounding, or any other assault, with intent to Murder.
12. Abduction of any Woman against her will.
13. Coining or any falsification of the coin current in these Settlements or of any Cash Notes of the Government of Ceylon.
14. Forgery.
15. Escaping from the Custody of any Fiscal under any criminal charge or sentence, or returning from transportation before the expiration of the sentence.

2. Provided always nevertheless, that, if in the progress of any such case as is herein before excepted from bail, any Provincial Judge, Sitting Magistrate or Justice of the Peace should entertain reasonable doubts how far the evidence adduced may be sufficient according to law, to require that the party charged should be committed to custody, whether for further examination or for trial, without bail, then and in any such case, it shall and may be lawful for any such Provincial Judge, Sitting Magistrate or Justice of the Peace to transmit the proceedings to

His Majesty's Advocate Fiscal, or other person holding the office of Advocate Fiscal for the time being, in order that the case may be disposed of according to due course of law, and in the mean time to admit the party charged to bail, upon giving adequate and reasonable security (according to the circumstances and condition of the party) to re-appear before such Provincial Judge Sitting Magistrate or Justice of the Peace when required so to do.

3. And Provided further that in all cases of such bail whether for re-appearance before the Judge or Magistrate, or for appearance before the Supreme Court, the Security need in no case be taken on stamped Paper.

*Given at Colombo this Twenty-third day of June, One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

### REGULATION.

*Under the sanction of a Legislative Enactment to certain arrangements for lending the Monies belonging to suitors in the Supreme Court and to intestate Estates under the administration of the Registrar of the said Court, lying in deposit in the public Treasury for the benefit of such suitors, and intestate Estates.\**

**W**HEREAS an arrangement proposed by the Honourable the Judges of the Supreme Court of Judicature in the Island of Ceylon, has received the sanction of His Majesty's approbation for lending out on interest the monies belonging to Suitors in the said Supreme Court and to intestate estates under the Administration of the Registrar of the said Court lying in deposit in the Public Treasury, such loans being made for the benefit of such Suitors and intestate estates under the Superintendance of a Board constituted for that purpose, subject always to such rules and orders as the said Supreme Court should from time to time think fit to make touching the same for the benefit of such suitors and intestate estates: Provided always nevertheless—that a certain portion of the interest accruing from such loans, should be set apart for the purpose of contributing towards the expenses of the establishment of such Board, more particularly for defraying the expenses of the Office of Master in Equity, one of the members of the said Board, under whose more immediate superintendance it was proposed that all such loans should be made, and the appointment of which Officer took place in consequence of the arrangement so proposed as above stated: And whereas in consequence of such arrangement and under and by virtue of certain rules and orders for that purpose made and passed by the said Supreme Court various loans of such monies have taken place, and divers sums of money have been received as and for the interest on such loans, part of which has been distributed for the benefit of such suitors and intestate estates, and the remainder has been set apart for the purpose of contributing towards the expenses aforesaid—And whereas it appears to be necessary and expedient to give the sanction of a legislative enactment to all loans of such monies and to the distribution of the interest arising therefrom, under the rules and orders of the said Supreme Court which have already taken place, as well as to authorise the future lending out of such monies and the future distribution of interest accruing therefrom under more precise Regulations and limitations.

1. It is therefore declared and enacted by His Excellency the Governor in Council, that all loans of monies belonging to Suitors in the said Supreme Court or to intestate estates under the administration of the Registrar of the said Court, lying in Deposit in the Public Treasury, which have been heretofore made by the Board constituted for that purpose, and all distributions of the interest arising therefrom which have taken place under such rules and orders as the said Supreme Court may have thought fit to make touching the same, shall be and the same are hereby declared to be good legal and valid to all intents and purposes, against all objections whatsoever.

2. Provided only, that all such rules and orders as the said Supreme Court may have thought fit to make shall be communicated to His Excellency the Governor for transmission to His Majesty's Secretary of State.

3. And it is further enacted by the authority aforesaid, that it shall and may be lawful from and after the date hereof for the Board constituted for that purpose to lend out at interest from time to time all such monies belonging to the suitors of the said Supreme Court, and to intestate estates under the administration of the Registrar of the said Court, as may be lying in Deposit in the Public Treasury, subject always to such rules and orders as the said Supreme Court may think fit to make touching the same, and touching the distribution of the interest accruing therefrom for the benefit of such suitors and intestate estates.

REGULATION No. 5 of 1827.

Regulation No. 6 of 1827.

Preamble.

Loans heretofore made good and valid.

Orders of Supreme Court to be communicated to the Governor.

Board may lend out monies subject to Rules of Court.

\* See Regulation No. 3 of 1830—and see also Charter of 18th February 1832.

REGULATION No. 6 of 1837.  
Not less than 2-6 of Interest to be paid to Government.

4. Provided always that not less than *Two Sixths* of all such interest as shall from time to time accrue from all such loans shall be paid over to His Majesty's Colonial Government of Ceylon for the purpose of contributing towards the expenses of the establishment of the said Board aforesaid—And Provided further that all such rules and orders as the said Supreme Court may from time to time think fit to make relative to the lending out of such monies, or to the distribution of the interest arising therefrom, shall be from time to time communicated to His Excellency the Governor or in his absence to the Lieutenant Governor of these settlements, in order that the same may be transmitted to His Majesty's Secretary of State, for the Royal approbation, correction or refusal.

*Given at Colombo, this Twenty-third day of June One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.  
By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

(Repealed by Ordinance No. 1 of 1839.)

*For requiring periodical returns from Fiscals of all Prisoners detained in their Custody.*

Regulation No. 7 of 1837.

WHEREAS various orders of the Honble the Supreme Court of Judicature in the Island of Ceylon have been revoked by the said Court, as containing many matters and things, which are more properly the subject of Government Regulation and Instruction: And whereas such matters and things, so far as the same may be still considered expedient or necessary, will be from time to time sufficiently provided for by instructions to the proper quarters from His Excellency the Governor in such behalf: And whereas there are certain matters in the said revoked orders, relative to the monthly Returns required to be made by Fiscals of Prisoners detained in their Custody, which, as far as the said Supreme Court is concerned, it is unnecessary to provide by Government Regulation or Instruction, as the same will be sufficiently provided for, may be required for the purposes of such Court by such order as the said Supreme Court may issue in that behalf: And whereas it appears to be expedient and necessary to require certain further returns to be made by Fiscals of all Prisoners detained in their Custody, in order that the same may undergo due legal revision, and that His Excellency the Governor may at all times have before him the fullest information, respecting the cases of all such Prisoners as are so detained.

1. It is therefore enacted by His Excellency the Governor in Council, that from and after the date hereof, each and every Fiscal throughout these Settlements, shall Monthly and every Month, within ten days from the commencement of the same, cause returns of all Prisoners, without exception in his Custody, to be made out in duplicate according to the form hereunto annexed, and transmit one copy of the same to the office of the Chief Secretary to Government and the other to the office of His Majesty's Advocate Fiscal or other person holding that Office for the time being.

*Given at Colombo this Twenty-ninth day of August One Thousand Eight Hundred and Twenty-seven.*

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.  
By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

A.

RETURN of Prisoners on the 1st day of 182 in the Custody of the Fiscal of committed on Criminal charges before the Honble the Supreme Court of Judicature in the Island of Ceylon.

Names.	When Committed.	By what Authority Committed.	Charge.	When Escaped.	When Apprehended.	Remarks.

**B.**  
 RETURN of Prisoners on the 1st day of \_\_\_\_\_ 189 in the Custody of the Fiscal of \_\_\_\_\_  
 under Sentence of the Supreme Court of Judicature in the Island of Ceylon.

Prisoner's Names.	Date of Sentence.	Charge.	Sentence.	When Escaped.	When Apprehended.	Remarks.

Under the head of remarks the Fiscal will always notice whenever any Prisoner, having been Sentenced to be employed at hard labour, is further detained (after having fulfilled the period of his hard labour) in simple imprisonment only, in satisfaction of any other part of his Sentence.

**C.**  
 RETURN of all such Prisoners as are in the Custody of the Fiscal of \_\_\_\_\_ committed  
 under Sentence of the Provincial Judge, Sitting Magistrates and Justices of the Peace on the 1st day of \_\_\_\_\_ 182

Prisoner's Names.	When Committed.	By what Authority Committed.	Charge.	When Escaped.	When Apprehended.	Remarks.

**D.**  
 RETURN of all such Prisoners as are in the Custody of the Fiscal of \_\_\_\_\_ under Sentence  
 of the Provincial Judge, Sitting Magistrates and Justices of the Peace on the 1st day of \_\_\_\_\_ 182

Prisoner's Names.	Date of Sentence.	By what Authority Committed.	Charge.	Sentence.	When Escaped.	When Apprehended.	Remarks.

Under the head of remarks the Fiscal will always notice whenever any Prisoner, having been Sentenced to be employed at hard labour, is further detained (after having fulfilled the period of his hard labour) in simple imprisonment only, in satisfaction of any other part of his Sentence.

**E.**  
 RETURN of Prisoners on the 1st day of \_\_\_\_\_ 182 in the Custody of the Fiscal of \_\_\_\_\_  
 committed under the Description of Vagrants pursuant to the 12th Regulation of Government of 1806  
 committed under any other charge or in pursuance of any other Regulation whatever, and  
 already enumerated.

Prisoner's Names.	When committed.	By what Authority committed.	When Escaped.	When Apprehended.	Remarks.

**F.**  
 RETURN of the Civil Prisoners on the 1st day of \_\_\_\_\_ in the Custody of the Fiscal of \_\_\_\_\_

Prisoners Names.	When committed.	By what Authority committed.	In Execution of the Suit of	Remarks.

## REGULATION.

*For declaring that all Government Notes expressed in Pounds shall be received and taken at the value expressed in the same.*

REGULATION No. 8 of 1827.

Preamble.

Government Notes expressed in Pounds to pass Current at the rate of 20 Shillings for every Pound.

**W**HEREAS Government Notes expressed in Pounds that is to say, Notes for One Pound, Two Pounds, Five Pounds, Ten Pounds, Twenty Pounds, Twenty Five Pounds, and Fifty Pounds have been prepared for Circulation and issued under a Proclamation bearing date the Twenty Seventh day of April in the present year; And whereas it is expedient to declare by the Authority of a legislative enactment that all such Notes shall pass Current and be received and taken throughout this Island and its dependencies at the value which may be therein respectively expressed.

1. And it is therefore hereby declared and enacted by His Excellency The Governor in Council, that from and after the date hereof all Government Notes that may have been issued or that may hereafter be issued by this Government, expressed in Pounds, that is to say, Notes for One Pound, Two Pounds, Five Pounds, Ten Pounds, Twenty Pounds, Twenty Five Pounds, and Fifty Pounds, payable to the General Treasury in the Currency of this Island, shall pass Current and be received and taken in all matters and transactions of debt or account, throughout this Island and its dependencies, at the relative value to British Currency of Twenty Shillings for each and every Pound that may be therein respectively expressed.

*Given at Colombo this Twenty-ninth day of August One Thousand Eight Hundred and Twenty Seven.*

By order of the Council,  
THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*For calling in Notes of this Government expressed in Rixdollars, excepting Notes of the value of Two Rixdollars and of Five Rixdollars.*

Regulation No. 9 of 1827.

Preamble.

No Notes to be paid after 15th November except of Two Rixdollars and Five Rixdollars.

**W**HEREAS it is expedient for the more effectual attainment of the objects of the Regulation No. 8 of 1825, introducing British Currency as the Currency of His Majesty's Island of Ceylon to withdraw from circulation all the Treasury Notes of the said Island expressed in Rixdollars, excepting Notes of the value of Two Rixdollars and of Five Rixdollars respectively, which it is convenient should for the present be retained in Circulation.

It is therefore enacted by His Excellency the Governor in Council that the Notes of this Government expressed in Rixdollars shall on being presented at the General Treasury or at any of the Cutcherries of this Island or the Dependencies thereof or at the Agencies in the Kandyan Territories, be Exchanged for other Notes or for Specie as may be most convenient to Government until the 15th day of November next ensuing—after which date no Notes of this Government expressed in Rixdollars save and except Notes of Two Rixdollars and of Five Rixdollars respectively will be received or exchanged at the General Treasury or at the different Cutcherries in the Maritime Districts, or at the Agencies in the Kandyan Territories of this Island and its Dependencies—nor shall any person after the said 15th day of November next be obliged to receive or take in payment for any Debt or otherwise any of the said Notes, expressed in Rixdollars (except as before excepted) notwithstanding any thing contained in the said Regulation No. 8 of 1825.

Unless by authority of the Governor.

Provided always that it shall and may be lawful for His Excellency the Governor to authorize such Notes to be received and exchanged at the General Treasury altho' they shall not have been presented on or before the said Fifteenth day of November next; upon a special representation setting forth the causes which have prevented the holder from so presenting them, should such Statement appear to the Governor satisfactory.

*Given at Colombo, this Twenty-ninth day of August, One Thousand Eight Hundred and Twenty Seven.*

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 6 of 1834.)*

To facilitate the obtaining of evidence in civil suits, where witnesses are resident out of these settlements.

**W**HEREAS it frequently becomes necessary, in the progress of civil suits, instituted in the different courts of these settlements, to obtain the evidence of witnesses residing out of the said settlements, in places where there are no Courts or persons, having competent authority to administer interrogatories to such witnesses.

REGULATION No. 10 of 1827.

It is therefore enacted by His Excellency the Governor in Council, That whenever it shall be made to appear to the satisfaction of any Court of civil jurisdiction in these settlements, by the oath of one or more of the parties to any suit, and also from the nature of the case and of the evidence sought to be obtained as bearing upon such case instituted before such Court, that justice cannot be perfectly administered therein, without obtaining the evidence of one or more witnesses who shall then be resident out of the said settlements, it shall and may be lawful for such Court to issue letters requisitory, in the form hereinafter set forth, to one or more notaries, resident at or near the place from which the evidence is sought to be obtained, or to any other person or persons, there resident, whom such Court shall judge most competent for that purpose; and to transmit the same to such Notaries or other persons, with the interrogatories and cross questions duly prepared, according to the practice of such Court:—And the Depositions of such witnesses, duly returned by such Notaries or other persons, according to the directions of the said letters requisitory, shall be admitted and read in such suit, as good and legal evidence to all intents and purposes, and shall not be liable to any other or further exception, than the same might and would have been liable to, if they had been taken before a Court, having full and competent authority to administer such interrogatories.

Provided always that, before such letters requisitory shall be issued as aforesaid, the party or parties applying for the same shall deposit with the Court such sum of money, as the said Court shall consider sufficient to cover the fees of the persons appointed to take depositions of witnesses, and all other expenses which may be incurred by, or be incident to, the issuing such letters requisitory.

Provided also, that nothing herein contained shall be construed to prevent any Court of these settlements, from issuing commissions or letters requisitory for the examination of witnesses, to the native Courts of India, as has been hitherto practised, whenever it shall seem more expedient so to do.

Form of Letters requisitory alluded to in the above Regulation.

In the \_\_\_\_\_ Court of \_\_\_\_\_  
 A. B. Plaintiff  
 Vs.  
 C. D. Defendant

**GENTLEMEN,**—You will receive herewith certain interrogatories to be administered to \_\_\_\_\_ now residing at or near \_\_\_\_\_ on the part of the \_\_\_\_\_ in this Suit. And I am directed by this Court, to request that you, or either of you, will examine the said witnesses upon the said interrogatories, on \_\_\_\_\_ Corporal oath to be administered according to the form prescribed by the Religion which \_\_\_\_\_ may profess: and that, having reduced such examination to writing, you will send the same to this Court, duly authenticated under your seals of office, or the seal of either of you, before whom the said examinations shall have been taken.

I have the honor &c.

To \_\_\_\_\_ Secretary.

By order of the Court,

Given at Colombo this Thirtieth day of November One Thousand Eight Hundred and Twenty-seven

By Order of the Council,

THOMAS EDEN,  
 Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
 Chief Sec. to Govt.

## REGULATION.

*(Repealed by Ordinance No. 5 of 1834.)*

For declaring the Power of Collectors, to grant or refuse licenses for the distillation of Arrack at their discretion.

**W**HEREAS doubts have been entertained, as to the Power of Collectors, to refuse their license for the distillation of Arrack, in any case in which application is made to them for such license under Regulation of Government No. 22 of 1820: It is therefore hereby declared and enacted by His Excellency the Governor in Council, that whenever the Collector of any Cingalese district of the maritime Provinces of this Island, or his Assistant, or any other person or persons acting under the authority of such Collector, shall be applied to for such license as aforesaid, it shall and may be lawful for him or them, and he or they shall have full power and authority, to grant or withhold such license, as it may appear to him or them, under all the circumstances attending such application, most expedient;—any thing in the said Regulation No. 22 of 1820, or in any other law or regulation, contained to the contrary, notwithstanding, provided that in all cases when such Collector or his Assistant or other person or persons duly authorized to grant licenses shall think fit to withhold his or their assent

REGULATION No. 11 of 1827

Resolution No. 11 of 1827.

to any application for a license. He or they shall report through the proper channel to Government his or their reasons for withholding his or their assent to the granting of their License, in order that the same be allowed or disapproved as the Governor or Lieutenant Governor for the time being may deem expedient.

Given at Colombo, this Thirtieth day of November One Thousand Eight Hundred and Twenty seven.

By Order of the Council,

THOS EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by the Charter of 18th February 1833.)

For amending No. 5 of 1809; and for authorizing certain cases to be referred from the High Court to the Minor Courts of Appeal.

Regulation No. 18 of 1827.

WHEREAS by His late Majesty's Charter of the 18th April 1801, it was provided that all appeals to be brought before the High Court of Appeal in the Island of Ceylon, the sum or value appealed for should exceed the sum of £30 of lawful money of Great Britain, or Rds. 300 of lawful money of the currency of Ceylon: And by Regulation of Government No. 5 of 1809, it was enacted that the Minor Courts of Appeal, thereby constituted, should be competent to receive appeals, in cases under the amount appealable to the High Court of Appeal: And Whereas, in consequence of the establishment of Pounds, Shillings, Pence, and Farthings, as the legal currency of this Island, the said High Court of Appeal has decided, that the jurisdiction of the said Court has thereby become limited to cases, in which the sum or value appealed for exceeds the sum of £30: By reason whereof it has become necessary to extend the table, fixing the rate of Security required from parties appealing to the Minor Courts of Appeal, by the 4th and 5th Sections of the said Regulation No. 5 of 1809, to all cases not exceeding the sum of £30.

1. It is therefore hereby enacted, by His Excellency the Governor in Council, that the Security required in and by the 4th and 5th Sections of the said Regulation, to be given by the party intending to appeal to any of the said Minor Courts of Appeal, shall, from and after the date hereof be in amount as follows, viz:

In cases not exceeding in amount.....	£ 3 15....	£0 7 6
Above £ 3 15 and not exceeding .....	„ 7 10....	„ 0 15 0
Above „ 7 10 and not exceeding .....	„ 15 0....	„ 1 10 0
Above „ 15 0 and not exceeding .....	„ 22 10....	„ 2 5 0
Above „ 22 10 and not exceeding .....	„ 30 0....	„ 3 0 0

2. And whereas Petitions of Appeal, in cases exceeding in amount the sum of Rds. 300 of the former currency of Ceylon, and not exceeding the sum of £30 of the present currency have been, and may be, preferred to the High Court of Appeal by parties unacquainted with the limitation of the Jurisdiction of that Court, to cases exceeding in amount the last mentioned sum:—It is hereby further enacted, that all such cases, in which petitions of appeal are now pending or in which Petitions shall before the said 31st day of December next, be preferred to the said High Court of Appeal shall (provided all rules and conditions, prescribed for the appeal of cases to that Court, shall have been complied with) be referred to the Minor Courts of Appeal, to which, with reference to local Jurisdiction, they may respectively belong. And such cases shall, on Security being given as by the 4th and 5th Sections of the said Regulation No. 5 of 1809, and by this present Regulation, is directed, be received and entertained as appeals by such Minor Courts of Appeal, notwithstanding the time prescribed for the reception of appeals by such Minor Courts shall have expired, and notwithstanding the omission of notice, or of any other form which, in ordinary cases, may be requisite, previously to filing the Petition in the Minor Courts of Appeal.

Given at Colombo this Thirtieth day of November One Thousand Eight Hundred and Twenty-seven.

By Order of the Council,

THOS. EDEN,  
Sec. to Council

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Repealed by Ordinance No. 9 of 1836.)

For amending Regulation No. 6 of 1824 “declaring the duties and responsibility of Fiscals, and for the more certain and correct execution of the process of the several Courts of Justice,” and for consolidating the same with No. 7 of 1824.

Regulation No. 13 of 1827.

WHEREAS it has become necessary to make certain alterations and amendments to Regulation No. 6 of 1824: And whereas the object of the said Regulation, in defining and making publicly and generally known the powers, duties and responsibility of Fiscals, and their Officers, in the execution of process, will be most effectually attained by repealing the said Regulation, and also No. 7 of 1824, and by re-enacting the same, with such alterations and amendments as experience has shown to be necessary.



1. It is therefore enacted by His Excellency the Governor in Council, that the said Regulations No. 6 and No. 7 of 1824, except in so far as the same shall be re-enacted by this present regulation, shall from and after the first day of January now next ensuing be, and the same are from that day, hereby repealed.

2. And it is further enacted that all and singular the Fiscals, who may have been, or shall be appointed by the warrant of the Governor, or in his absence the Lieutenant Governor of these settlements, in manner and form in and by the Nineteenth clause of His late Majesty's Charter of Justice, of the Eighteenth day of April in the year One Thousand Eight Hundred and One directed, shall, by themselves or their sufficient deputies, to be by them appointed and duly authorized under their respective hands and seals, be and they are hereby authorized, to execute all Citations, Monitions, Summonses, Mandates, Rules, Orders, Warrants, commands and process, of the Supreme Court of Judicature in the Island of Ceylon, and of all other Courts or Magistrates lawfully appointed, according to the extent of Jurisdiction of the said courts and magistrates, and to make and certify the return thereof, together with the execution thereof, to the said courts or magistrates, and to receive and detain in prison, such persons as shall be committed to the charge of such Fiscals respectively for that purpose, by the said Supreme Court, and by the Chief Justice and Puisne Justice thereof respectively, and by all other courts and Magistrates lawfully appointed throughout the said settlements and Territories, in the said Island of Ceylon.

3. And it is further enacted, that every such Fiscal shall, in the execution of the process of every such court or magistrate, be civilly responsible in damages, to any person who may be injured in consequence of any fraud, negligence, or want of ordinary diligence of either such Fiscal himself, or of his Deputy or Deputies, or other subordinate officers, by him or them employed in the execution thereof.

4. Provided always that no action shall lie against any such Fiscal, to recover damages for any act or neglect of himself or his deputies or other officers, unless the same be brought within nine months from the time of the cause of action occurring; nor without previous notice being given by the Plaintiff or his Proctor to such Fiscal, in writing, one month at the least before the commencement of such action, of his intention to commence the same; and it shall be lawful for such Fiscal, on receipt of such notice, and before the commencement of such action, to tender such amends as he shall think due to the party claiming to be aggrieved, and if the same be refused, to plead such tender, and pay in the amount tendered on appearing to the action, and if the court before whom the action be brought, shall be of opinion on the hearing of the case, that such tender was sufficient, Judgment shall be entered for the said Fiscal with full costs against the party prosecuting.—Provided further nevertheless that the period of nine months, which is hereby made the term of prescription to any such action, shall be subject to the same rules, qualifications and exceptions, as are declared and enacted in and by clauses 11th and 12th and 13th of the Regulation of Government No. 13 of 1822, relative to prescriptions in general.—And provided also that nothing herein contained shall preclude any injured party from a right of action against the immediate wrong-doer, if such party so prefer.

5. And it is further enacted that save and except the Fees which in and by His Majesty's Charter herein above-mentioned, the Supreme Court of Judicature is authorized to fix to be taken by the Clerks and also save and except any Fees which may by this Regulation, or any subsequent Rule and order to be made by the Governor or in his absence the Lieutenant Governor of this Island, be allowed or granted, no Fees shall be taken by the said Fiscals, or any of their Deputies or other Officers, for the execution of Process issuing from any other Court or Magistrate, or for any other portion of the business of their office.

6. Provided always, that whenever the said Supreme Court of Judicature, or other Court or Magistrate lawfully appointed, shall direct or decree any Process against any such Fiscal, or direct any Process in any cause, matter, or thing wherein on account of his being related to the parties, or for any other just cause, it should appear to such Court to be improper that he should execute the same, in every such case, the said Court shall name and appoint some other fit person to execute and return the same, and the said Process shall be directed to the said persons named for that purpose and the cause of such special proceeding shall be suggested and entered on the acts of the said Court.

7. And it is further enacted that every such Fiscal shall, whenever he shall nominate and appoint any person to be his Deputy within three days after the execution of his warrant of deputation, which shall be according to the Form (A) subjoined to this Regulation, send a correct transcript thereof to the Supreme Court, and to every other Court or Magistrate having Jurisdiction within his Province, and also to the Chief Secretary to Government, and shall also, in like manner, duly notify, whensoever he shall revoke any such deputation, and no nomination or appointment of such Deputy and no revocation of such deputation shall be valid or effectual in Law until such Transcript of the appointment and of the revocation shall have been respectively sent.

8. And it is hereby further enacted that the several Modliars of Districts, or other principal native headmen thereof, and their subordinate headmen, shall be in general, authorized and required to execute all Process, either in Civil or Criminal cases sent to them by any such Fiscal for execution, and in the execution thereof, they shall severally be civilly answerable to such Fiscal, for the due performance of the duty entrusted to them, and in the execution thereof, they and such subordinate Officers as they may employ shall be maintained and protected by law, as the officers of such Fiscal, although not holding any written Deputation or warrant from him, further than a copy authenticated by the signature of such Fiscal, of the Process which such persons shall and may be employed to serve and execute, Provided always, that it shall and may be lawful for such Fiscal or his Deputy to appoint by writing under his or their hand, any other person or persons, besides such Modliar or native headmen, to execute Process, either generally or in any particular case. And Provided further, that from and after the First day of January 1828 every person proceeding to execute Process under the authority of the Fiscal, shall have in his possession a Staff with a Crown and G. R. painted thereon, as also the name of the District, and shall produce and openly shew such Staff, when in the act of executing such Process.

9. And it is further enacted, that any resistance to any such Fiscal, his Deputy or Deputies, or other his Officers, or to the Modliars or other Headmen or their subordinate Officers in the execution of process, shall subject the persons resisting to punishment, upon conviction before a competent Court.

Regulation No. 18 of 1827.

10. Provided always that nothing herein contained shall sanction or be construed to give legal sanction to any illegality or irregularity of proceeding or abuse of authority on the part of any Fiscal or his Deputy, or other his Officers, or of the Modliars or other subordinate Officers, in the execution of process, nor to preclude any person injured by such illegality or irregularity of proceeding, from appealing to the Laws for redress against the immediate wrong-doer civilly or criminally, according to the nature and circumstances of the case; or from instituting an action against such Fiscal subject however to the exceptions and limitations contained in the fourth clause of this Regulation, who shall in all cases be civilly responsible for any illegality, irregularity, or abuse of authority, on the part of any person executing Civil Process directed to and returnable by him.

11. And it is further enacted, that no process in Civil cases, either at the suit of the Crown or of Individuals, shall be served or executed on a Sunday, Good Friday, or Christmas-day, nor in the night time of any day, between the period of sun-set and sun-rise.

12. Provided always, that this protection shall not extend, or be construed to extend, to prevent the arrest at all times, and on all days, whether by night or by day, and whether on Sunday or on any other day of any person charged with a Criminal offence, or of any person, who having been once duly arrested on civil process, shall have escaped, or shall have been rescued, and against whom a Warrant, founded upon information or Oath made before any Magistrate, verifying such escape or rescue, shall issue.

13. And it is further enacted, that no Civil process, either at the suit of the Crown or of individuals, shall be served or executed on any Christian Clergyman, or on any Minister of any other Religion, while performing his functions in any place of public worship: Nor upon any individual of any congregation, during the performance of public worship at any such place.

14. And it is further enacted, that in all Civil suits, it shall and may be lawful for any Plaintiff to obtain at one and the same time, process of execution, as well against the person, as against the property of any Defendant, against whom Judgment shall have been obtained.

15. And it is further enacted, that in all civil cases, where process of execution issued out of a competent Court, shall be carried into effect against the person or property of any native defendant, the writ, warrant, or mandate, or a copy of the same, authenticated by the signature of the Fiscal, shall have a translation of the contents, or of the substance thereof, indorsed thereon in the Cingalese language in the Southern Provinces, and in the Malabar language in the Northern Provinces; And under the authority of such writ, warrant or mandate, or of such authenticated copy of the same as afore-said, it shall and may be lawful for any Fiscal, his Deputy or Deputies or other subordinate officers as aforesaid, to seize the person and property of any such Defendant, wherever the same may be found, subject to the exceptions hereinbefore contained in clauses eleventh, twelfth and thirteenth, and, if it shall be necessary, to force open any door of any dwelling house, in order to seize the property, and if the Writ, Warrant or Mandate be issued at the suit of the Crown, then, and then only the person of such Defendant, and no arrest of the Person or seizure of the Property of any Native Defendant shall be considered legal until such authenticated Translation shall be indorsed.

16. Provided always, that before any door of any dwelling house be forced open, admittance shall first be demanded by the persons employed to carry into effect the process of execution, and if admittance be not granted, the Constable or Police Vidaha of the Town or Village in which such dwelling house is situate shall in all cases, be summoned to attend, before such door be forced open; and admittance shall then be again demanded and if it be not then granted, it shall and may be lawful for the persons employed to carry into effect the process of execution, to proceed to force open the same.

17. Provided further, that nothing herein contained shall extend, or be construed to extend, to sanction the forcible entry into any such dwelling house, unless in suits of the Crown, the person, or in any case the property of the defendant be therein; or to exempt such Fiscal from legal responsibility, if any dwelling house, not containing the person or property of such defendant, should be forced open, under colour of such process of execution.

18. Provided also, that the person or persons, employed in carrying process of execution against either person or property into effect, shall always have with him or them such Writ, Warrant, or Mandate of execution or an authenticated copy of the same, as hereinbefore directed, which shall, if required, be produced and shewn to the party or parties against whom or against whose property it is sought to be put in force.

19. And it is further enacted, that in all civil cases where process of execution may issue against the person of a Defendant, it shall be necessary in order to constitute an arrest, that the body of the person to be arrested shall be actually seized or touched by the Officer executing the process; unless such person express his acquiescence in the arrest, without being so seized or touched.

20. And it is further enacted, that after any person shall have been taken into the custody of any Fiscal in execution, under Civil process, such person shall not be allowed by any Fiscal, Deputy Fiscal or Gaoler, on any pretence, to go beyond the walls of the Prison in which such person may be confined, unless upon the special Rule and Order of some competent Court or Magistrate, requiring the attendance of such person, or on the application of such person to be carried before any such Court or Magistrate, for the purpose of preferring any complaint or application; on pain that the Fiscal, in whose custody such person may be, shall be answerable to the party at whose suit he shall have been confined, for the full amount of the judgment, for which such person shall have been taken in execution.

21. But in as much as it is proper and reasonable that Prisoners for debt should at stated periods be enabled to join in divine service, according to their Religious belief; and further, as it is essential to health and cleanliness to have opportunities of bathing, and there is no establishment for divine service, and in many instances the means of bathing are not accessible in the prisons of this Island.—It is enacted that it may be lawful for the Fiscal to permit the Christians as well as those professing any other Religion being Prisoners for debt, to attend divine service at the Church or Mosque nearest to the Gaol, once in every fortnight, between the hours of Nine in the Morning and two o'clock each day, under a proper guard: And to permit all Prisoners confined for debt, to bathe at the nearest bathing place to the Gaol once in every week under a proper guard.

22. Provided that His Excellency the Governor may, upon its appearing to him satisfactorily that sufficient means for bathing may be had in any Gaol suspended during the existence of such means by Warrant under his hand and Seal, this permission to bathe in any other place.

23. And it is further enacted, that in all civil cases where process of execution may issue against the property of any Defendant all Fiscals shall duly observe the following Rule.

24. The Plaintiff at whose suit the process shall issue, shall within Ten days after the same shall be delivered to the Fiscal, point out to the Fiscal or his Deputy such Property as he may have discovered to be the property of the debtor:—And if after that period, he shall discover any such property, he shall point the same out as aforesaid as soon as possible after he shall have discovered it.

25. The Fiscal shall thereupon cause the same to be seized forthwith; and either he or his deputy, or the person or persons carrying such execution into effect, shall proceed to make out a List of such property in duplicate, to be signed by him or them, and attested as a true list by two witnesses; one copy of which shall be delivered to the person or persons in whose possession the property shall be so seized, or, if no person be in possession then to the headman or constable of the Division, and the other shall be deposited with the Fiscal. The Fiscal shall then (except in the cases hereinafter provided) give notice of the sale thereof, fourteen days at least, and not exceeding thirty days before the day of sale, specifying the Lands or Goods to be sold, in what suit, at what place, and on what day and hour, and if the sale be of Lands or Houses, the Fiscal shall forthwith transmit to the Collector of the District, in which such Lands or Houses shall be situated, three copies of such notice in the form hereunto subjoined marked B (each of which shall, in the Southern Provinces, be in the English and Cingalese languages, and in the Northern Provinces, in the English and Malabar languages) and one of which shall be published by the Collector, at the Cutcherry of the District; one at the Court, out of which the execution shall have issued; and the other shall be delivered to the principal headman of the Village, or Constable of the Division, in or nearest to which the Lands or Houses about to be sold shall be situate, to be by him published at the said Village; each of which publications shall be made ten days at the least, before such sale takes place.

26. Provided always, that if any Lands or Goods, so pointed out, be in the possession of third persons, claiming such property and reasonable and satisfactory Security be tendered to the Fiscal or his officer by such persons that the said property shall be truly and faithfully kept; and, if the same be determined liable to such execution, shall be delivered over to the Fiscal in the same condition, as nearly as the nature of the property will admit, if eventually it should be decided that such property belongs to the debtor: then, and in all such cases, the Fiscal, having made out lists thereof as hereinbefore directed, shall report the circumstances to the Court, out of which the execution shall have issued; which Court shall, as soon as possible after receiving such report, call on the several parties to establish their respective claims to the said property; and after deciding on the validity thereof, shall direct the Fiscal to proceed with, or desist from, such execution, according as the said decision may be in favor of one or the other of the said parties. Provided further that in all such cases of disputed property, the person in possession shall be considered by such Court to be *prima facie* the proprietor thereof, until the contrary be proved, or unless such reasonable suspicion be thrown on the right and title of such possessor, as has been originated in force or fraud, as shall, in the judgment of such Court, require the possessor to prove his title. But if the person or persons in possession shall not tender such Security as aforesaid, then the execution shall be carried into effect, as in other cases and if the property pointed out appear to be in the joint possession of the debtor and of third parties, the debtor shall in such case be considered *prima facie* as the proprietor thereof; and the party holding joint possession shall be left to make his claim, in the manner pointed out in the section hereinafter next following.

27. Provided also that, if any person shall claim any Lands or Goods after they shall have been so seized as aforesaid, the Fiscal shall stay the sale thereof (unless the person at whose suit the process is issued shall give him such security as he shall deem sufficient, to indemnify him against any damages which he might incur by proceeding with the sale) and shall forthwith report such claim to the Court, out of which such process shall have issued which Court shall proceed to the decision of such claim and shall afterwards direct the Fiscal to proceed, or desist, in manner as in the foregoing clause is provided.

28. And it is further enacted, that no Fiscal's Sale shall be postponed after notice shall have been given thereof as aforesaid, unless where the property shall be claimed, as in and by the last section is provided for; or unless application shall be made to the Fiscal for that purpose, for or on behalf of the plaintiff, which application the said Fiscal shall forthwith report to the Court, out of which the process issued. Nor shall any renewed sale take place, in such instances, until after a repetition of notice in the manner hereinbefore directed.

29. Every sale shall be conducted in manner enacted by the Thirteenth Clause of the Seventeenth Regulation of One Thousand Eight Hundred and Twenty viz. such sales shall invariably be held by an officer of the Fiscal's department or some other person duly authorized by such Fiscal by writing under his hand; such sales if of moveable property shall be for ready money and not otherwise, and if of immoveable property a deposit of one-tenth of the amount of the sale shall be made, and the balance be paid in two months, or in default, the property shall be re-sold at the risk of the first purchaser and the deposit besides forfeited; that no duty shall be levied on such auctions excepting one per cent, which shall be paid to the Fiscal's officer who conducts the sale.

30. In the event of any person bidding for land, and not forthwith on his being declared the purchaser, paying down the amount of deposit required, the bidder next before him shall be considered the purchaser and required to make the deposit; and so on. And each person failing to make the deposit, shall be held liable to pay the difference between the amount of his offer, and the sum finally settled at the sale, to be levied by Parate Execution, on the plaint of the Fiscal to the Court to whose jurisdiction such person shall be liable, which plaint the Fiscal is hereby required in all cases to make forthwith, supported by the affidavit of the Fiscal or of the officer who conducted the sale; and such process of Parate Execution shall then forthwith issue, without any further costs, fee or stamp.

31. And in like manner, if the purchaser of any land shall not make payment of the full amount on the day appointed, and on a second sale taking place (publication whereof shall

REGULATION No. 13 of 1827.

always be made in manner prescribed for the first sale) the amount of the purchase shall fall short of the amount for which the first sale was concluded. Parate Execution shall, on the plaint of the Fiscal, (which plaint the Fiscal is hereby required in all cases to make forthwith, supported by the affidavit of himself or his officers who conducted the two sales, as to the circumstances.) issue against the property and person of the first purchaser, to recover the amount of difference between the amount of the second and first sale, without any expense for stamps, or otherwise.

32. Payments to Fiscals (with the exception of the deposit) shall only be made to the Cutcherry of the District in manner following.

Whenever any person, whether the original debtor or a purchaser of property sold in execution shall have occasion to pay money to the Fiscal, he shall notify the same to the Fiscal or his Deputy, who shall give him a note, addressed to the Collector, of the form subjoined (C) which the person who is to pay the money is to carry to the Cutcherry, and deliver to the Shroff or Receiver of the Cutcherry, and pay to him the amount stated in the Fiscal's note.

33. The Shroff or Cutcherry receiver shall then acknowledge the receipt of the money, by his signature on that part of the note reserved for that purpose, and cut off the same for delivery to the person who has made the payment, reserving the remaining part, as his authority for receiving the money.

34. The Cutcherry receipt being produced to the Fiscal or his Deputy, he shall if the payment be complete, and for the purchase of Land, make out, on being furnished by the purchaser with the necessary Stamped Paper, the usual certificate of sale. If the payment be for moveable property or a partial payment for Land, he shall give a receipt accordingly on stamped paper to be furnished by the purchaser.

35. As by the conditions of sales a deposit is to be immediately made with the Fiscal's officer, the Fiscal shall take care that such officer make the payment of all such money received, within Forty-eight hours after the sale, to the Cutcherry, being furnished, for that purpose with a note of the usual form (C).

36. A Register of these notes, in the annexed form (D) shall be kept by the Fiscal, liable to the call of Government at any period.

37. And it is further enacted that such monies, so paid into any Cutcherry, shall be subject to the directions of the Court or Magistrate, by whom the Process of execution shall have been issued.

38. And it is further enacted, that nothing herein before contained shall extend, or be construed to extend, to interfere with, or abridge, the rights of the Crown.

Given at Colombo the Thirtieth day of November One Thousand Eight Hundred and Twenty-seven.

By Order of the Council,  
THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,  
JOHN RODNEY,  
Chief Sec. to Govt.

A.

Know all men by these presents that I A. B. Esquire Fiscal for the Province of \_\_\_\_\_ in the Island of Ceylon have nominated and deputed and do hereby nominate and depute C. D. Gentleman, to be my Deputy in the said Office of Fiscal during my pleasure.  
Given under my hand and Seal at \_\_\_\_\_ the \_\_\_\_\_ day  
One Thousand Eight Hundred and \_\_\_\_\_

B.

In the \_\_\_\_\_ Court of \_\_\_\_\_ Plaintiff  
A. B. Vs. \_\_\_\_\_ Defendant

Notice is hereby given that on \_\_\_\_\_ day of \_\_\_\_\_ next at \_\_\_\_\_ o'clock in the \_\_\_\_\_ will be sold at \_\_\_\_\_ following \_\_\_\_\_ the property of the said Defendant \_\_\_\_\_

Colombo

1827.

Signature of Fiscal

C.

No. of Note  
No. of Suit  
Name of Payer  
£  
Date of payment  
Signature of Cutcherry receiver.

No. of Note  
No. of Suit  
To the Collector of  
Please to receive from  
£  
being for  
Fiscal's Office  
Signature of Fiscal or Deputy.

D.

Form of Register of Notes.

No.	No. of Suit.	Name of Payer.	On what Account.	Amount.	Date of issue.	Date when receipt sent back.

## REGULATION.

*(Repealed by Ordinance No. 5 of 1837.)**For the protection and encouragement of the growth of Tobacco in this Island.*

WHEREAS it has become necessary, for the protection and encouragement of the growth of Tobacco in the Island of Ceylon, to lay a higher rate of duty on Tobacco imported into the said Island, than is at present by Law payable on the same.

REGULATION No. 1 of 1828.

It is hereby enacted by His Excellency the Governor in Council that, from and after the date hereof, there shall be levied on all Tobacco which shall be imported into the said Island from any port or place whatsoever to the Eastward of the Cape of Good Hope, whether the same be imported for consumption in Ceylon, or for the purpose of re-exportation, a duty of 1s. and 6d. per lb. weight and so in proportion for any greater or less quantity.—Which duty shall be levied and paid in the same manner, and subject to the same rules, forfeitures, and penalties, to all intents and purposes, as are declared and provided in and by the Regulation of Government No 9 of 1825, respecting the importation of articles, thereby permitted to be imported into the said Island.

Given at Colombo this Second day of September One Thousand Eight Hundred and Twenty Eight.

By Order of the Council,

THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

*(Repealed by Regulation No. 2 of 1831.)**For limiting the possession of Elephants to persons thereto authorized by Government.*

WHEREAS it is expedient to restrain persons from catching Elephants, without the authority of Government: and to impose certain limitations and restrictions upon the possession of Elephants by private individuals in this Island.

Regulation No. 2 of 1828.

1. It is therefore hereby enacted by His Excellency the Governor in Council, that, from and after the Date hereof it shall be unlawful for any person or persons whatsoever, to catch or take alive any wild Elephant or Elephants, except for the use of His Majesty's Government under and by the authority of the said Government, duly signified in writing for that purpose. Any person or persons who from and after the date hereof shall be convicted of catching or taking alive, or of causing to be caught and taken alive, any wild Elephant or Elephants, as aforesaid, shall, besides the loss of the Elephant or Elephants so unlawfully caught, which shall be declared confiscated to the use of His Majesty's Government, lose and forfeit the sum of 100 Pounds for every Elephant so caught, One Half whereof shall go to the use of the said Government, and the other Half to the person or persons, giving information of the said offence. And in default of payment of such fine, every such offender shall be sentenced to imprisonment not exceeding twelve months.—Provided always that if no sufficient property shall be found belonging to the person convicted under this Regulation to pay the sum forfeited by him for the breach thereof, it shall be lawful for the Governor or Lieutenant Governor to remit the remainder of the Penalty upon payment to the informer of half the sum levied, and if no property shall be found belonging to such person convicted as aforesaid, then to remit the whole penalty.

2. And it is further enacted, that, from and after the expiration of six calendar months from the date of this regulation, it shall be unlawful for any person or persons to have in his her or their custody or possession, except on behalf and under the express authority of His Majesty's Government, any Elephant or Elephants of whatsoever description, unless thereto authorized by license to be signed by the Chief or Deputy Secretary to Government, and to be duly enregistered in the office of the Chief Secretary aforesaid: And all Elephants which, after the said period of six months, shall be found in the possession of any person or persons, not so authorized and licensed as aforesaid, shall be deemed to be the property of the said Government, and shall be seized and taken as such accordingly.

3. And in furtherance of the provisions hereinbefore enacted, all persons, now having Elephants in their possession, are hereby required and enjoined, within the said space of six months from the date hereof, to render an account at the office of the Chief Secretary to Government at Colombo, of the number of Elephants which he she or they may be possessed of, with the age, marks, and description of each, and of the manner in which he she or they became possessed of the same respectively: And in all cases in which it shall satisfactorily appear that such Elephants have come lawfully into the possession of the persons so rendering accounts thereof, the Chief or Deputy Secretary aforesaid shall cause to be made out licenses, authorizing such persons to continue to hold and possess the Elephants, so by them accounted for respectively. And such license, duly signed and enregistered as hereinbefore directed, and delivered to the possessors of such Elephants, shall be deemed to convey to them a good and valid title to the same respectively.

4. Provided always, that nothing herein contained shall preclude any person or persons, having any claim or interest to or in Elephants, for which licenses shall have been so granted, from prosecuting such claim before a Court of competent jurisdiction: And such Court is hereby authorized, in case such claim be satisfactorily established, to decree the delivery and indorsement of the license to such claimant, who shall thereupon be deemed to be the lawful owner of the Elephant or Elephants in question, as fully as if the license had originally been granted to such claimant.

5. And it is further enacted that, whensoever any Elephant or Elephants, for which licenses shall have been so granted, shall be sold or otherwise transferred, either from the possession

REGULATION No. 2 of 1828.

of the person or persons to whom the license shall have been originally granted, or from any subsequent purchaser or possessor, to any other person or persons, such sale or transfer shall not be considered of any force or effect, unless the license be also transferred and duly indorsed over to the new purchaser or possessor, for the validity of which endorsement no stamp shall be considered necessary.

Given at Colombo this Thirteenth day of October One Thousand Eight Hundred and Twenty Eight.

By Order of the Council,

THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

REGISTRY of Licenses issued to persons authorising them to possess Elephants under the Regulation of Government No. 2 of the 13th day of October 1828, and being in the actual possession of the same previous to the passing of the said Regulation.

No.	Name, occupation and residence of the owner	Description of the Elephant	Date of the License	Purchased or by

REGISTRY of Licenses issued to persons authorising them to possess Elephants under the Regulation of Government No. 2 of the 13th day of October 1828, the same having been purchased or granted to them since the passing of the said Regulation.

No.	Name, occupation and residence of the owner	Description of the Elephant	Date of the License	Purchased or by Grant

This is to certify that in pursuance of the Regulation of Government No. 2 of the 13th day of October 1828, entitled a Regulation for limiting the possession of Elephants to persons thereto duly authorised by Government

has made good his right of possession of a Elephant

which became property

before the passing of the said Regulation; and this license is therefore granted to the

constituting him the lawful proprietor of such Elephant herein before described.

Given under my hand this day of 182 , the same having  
been duly registered in the Chief Secretary's Office.

JOHN RODNEY,  
Chief Sec. to Govt.

REGULATION.

(Repealed by Regulation No. 2 of 1831.)

For declaring the power of the Governor to establish tolls, and for enforcing the due payment thereof.

Regulation No. 3 of 1828,

WHEREAS a facility of communication between the different parts of this Island must greatly tend, as experience has already shewn, to the comfort, improvement, and prosperity of the inhabitants: And whereas it is just that the expenses of making and constructing roads, bridges, canals, and ferries, and of repairing and improving the same, should be defrayed by those who derive the most immediate benefit therefrom.

1. It is therefore declared and enacted by His Excellency the Governor in Council, that it is and shall be lawful for the Governor or Lieutenant Governor for the time being, when and so often as it shall be deemed expedient so to do, to establish tolls, to be levied and taken at and upon any roads, bridges, canals, ferries, or other places, at such rates, and for such periods, as the necessity of each case may require:—Which tolls, having been previously fixed and

approved of by the Governor or Lieutenant Governor in Council, shall be duly notified and proclaimed in the Government Gazette. And any person or persons, who, after such Proclamation, shall during the period for which such tolls shall have been established, pass or attempt to pass, through, upon or over such road, bridge, canal, ferry, or other place, without paying the toll, so established thereupon, to the person or persons duly authorized to levy and receive the same, or who shall assist any other person in so passing or attempting to pass, or who shall in any way molest or obstruct the person or persons so authorized, or his or their assistants, in the execution of his or their duty, in levying and receiving such toll, shall, on conviction thereof before any Magistrate, or other Court of competent jurisdiction, be sentenced to such fine or imprisonment, or both, and shall also be condemned to make such compensation to the Toll-keeper or Collector, as to such Magistrate or other Court shall appear reasonable, and proportionable to the nature of the offence.

2. And lest any doubts should arise, in consequence of the foregoing provisions, as to the legality of tolls already established:—It is hereby further declared and enacted that all tolls, which at any time heretofore have been duly established on any road, bridge, canal, ferry, or other place, and all contracts and agreements relating thereto, are and shall be deemed to be legal, valid, and effectual, to all intents and purposes what-soever.—And all such tolls, heretofore established and now in existence, shall continue to be levied until duly taken off and repealed, and the Collectors thereof respectively, and their several assistants, shall receive the same in full protection; and all persons molesting or obstructing them in the execution of their duty, in levying or attempting to evade the payment of such tolls, in manner above set forth, shall be liable to the same penalties; as hereinbefore is provided with respect to tolls hereafter to be established.

Given at Colombo this Thirtieth day of October One Thousand Eight Hundred and Twenty Eight.

By Order of the Council,

THOS. EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Annulled by the Charter of 18th February 1833.)

For providing against the fraudulent alienation of property by parties appellant, pending appeal.

Regulation No. 4 of 1828.

WHEREAS by His late Majesty's Charter or Letters patent, bearing date the Eighteenth day of April One thousand eight hundred and one, it was provided that in all appeals, to be brought before the High Court of Appeal, erected and established by the said Charter or Letters Patent, "Security should be first duly given by the "appellant, to answer such charges as should be awarded, in case the former sentence should be affirmed;" Which provision has been considered to extend only to the Costs incurred by such appeal, and not to the value of the property in dispute between the parties, or to the damages awarded by the Court, from which the appeal is instituted.

And whereas Appeals to the said High Court of Appeal have been considered to have the effect of preventing execution from issuing against the property of parties against whom decrees have been given in the inferior Courts, till the decision of such cases by the High Court of Appeal. By reason whereof an opportunity is afforded to dishonest debtors, against whom judgments are obtained in the Provincial and other Courts of this Island, of defrauding their Creditors by alienating their property, while the case is pending in the High Court of Appeal; so that when such judgments are affirmed, there oftentimes remains nothing wherewith to satisfy them, to the great hindrance and perversion of Justice.

And whereas by his late Majesty's Charter or letters patent, bearing date the Sixth day of August One thousand eight hundred and ten, and Thirtieth day of October One thousand eight hundred and eleven, respectively, it is directed that in cases in which the administration of Justice shall not have been specifically or sufficiently provided for, by the said Charter of 1801 and the other last mentioned Charters, the Governor of these settlements shall take the same into consideration, and provide for the same by Regulation or otherwise, by his authority as he shall deem expedient.

1. It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the first day of November now next ensuing, no appeal from any Provincial or other Court whatsoever to the High Court of Appeal shall operate to prevent execution from issuing: But it shall be lawful for such inferior Court, according to the rules and practice thereof, whenever any judgment is given against any party to grant execution against the property of the party so decreed against; and such property may thereupon be seized and sequestered, but shall not be removed or sold, and shall be kept in safe Custody, till it shall be determined whether an appeal is to be allowed or not; and in the event of such an appeal being allowed, then it shall be so kept till the decision of the High Court of Appeal; if no appeal be allowed then such property shall be sold or otherwise dealt with according to the rules and practice of such inferior Court.

2. Provided always that whenever the party appellant, against whom execution is demanded in any such inferior Court, shall tender good and sufficient Security to answer, not only the amount of Costs and charges as heretofore has been accustomed, but also the amount of the judgment appealed against, in case such judgment should be affirmed, in such case no execution shall issue till after the decision of the High Court of Appeal.

3. And it is hereby further enacted, that in all cases in which security shall be so tendered, two days notice, exclusively of Sunday, shall be given by such appellant to the party respondent or his Attorney or Proctor, of the day on which such security will be tendered in Court, in order that the respondent may have an opportunity, if he should think fit so to do, of questioning the solvency, and objecting to the sufficiency, of such security, when so offered,

REGULATION No. 4 of 1828.

4. Provided always that the Court, from which the Appeal is sought to be instituted, shall decide finally upon the sufficiency or in-sufficiency of the security so offered; and no appeal shall lie from any decision upon such sufficiency or insufficiency.

*Given at Colombo this Thirteenth day of October One Thousand Eight Hundred and Twenty Eight.*

By Order of the Council,

THOS. EDEN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Repealed by Ordinance No 2 of 1834.)*

*For explaining and amending Regulations No. 4 and No. 10 of 1825.*

Regulation No. 5 of 1828.

**W**HEREAS doubts have been entertained, as to what descriptions of persons are to be considered liable to the commutation tax, imposed by Regulations No. 4 and No. 10 of 1825, respectively.

1. For removing therefore all such doubts, it is hereby declared and enacted by His Excellency the Governor in Council, that the said Regulations are, and each of them is, and shall be deemed to be, applicable to such only of the inhabitants of the Districts and Provinces, in the said Regulations respectively mentioned, as are commonly known and distinguished by the appellation of Natives, and to no other persons.

2. Provided always that no stranger, traveller, or person arriving in any or either of the said districts or provinces from beyond sea, or from other parts of this Island, shall be considered or adjudged liable to pay the said tax, unless the usual place of abode of such person be within such district or province; or until such person, if his usual place of abode be not therein, shall have resided or have had a fixed place of abode in such district or province, for the space of three months consecutively. And provided further that the production of a certificate of payment of the said tax duly given by the Collector or his assistant, in any one of the said districts or provinces, shall exempt the person to whom it has been granted, from payment for the same year, in any other district or province.

3. Provided also and it is hereby further enacted, that it shall and may be lawful, the Governor or Lieutenant Governor, for the time being, to authorize the Collectors of or either of the said districts or provinces, or their assistants respectively, to grant exemption from the said tax to any person or persons, whenever it shall appear just and expedient, such Governor or Lieutenant Governor so to do. And every such exemption, duly certified by the Collector or his Assistant, shall release the person or persons, in whose favor it shall be so granted, from all liability to pay the said tax, during the period for which it shall expressly be granted. And such exemption shall have full force and validity, not only in the district or province, in and for which it shall have been so granted, but also in all other the districts and provinces, which, in and by the said Regulations of 1825, are made liable to the said tax.

4. And whereas the said tax, although it has proved very beneficial to His Majesty's subjects, by relieving them from the burthen of the several taxes for which it was originally substituted, has nevertheless been very much evaded: For the purpose therefore of preventing, if possible, such evasions for the future, or of detecting them if practised; It is hereby further enacted, that returns, made by the several headmen in each district or province to the respective Collectors, shall be at all times open to the inspection of any persons desirous of examining them: And whenever it shall appear that any person, liable to the said tax, has knowingly and wilfully evaded the payment thereof, the Collector of the district or province, in which such person shall then be resident, or any Magistrate before whom such person shall be prosecuted, is hereby authorized, at his discretion, and according to the circumstances of the person so evading, either to oblige him to work in manner directed by the said Regulations of 1825, respectively; or to impose upon him, in addition to the said tax, a fine, not less than one shilling and not exceeding ten shillings, one half of which fine shall be paid to the person on whose information such conviction shall take place.

5. And it is hereby further enacted, that, if it shall appear to the satisfaction of such Collector or Magistrate, that the omission to pay the said tax, by any person liable thereto, has arisen from his ignorance of his liability, and not from any intention of defrauding the Revenue, such Collector or Magistrate shall and he is hereby authorized to direct the said tax to be forthwith paid, and the usual certificate to be granted, without imposing any penalty, either by fine or hard labour; any thing in the said Regulations of 1825, or herein before contained to the contrary, notwithstanding.

*Given at Colombo this Thirteenth day of October One Thousand Eight Hundred and Twenty-eight.*

By Order of the Council,

THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Sec. to Govt.*



## REGULATION.

*(Expired.)**To prevent the slaughtering of female Cattle, for a limited period.*

**W**HEREAS the mortality, which has recently been prevalent among the Cattle of the Maritime Provinces of this Island, has rendered it expedient to prohibit the slaughter of female Cattle within the said Provinces, for a limited period.

It is therefore hereby enacted, by His Excellency the Governor in Council, that from and after the first day of January next, and until the 31st day of December 1829, it shall be unlawful for any person whatsoever, within any of the said Provinces, to slaughter any Cow, Heifer, Cow calf, or female Buffalo, of whatever age: And every person so offending shall, upon conviction thereof before a Sitting Magistrate, or other Court of competent jurisdiction be liable to pay, for every such animal so slaughtered, within the period above limited a fine not exceeding Two Pounds (one half whereof shall go to the Informer)—or to undergo imprisonment at hard labour not exceeding two months, besides forfeiture to the Crown of every such animal so slaughtered.

*Given at Colombo, this Twenty-second day of December One Thousand Eight Hundred and Twenty eight.*

By Order of the Council,  
THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

REGULATION No. 6 of 1828.

## REGULATION.

*(Nullified by the Charter of 18th February 1833,)*

*To enable Provincial Courts, Sitting Magistrates and Justices of Peace, to summon witnesses in Criminal cases, though out of the limits of their jurisdiction.*

**W**HEREAS it may frequently happen, on the investigation of offences, before the Provincial Courts, Sitting Magistrates, and other Justices of the Peace, of the several maritime Provinces of this Island, that it may be necessary for the purposes of Justice, to obtain the evidence of persons, not being within the jurisdiction of such Provincial Courts, Magistrates, or other Justices, at the time of such investigation.—And whereas there exists at present no regular course, by which the attendance of such witnesses can legally be enforced.

Regulation No. 7 of 1828.

It is therefore hereby enacted by His Excellency the Governor in Council, that from henceforth in any case in which a charge is preferred before a Provincial Court, Sitting Magistrate, or Justice of the Peace, in the maritime Provinces, of any Criminal offence (whether committed before such Provincial Court, Sitting Magistrate, or Justice of the Peace, or whether it is such as could only be tried before the Supreme Court) if the evidence of one or more persons within the said Provinces, but not within the jurisdiction of such Provincial Court, Sitting Magistrate, or Justice of the Peace, shall appear to be absolutely necessary for the purposes of Justice, whether on behalf of the prosecution or of the party accused, it shall and may be lawful for such Provincial Court, Sitting Magistrate, or Justice of the Peace, to issue the usual process to compel the attendance of such person or persons, directed to the fiscal of the Province or District, in which he, she, or they shall then happen to be.—And such fiscal is hereby required to cause such process to be duly served, and shall make return of such service to the Provincial Court, Sitting Magistrate, or Justice of the Peace, from whom the process issued. And such service shall be deemed as good and effectual, and any person neglecting to appear before such Provincial Court, Sitting Magistrate, or Justice of the Peace, according to the tenor of the process, shall be subject to the same penalties, as if the process had been served within the Province or District, where the person served shall be required to appear.

*Given at Colombo this Twenty-second day of December One Thousand Eight Hundred and Twenty-eight.*

By Order of the Council,  
THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Expired.)*

*For empowering His Majesty's Commissioners of Inquiry and the Secretary to the Commission to frank all letters and in like manner to receive letters free of postage.*

**W**HEREAS it is expedient to afford every facility of communication with the different parts of this Island, to the Commissioners appointed by His Majesty to enquire into the affairs thereof.

Regulation No. 1 of 1829.

It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the date hereof, and so long as the said Commissioners shall continue to exercise their functions in Ceylon, all letters addressed and superscribed in manner directed by the 6th section of Regulation of Government No. 3 of 1812, by any or either of the said Commissioners, of Inquiry, or by the Secretary to the said Commission, for the time being, and all letters addressed to any or either of the said Commissioners, or to the said Secretary, by any person or persons

REGULATION No. 1 of 1829.

whatsoever, shall be forwarded free of postage to and from all places in this Island and its dependencies, at which communication by post is or shall be established.

*Given at Colombo, this Twenty-third day of April One Thousand Eight Hundred and Twenty Nine.*

By Order of the Council,

THOS. EDEN.  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

## REGULATION.

*(Nullified by the Charter of 18th February 1833.)*

*To give Jurisdiction to the Provincial Courts in cases of Idiocy and Lunacy not otherwise provided for.*

REGULATION No. 2 of 1829.

1. **WHEREAS** it is necessary to establish in the Maritime Provinces of this Island a competent jurisdiction for the trial of questions of idiocy and lunacy in cases not otherwise provided for by law; and for the appointment of guardians of the persons and estates of idiots and lunatics in such cases: It is therefore hereby enacted by His Excellency the Governor in Council, that, from and after the date hereof, it shall and may be lawful for all Provincial Courts in the said Provinces, within the limits of their respective Jurisdictions, and they are hereby required, in all cases not subject to the jurisdiction of the Supreme Court of Judicature in the Island of Ceylon, to hear and determine, in manner hereinafter directed, the fact of idiocy or lunacy; and to appoint guardians, as well of the persons, as of the estates of such as shall be duly declared to be idiots or lunatics.

2. And it is hereby further enacted that when any person shall think it necessary that the state of mind of a supposed idiot or lunatic should be inquired into, such person shall present a petition to that effect to the Provincial Judge of the district in which such supposed idiot or lunatic shall then be resident or commorant, accompanied by one or more affidavits, averring the belief of such idiocy or lunacy, and the grounds of such belief.

3. Thereupon the Provincial Judge shall, with as little delay as possible, appoint a day for hearing and examining such witnesses as shall be named by the petitioner in support of the petition; and shall for that purpose issue subpoenas to enforce the attendance of such witnesses: And shall at the same time give notice to the person, in whose custody the supposed idiot or lunatic shall be, or to the constable or headman of the division, in case such supposed idiot or lunatic shall not be in the custody of any one, to produce the body of such supposed idiot or lunatic before the Court on the day appointed—And any such person, constable, or headman, wilfully disobeying such notice, shall, if duly convicted thereof, be liable to be fined not exceeding five Pounds or to be imprisoned for any term, not exceeding Six months.

4. On the day appointed for the inquiry, the Provincial Judge shall hear and examine on oath all Witnesses who shall be produced, either in support of the Petition, or in objection to it.—And on the request of the supposed idiot or lunatic, or otherwise, if it shall appear proper so to do, shall adjourn the hearing of the case to another day, in order to give opportunity for the production of witnesses on behalf of the supposed idiot or lunatic: And shall make such further adjournments as he shall deem necessary. And upon the evidence so adduced, and on the personal inspection and examination of such supposed idiot or lunatic, the Provincial Judge shall decide whether he or she be of unsound mind or not.—And if of unsound mind, whether from his or her birth, or from what period of time.

5. Provided that if, owing to the sickness or infirmity of the supposed idiot or lunatic, or to the great distance at which the parties or witnesses may reside from such Court, or upon any other good and sufficient ground, the Provincial Judge shall consider it inexpedient that the inquiry should take place before himself, it shall and may be lawful for him to issue a commission to three or more of the most respectable inhabitants, living as near as may be to the residence of the supposed idiot or lunatic, empowering and requiring them to examine him or her, and to hear the evidence of all witnesses as hereinbefore directed, for which purpose, such commissioners, so to be appointed, are hereby authorized to administer oaths to all such witnesses.—And such evidence, being carefully taken down in writing at the time when it is given, shall be forthwith forwarded to the Provincial Court, together with the report of the Commissioners on the state of the supposed idiot or lunatic, and their opinion touching the state of his or her mind.—And upon such evidence, report and opinion, the Provincial Judge shall pronounce his decision as above directed.

6. If the Provincial Judge shall pronounce such supposed idiot or lunatic to be of unsound mind, he shall, if such decision be not appealed against, or, being appealed against, if it be confirmed, proceed to appoint a fit and proper guardian of the person of such idiot or lunatic, and also a fit and proper guardian of his or her estate, combining the two offices in the same person, or separating them, as shall appear most advantageous for the interests, as well of such idiot or lunatic, as of all other parties concerned; taking good and sufficient Security from such guardians for the due execution of their respective trusts. And even in any case in which an appeal shall be instituted against such decision, it shall and may be lawful for the Provincial Judge to appoint such guardian or guardians, pending such appeal, if it should appear to him that the supposed idiot or lunatic cannot, with safety to him or herself, or to the public, be left without controul. And the Provincial Judge is hereby authorized to make such other orders, as well for the allowance to be made for the maintenance of such idiot or lunatic out of the estate, as for other purposes, as the exigencies of the case shall seem to him to require.

7. And it is hereby further declared, and enacted that it shall and may be lawful for either party, considering him or herself aggrieved by such decision, whether it be the party petitioning or the person whose sanity shall have been in question, or any person on his or her behalf, to appeal against such decision to the High Court of Appeal; and every such appeal shall be allowed, without reference to the value of the estate of such supposed idiot or lunatic. And in

any case, in which the party shall be declared to be of unsound mind, it shall and may be lawful for him or her, or for any person on his or her behalf, at any time afterwards, and whether such decision shall have been appealed against or not, to petition such Provincial Judge to revoke such decision; and if such petition be supported by affidavits to shew that such person has recovered his or her understanding, the Provincial Judge shall institute another inquiry in the same manner, *mutatis mutandis*, as that originally instituted; and shall make such decision thereupon (subject in like manner to appeal to the High Court of Appeal) as to him shall appear proper and just.

8. And it is further enacted that in all cases, in which the Provincial Judge or the High Court of Appeal shall pronounce the party to be of unsound mind, or shall decide that there was reasonable and probable grounds for instituting such an inquiry, the costs attending the same shall be defrayed out of the estate of such supposed idiot or lunatic.—But if the petition be dismissed, and the Provincial Judge or the High Court of Appeal shall decide that there was no reasonable or probable ground for instituting the inquiry, in such case the costs shall be paid by the party petitioning.

9. Provided that in all cases which shall be so brought before any Provincial Court, the costs shall be assessed in the lowest class: And Provided also that it shall and may be lawful for the party petitioning for such inquiry to proceed in forma pauperis, if the estate of such supposed idiot or lunatic be insufficient to defray the expenses; subject however to his or her liability to pay costs, as directed in the foregoing clause, in case the inquiry should be instituted without reasonable or probable ground.

10. And it is further enacted that any person who shall commit wilful perjury, or shall procure, or attempt to procure, any other person to commit perjury in any of the proceedings herein before directed, whether by affidavit, or in giving evidence before the Provincial Judge, or before the Commissioners to be by him appointed for the purposes aforesaid, shall, on conviction thereof, be liable to the punishment by law awarded against perjury, or subornation of perjury, or attempt at subornation respectively.

*Given at Colombo this Twenty-fifth day of July One Thousand Eight Hundred and Twenty Nine.*

By Order of the Council.

THOS. EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Ordinance No. 5 of 1836.)*

*Declaring the 5th Section of Regulation No. 12 of 1825 not to be applicable to the Regimental effects of Officers and Soldiers.*

WHEREAS doubts have been entertained, whether the 15th Section of the Regulation of Government No. 12 of 1825, prohibiting sales by auction, except by licensed auctioneers, do extend to sales of the Regimental effects of Officers and others in His Majesty's Service. And Whereas it never was in contemplation to include such sales in that prohibition.

It is therefore hereby declared and enacted by His Excellency the Governor in Council, that the said 15th Section, in the Regulation above mentioned, shall not extend or be construed to extend to the sale of the Regimental effects of any Officers, Non-Commissioned Officers, Soldiers, or others, serving in His Majesty's forces in this Island, or who shall die in the said service, leaving such effects in the maritime Provinces. But such effects shall and may be sold by auction, by any persons, whether licensed auctioneers or otherwise, whom such Officers, Non-Commissioned Officers, Soldiers, or others (being duly authorized to dispose of such effects) shall appoint: any thing in the said Regulation contained to the contrary notwithstanding.

*Given at Colombo, this Fifteenth day of September One Thousand Eight Hundred and Twenty-nine.*

By Order of the Council,

THOMAS EDEN,  
*Sec. to Council.*

By His Excellency's Command,  
JOHN RODNEY,  
*Chief Sec. to Govt.*

### REGULATION.

*(Repealed by Ordinance No. 7 of 1836.)*

*For promoting the growth of certain Articles of Agricultural produce in the Island of Ceylon, and for the encouragement of agricultural speculation.*

WHEREAS it is proper and expedient to afford every practicable encouragement to agricultural speculations and pursuits in this Island, and more particularly to the growth of certain articles of produce, hereinafter specified. And Whereas it has been represented to His Excellency the Governor, that some persons have been deterred from engaging in such speculations and pursuits, by an apprehension that they might be liable to pay a proportion of the produce thereby raised, as a tax by law due and payable to Government.

1. For removing therefore all such doubts and apprehensions, It is hereby declared and enacted by His Excellency the Governor in Council, that no part or proportion of any Coffee, Cotton, Sugar, Indigo, Opium, or Silk, of the growth or produce of this Island, or of any part of the dependencies thereof, has hitherto been, or will be demanded or claimed by Government, for the period of twelve years from the date hereof; any law, Custom, or usage to the contrary notwithstanding.

**Regulation No. 2 of 1829.**

**Regulation No. 3 of 1829.**

**Regulation No. 4 of 1829**

REGULATION No. 4 of 1829.

2. And Whereas by Regulation of Government No. 9, of 1825, and the Table (No. 2.) therein referred to, Coffee and Cotton are permitted to be exported from any port in this Island, free of duty; but no mention is made in the said Table of the other articles of produce herein before enumerated—It is therefore hereby further declared and enacted, that all Sugar, Indigo, Opium, and Silk being of the growth or produce of this Island, or of any part of the dependencies thereof, shall and may, from henceforth, be exported from any port thereof in manner directed by the said Regulation of 1825, free of all duty whatsoever, any thing in that, or any other Regulation or law to the contrary notwithstanding.

3. And it is hereby further enacted that all Implements, tools, and machinery used for the purposes of agriculture or of any kind of manufacture, shall and may from henceforth be imported into this Island free of all duty whatsoever; any thing in the said Regulation of 1825 or in any other Regulation or law to the contrary notwithstanding.

4. And with a view to the further encouragement of agricultural speculations, it is also enacted, that all labourers of whatever nation, caste or description, who shall be bona fide employed in any plantation of Coffee, Cotton, Sugar, Indigo, Opium, or Silk, or in the manufacture of the produce thereof, shall be exempt from being called out in the public service during the period for which they shall be so bona fide employed, excepting during actual war and for the purpose of repelling invasion or during internal commotion. Provided that in order to exempt from the performance of public service, any person who may be otherwise liable thereto, a certificate from the proprietor or occupier of such plantation or manufacture or from his Agent or Superintendent shall be required to be produced to the Collector of the district, whose duty it may be to summon labourers for the service of Government, which certificate shall state the day on which the person claiming exemption began to work in such plantation or manufacture, and that he is still so employed, or otherwise the day on which he deserted from such employment as the case may be. And any such proprietor or occupier, Agent or Superintendent, issuing to any labourer a certificate which shall be wilfully false in any particular, shall, on conviction thereof before any Magistrate be liable to a fine for each offence not exceeding Twenty Pounds and in default of payment to imprisonment for any term not less than two Calendar months, nor more than Six Calendar months.

Given at Colombo this Twenty-first day of September One Thousand Eight Hundred and Twenty Nine.

By Order of the Council,

THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

To remove all doubts as to whether the Statute 10 Geo. IV. Cap. 7. Passed "in relief of His Majesty's Roman Catholic Subjects" extends to and is in force in Ceylon.

Regulation No. 5 of 1829.

Preamble.

WHEREAS an Act of the Imperial Parliament of the United Kingdom intituled "An Act for the relief of His Majesty's Roman Catholic Subjects" was passed in the present year of His Majesty's Reign. And Whereas it is expedient to prevent any doubts on the question whether the said act be in force in this Island.

10 Geo. 4 Cap. 7 to be in force in Ceylon.

It is therefore hereby declared and enacted by His Excellency the Governor in Council that the said Act and all and every the provisions thereof shall from the time of the promulgation thereof in these Settlements be, and be deemed to be, in force and operation in the Island of Ceylon and its dependencies, in as full and ample a manner, to all intents and purposes, as if the said Island and its Dependencies had been expressly mentioned in the said Act, and included in the provisions thereof.

Oaths of Catholics holding Office.

And be it enacted that every person professing the Roman Catholic Religion who shall after the date hereof be appointed to any Office or place of Trust or Profit in this Island or its Dependencies under His Majesty, his Heirs or Successors, shall as soon as possible after his arrival in this Island, or otherwise before he presumes to exercise or enjoy, or in any manner to act in such Office or Place take and subscribe the Oath appointed and set forth in the said Act of the Imperial Parliament and the usual Oath of Office either before the Governor in Council or in the Supreme Court of Judicature, or before any person duly authorized by His Excellency the Governor to administer such Oath.

Given at Colombo this Twenty-third day of November One Thousand Eight Hundred and Twenty Nine.

By Order of the Council,

THOMAS EDEN,  
Sec. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Sec. to Govt.

## REGULATION.

(Expired.)

For protecting persons resorting to the Pearl Fishery from arrest in Civil cases, and for exempting for a time all transactions connected therewith from the operation of the Regulation No. 4 of 1827.

**W**HEREAS it has been heretofore found expedient in order to encourage the attendance of Merchants and others at the Pearl Fishery on the Coasts of this Island—to protect persons resorting thereto from arrest or Process in Civil cases during the continuance of the Fishery. REGULATION No. 1 of 1830.

It is therefore hereby declared and enacted by His Excellency the Governor in Council, that during the continuance of the Fishery about to be held at Atippo—no person resorting thither shall be liable either in person or property to any arrest or Process of Law in Civil Cases arising out of Claims or Transactions not connected with the Business of the Fishery.

Provided always that nothing in this Regulation contained shall be construed to affect any process of the Supreme Court of Judicature—or any Process of a Criminal nature—or any Process founded upon transactions occurring at the Fishery.

And whereas it has also been heretofore found expedient, in order to facilitate the Business of the Pearl Fishery to exempt all transactions, during its continuance, from the operation of the Stamp Regulations: It is hereby further declared and enacted, that from the commencement of the ensuing Fishery to be held on or about the first of March 1830, and until the 31st August next, it shall be lawful for all Merchants and others engaged in the Pearl Fishery, to grant or take Receipts for money and to enter into any written Engagements, connected with the Fishery, on unstamped Paper; and in order to enable such persons, afterwards, if necessary, to produce any such document or documents as evidence in any of the Courts of Justice in this Island, such persons may at any time before the 31st day of August next, apply to the Provincial Judge or Sitting Magistrate of the District in which the applicant resides, and on lodging the full amount of Stamp duty required by existing Law such Provincial Judge or Sitting Magistrate shall forthwith transmit such document or documents together with a certificate of the payment of the Stamp duty to the Stamp Office at Colombo, and the proper Officer shall thereupon affix the proper Stamp to the same and such document or documents shall then be good and available and admissible in evidence to all intents and purposes, any thing in this or any other Regulation to the contrary notwithstanding: And it is further declared and enacted, that from and after the 31st day of August next the provisions of this Regulation shall cease to be in force.

Given at Colombo this Thirteenth day of February, One Thousand Eight Hundred and Thirty.

By Order of the Council,

P. ANSTRUTHER,  
*Actg. Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

## REGULATION.

(Repealed by Ordinance No. 6 of 1836.)

To amend Regulation No. 4 of 1827, as far as regards the Stamp duty thereby imposed on conveyances of immoveable Property.

**W**HEREAS experience has shewn that the Stamp duty imposed by the 5th section of Regulation No. 4 of 1827 and by the table marked A in the Schedule annexed to the said Regulation, on conveyances of immoveable property within these settlements, is too high and ought to be reduced to a lower scale. REGULATION No. 2 of 1830.

1. It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the date hereof all conveyances of immoveable property within these settlements, that is to say, every deed or other instrument purporting to convey a title to lands or tenements whether by way of sale, gift, or settlement, (save and except leases and mortgages of lands and tenements, which shall continue to bear the Stamp duty imposed on such instruments by the said Regulation of 1827) shall be written on stamped paper, cloth, or other material bearing an ad valorem duty upon the bona fide consideration or actual value of the same, to be assessed according to the table annexed to this Regulation instead of the duty imposed on such conveyances in and by the said 5th section of the said Regulation No. 4 of 1827, and by the table marked A annexed to the said Regulation.

2. Provided that all the clauses and provisions of the said Regulation No. 4 of 1827 other than the 5th section thereof and the table marked A above mentioned shall continue in full force and operation, as well respecting conveyances of immoveable property, as all other the instruments therein enumerated.

Given at Colombo this Seventeenth day of February, One Thousand Eight Hundred and Thirty.

By Order of the Council,

P. ANSTRUTHER,  
*Actg. Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

REGULATION No. 2 of 1830.

Schedule referred to in the foregoing Regulations.

TABLE A.

Ad valorem Stamp Duty of 2½ per Cent. on all Conveyances of immoveable Property, whether by Sale, Gift, Settlement, or otherwise, according to the value of the subject matter of the same.

On every amount under	£	£	s.	d.
£ 2 and under	2	0	0	6
" 4 and under	4	0	1	0
" 6 and under	6	0	2	0
" 8 and under	8	0	3	0
" 10 and under	10	0	4	0
" 12 and under	12	0	5	0
" 14 and under	14	0	6	0
" 16 and under	16	0	7	0
" 18 and under	18	0	8	0
" 20 and under	20	0	9	0
" 25 and under	25	0	10	0
" 30 and under	30	0	12	0
" 35 and under	35	0	15	0
" 40 and under	40	0	17	0
" 45 and under	45	1	0	0
" 50 and under	50	1	2	0
" 55 and under	55	1	5	0
" 60 and under	60	1	7	0
" 65 and under	65	1	10	0

And so on at the rate of Two Shillings and Six Pence for every £5 of additional value, but the duty not to exceed in any case £40.

REGULATION.

For explaining Regulation of Government No. 6 of 1827.

Regulation No. 3 of 1830.

Preamble.

WHEREAS by Regulation of Government No. 6 of 1827, it was declared and enacted that all loans of Monies belonging to Suitors in the Supreme Court or to intestate Estates under the Administration of the Registrar of the said Court, which had been before then made by the Board constituted for that purpose, and all distributions of the Interest arising therefrom which had taken place under the Rules and Orders as the said Supreme Court had made touching the same, shall be good legal and valid to all intents and purposes against all objections whatsoever. And whereas it might possibly be attempted to put a larger construction on the statutory enactment above recited than the object or intention of the Legislature would warrant.

Meaning of Regulation No. 6 of 1827.

1. For obviating therefore all doubts as to the real meaning and intent thereof, be it hereby declared by His Excellency the Governor in Council that the said loans and the distributions arising therefrom, shall be and be deemed to be legalized by the said Regulation No 6 of 1827, only in so far as concerns the right and power of the Supreme Court to authorize the same; And that all other defects, which may be inherent in the said transactions or any of them, do and shall remain unaffected by the said Regulation, and may be taken advantage of as fully and freely as if the said Regulation had never been passed.

Given at Colombo this Seventeenth day of February, One Thousand Eight Hundred and Thirty.

By Order of the Council,

P. ANSTRUTHER,  
Actg. Secy. to Council.

By His Excellency's Command,

JOHN RODNEY,  
Chief Secy. to Govt.

REGULATION.

For diminishing the duties on certain articles of Export; for permitting the import of Military Clothing duty free, and for empowering the Governor to assign to informers a share of penalties levied under the Regulation No. 9 of 1825.

(Repealed by Ordinance No. 5 of 1837.)

Regulation No. 4 of 1830.

(The repealed enactments relating to the Customs are not published at length.)

## REGULATION.

*(Nullified by Order in Council of 12th April 1832.)**For Abolishing the obligation of personal Service and of paying Ouliam Duty to which Moormen and Chitties are liable.*

WHEREAS the Moormen and Chitties settled within these Territories, have in former times for the most part been used to work as Coolies and labourers in the public service, and to pay the duty of Ouliam to Government.

REGULATION No. 5 of 1830.

And Whereas, by a Proclamation dated the Second day of October 1802, it was provided that any Moormen or Chitty being above Fifteen and under Sixty years of Age, and not having been a commissioned officer in the English or Dutch service, or not being in the actual employ of Government, might on payment of a sum therein mentioned, obtain a license exempting him from the obligation of personal service for a period of Six Calendar Months.

And Whereas, it is expedient to afford further encouragement to this industrious class of people, and to remove obstacles to their resorting to, and settling in this Island, by abolishing the aforesaid obligation of performing personal service gratuitously or paying Ouliam duty, and placing them on an equal footing with the other classes of His Majesty's subjects, Natives of these settlements.

It is hereby enacted by His Excellency the Governor in Council, that from and after the first day of August the obligation of performing personal service, as aforesaid, and of paying the said duty of Ouliam to Government, to which Moormen and Chitties have hitherto been liable, shall the same are hereby for ever abolished.

Provided always, that nothing herein contained shall be construed to deprive Government of the right, which it now possesses, of employing Moormen and Chitties in like manner as the other inhabitants of these settlements, in such public services as are consistent with their Castes, and Situations, or habits of life, they being duly paid for the same at the customary rate of wages, not to exempt Moormen and Chitties from the obligation to which they in common with the other inhabitants of these settlements, are liable, or keeping the public Roads and Bridges in repair.

*Given at Colombo this Twenty-Eighth day of June, One Thousand Eight Hundred and Thirty.*

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

## REGULATION.

*For calling in all the Copper money the Coinage of Ceylon.*

WHEREAS it is expedient to call in all the Copper money the Coinage of Ceylon.

REGULATION No. 6 of 1830.

It is therefore hereby enacted by His Excellency the Governor in Council, that from and after the 1st day of January 1831, all the Copper money coined in Ceylon and now current therein, shall no longer be current in Ceylon, or the dependencies thereof, nor shall be given, allowed, or taken, as a lawful mode of payment.

Preamble.

Copper coined in Ceylon not to be current.

And it is further enacted, that all such Copper money as aforesaid, on being presented prior to, and until, the said 1st day of January 1831, inclusive, at the General Treasury, or any of the Cutcheries in this Island, or its dependencies, shall and as hereby directed to be exchanged for any other description of monies now lawfully current.

To be exchanged for other money.

Provided always, that upon a special representation to be made to the Governor, or in his absence from the Island the Lieutenant Governor in Council, setting forth any good cause which may have prevented any person or persons, lawfully possessed of such Copper money as aforesaid, from complying with this Regulation, it shall and may be lawful for His Excellency, (being satisfied of the truth of such representation) to order the same to be exchanged in like manner as if the same had been presented in due time as hereinbefore directed.

Proviso.

*Given at Colombo this Seventeenth day of August, One Thousand Eight Hundred and Thirty.*

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

At the COURT at ST. JAMES'S, the 1st of November 1830

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

(Expired.)

ORDER IN COUNCIL 1ST NOVEMBER  
1830.

WHEREAS the Lieutenant Governor of His Majesty's Island of Ceylon on the 10th day of January 1824 made a certain Regulation of Government with the advice of the Council of Government of that Island, entitled a Regulation for removing all doubts respecting the rights of the Governor of this Island to arrest and detain in custody any person or persons within the same: And Whereas His Majesty, with the advice of his Privy Council, is pleased to disallow the said Regulation, it is therefore hereby ordered, that the said Regulation of Government of the Island of Ceylon shall be, and the same is hereby disallowed accordingly: And it is hereby Ordered, that all, or any person, or persons that are, or shall be in custody within the said Island of Ceylon, by warrant of the Governor of that Island signed by two Members, at the least, of the Council of Government thereof, for Her Majesty's suspicion of High Treason, or Treasonable practices, may be detained in safe custody, till the next Monday next after the date of any such warrant, without Bail, or Mainprize; and no Court, Judge, or Officer, or other person or persons whomsoever within the said Island, by virtue of any authority in him vested shall discharge, or admit to bail, or try any person or persons so committed without order from His Majesty through one of his Principal Secretaries of State, or from the Governor of the said Island for the time being, any Law, Statute, or Custom to the contrary notwithstanding.

Provided always, and it is further ordered, that the Governor of the said Island issuing any such Warrant as aforesaid, shall record in the Minutes of the Council of Government of the said Island, the causes and grounds of any such commitment, and shall transmit to His Majesty through one of his Principal Secretaries of State, by the first possible opportunity, a full transcript of such Minute: and that if it shall not appear to His Majesty fit, that such imprisonment of any such person as aforesaid should be prolonged, the said Governor shall, upon the signification of such His Majesty's pleasure through one of his Principal Secretaries of State, cause any such person to be forthwith discharged from further imprisonment, or admitted to bail, or put on his, or her trial, as His Majesty shall be pleased to direct. But if in any case His Majesty shall, through one of his Principal Secretaries of State, signify His pleasure, that any such person should be longer confined in prison, then the person, or persons, with reference to whom His Majesty's pleasure shall be so signified, shall be detained in safe custody without Bail, or Mainprize, until the expiration of such further time as His Majesty shall be pleased to direct. And during such further period of imprisonment it shall not be lawful for any Court, or Judge, or Officer, or other person or persons whomsoever within the said Island, by virtue of any authority in him vested, to discharge, or admit to Bail, or try any such person, or persons, without order from His Majesty through one of his Principal Secretaries of State, or from the Governor of the said Island for the time being, any Law, or Statute to the contrary notwithstanding.

And for the removal of all doubts, it is further declared by His Majesty, with the advice of His Privy Council, that except in the cases aforesaid, it is, and shall be competent to His Majesty's Supreme Court at Ceylon, or to any Judge of that Court, to issue Writs of Habeas Corpus, or Mandates in the nature of such writs, as fully and effectually, and under such, and the like circumstances, as by the Law of England Writs of Habeas Corpus can or may be issued by any of His Majesty's Supreme Courts of Record at Westminster, or by any Judge of any of those Courts. And upon the return made to any such Writ, or Mandate, it is, and shall be lawful for the said Supreme Court of Ceylon, or for any Judge of that Court, to make such order as in the like case could, or ought to be made by any of the said Supreme Courts at Westminster, or by any Judge at any of those Courts.

And it is further ordered, that the said Supreme Court of Ceylon shall, and is hereby authorized, and required to make and establish such Rules of practice, and proceeding as the local circumstances of the said Island may require, for adapting to the exigencies of the said Island so much of the Law of England, as relates to the issuing and proceeding upon Writs of Habeas Corpus.

And it is further ordered, that this present Order shall continue, and be in force until the 31st day of December 1834, and no longer.

And the Right Honorable Sir GEORGE MURRAY, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein, accordingly.

C. C. GREVILLE.

## REGULATION.

*For amending the Tariffs of Duties Imported, and Exported, and for encouraging the Warehousing of Cotton.*

(Repealed by Ordinance No. 7 of 1836.)



## REGULATION.

(*Repealed by Ordinance No. 4 of 1834.*)

To render the Assessment Tax applicable only to the Repair of the Roads within the Gravets of Colombo, and to Form a permanent Fund for that purpose, and to authorize the Loan, and Investment of Monies out of such Fund.

WHEREAS it was provided by the Regulation No. 5 of 1820, that a Tax should be levied on all dwelling Houses, or Shops within the Fort, Pettah, and Gravets of Colombo, to provide a Fund for the repairs of the Roads within the limits of the said Fort, Pettah, and Gravets, and for lighting the Streets of the Pettah; And whereas it has been found, that the effectual lighting of the Streets would involve a greater expense than can conveniently be deducted from the proceeds of the said Tax, and that certain other provisions, respecting the assessment and appropriation thereof, might be made with advantage, and it is therefore expedient that such parts of the said Regulation as are hereafter mentioned, and especially that part thereof as directs the Proceeds of the said Tax to be applicable to the lighting of the Streets of the Pettah of Colombo, and to appropriate the sums accumulated for that purpose, should be repealed, and in lieu thereof a Fund, the Interest, Rents, and Returns, of which shall be applied to the Repair of the Roads within the Fort, Pettah, and Gravets of Colombo; whereby the amount of the Tax Assessed for that purpose may be gradually diminished, and eventually abolished.

REGULATION No. 8 of 1830.

1. It is therefore enacted by His Excellency the Governor in Council, that the 9th and 11th Clauses of the said Regulation No. 5 of 1820, be, and the same are hereby repealed.

2. And it is further enacted, that the sum of £3,166, 10, 6 $\frac{1}{2}$ , which has from time to time been accumulated from the sums levied under the aforesaid Regulation No. 5 of 1820, shall form a Fund to be set apart and placed in the hands of a Committee, to be by them either lent out from time to time, at such a rate of Interest as His Excellency the Governor, or in his absence from the Island the Lieutenant Governor, may direct by public advertisement in the Ceylon Gazette, or to be invested by and with the consent and approbation of His Excellency the Governor, or in his absence from the Island, the Lieutenant Governor, in the purchase of lands, or houses, or public securities, or other beneficial investment.

3. And it is further enacted, that the said Fund shall be managed by a Committee to be composed of such Members as His Excellency the Governor, or in his absence from the Island the Lieutenant Governor, may appoint, and the said Committee is hereby authorized, on Bond without Stamp, and on good Security being deposited, to make loans upon Interest out of the Monies of the said Fund or to invest the said Monies in the purchase of lands, or houses, public securities, or other beneficial investment as aforesaid, subject nevertheless to the previous approbation of His Excellency the Governor, or in his absence from the Island the Lieutenant Governor, to be signified in writing under the hand of the Chief, or Deputy Secretary to Government, and subject to such terms and conditions, in case the said Monies be lent out at such rate of Interest as His Excellency the Governor, or in his absence from the Island the Lieutenant Governor, may direct by public Advertisement, to be inserted in the Ceylon Gazette.

4. And it is further enacted, that the Interest, Rents, and Returns, accruing and to be received on such Loans and Investments as aforesaid, shall be paid over monthly to the Collector of Colombo, in aid of the Collections made under the Regulation aforesaid; and that Four-fifths of the amount of such Collections, Interest, Rents, and Returns, be exclusively applied, under the superintendance and direction of the said Collector, to the substantial repair of the Roads in the Fort, Town, and Gravets of Colombo, including paving where necessary; and that an account of the sums so received and expended by the said Collector, shall, at the end of each year be by him made up and transmitted to the Auditor General for examination, under such instructions as His Excellency the Governor, or in his absence from the Island the Lieutenant Governor, may deem it expedient to give; and that at the end of each year the said Collector shall pay to the said Committee, the amount of One-fifth of all the Monies, received by him during the preceding year by virtue of this and the aforesaid Regulation; which amount on receipt thereof by the said Committee, shall be added to, and become part of the Capital of the aforesaid Fund.

5. And it is further enacted, that whenever the yearly Interest, Rents, and Returns, on Lands, Houses, and Investments, to be made as aforesaid, out of the said Funds, shall amount to Twelve Hundred Pounds, the said Tax shall cease altogether, but the amount of One-fifth of such Interest, Rents, and Returns shall nevertheless be annually added to the Capital of the said Fund, and be allowed to accumulate.

6. And it is further enacted, that from and after the first day of January 1831, all Houses and Shops, the annual Rent of which does not exceed One Pound and Ten Shillings, shall be exempt from the said Assessment Tax.

7. And it is further enacted, that a general annual Statement of the accounts and application of the said Fund shall be transmitted to the Auditor General for examination, under such instructions as His Excellency the Governor or in his absence from the Island the Lieutenant Governor, may deem it expedient to give, and being duly examined and passed by the Auditor General shall, together with the Accounts of the sums received and expended by the Collector of Colombo, under this and the aforesaid Regulation No. 5 of 1820, to be likewise duly examined and passed by the said Auditor General, be by him transmitted to the Office of the Chief Secretary to Government, for publication in the Ceylon Gazette.

8. And it is further enacted, that at the end of the year 1831, the Auditor General shall report to the Governor, through the Chief Secretary to Government, the amount of the Interest, Rents, and Returns which shall have been received during that year in respect of Loans, and Investments, and on the said Report, or a Copy thereof, being transmitted by His Excellency to them, the said Committee shall reduce the amount of the said Tax to be levied for

REGULATION No. 8 of 1830.

the year ensuing, by a sum equal to the amount of Interest, Rents, and Returns, so received, either by a general reduction of the said Tax, or by removing it altogether from Houses and Shops of the interior Class; and in every subsequent year the Auditor General shall make a similar Report and therein also specify the amount of Interest, Rents, and Returns, if any, which, on a due consideration of and comparison with the preceding annual account, or accounts, shall be found to exceed the annual average collection, and on such annual Report, or a Copy thereof being in like manner transmitted to them, the said Committee shall, unless such excess of Interest, Rents, and Returns, be too small to admit, either of a general, or partial appropriation thereof towards reduction, reduce the amount of the said Tax to be levied for the year then next ensuing, in the manner hereinbefore directed: but as soon as sufficient time shall have elapsed to render the same practicable, the Increase in the amount of Interest, Rents, and Returns, received in any year, shall be taken on a comparison with the amount of Interest, Rents, and Returns, received in the three next preceding years; and whatever Excess shall appear beyond the average so calculated, shall be taken as the increased amount of Interest, Rents, and Returns, and the said Tax reduced accordingly, or as nearly thereto, as can conveniently be effected. And the said Committee, on making such Reduction as aforesaid shall, besides publishing the same in the Ceylon Gazette, forthwith certify the same to the said Collector, who shall collect the said Tax conformably therewith.

9. And it is further enacted, that when the said Tax shall be as aforesaid, the Interest, Rents, and Returns, on such accumulated Fund shall, as same in the opinion of the said Committee be deemed sufficient for the purpose, be applied as well towards the lighting of the Streets, as the repair of the roads, Fort, Pettah, and Gravets of Colombo; or to such other general improvements in the said City of Colombo, as His Excellency the Governor, or in his absence from the said City, the Lieutenant Governor shall, on the recommendation of the said Committee, deem

10. And it is further enacted, that if any person to whom any such loan as aforesaid shall be made, shall make default in payment of the principal sum borrowed, or any part thereof, at the period by his obligation stipulated; or if no time be stipulated; shall make default in payment thereof for the space of One Calendar month, after demand in writing; or shall make default in paying the Interest for more than One Calendar month after the same shall become due and be demanded in writing, Process of Parate Execution may issue against his Body and Effects, on the application and Affidavit of any Member of the said Committee; and every Court of Justice having jurisdiction over the Person, or Effects of the person so making default as aforesaid, is hereby authorized and directed on such application and Affidavit to issue such Process of Parate Execution.

11. Provided always, that such Process of Parate Execution shall not be executed against the person of such Debtor, until after recourse first had to the sale and disposal of the property which he shall have deposited, or mortgaged by way of security; and the deficiency be made to appear by affidavit as aforesaid.

Given at Colombo this Twenty-second day of December One Thousand Eight Hundred and Thirty-one.

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

## REGULATION.

(Expired.)

For protecting Strangers resorting to the Pearl Fishery from unjust arrests in certain Civil Cases, and for relaxing the provisions of the Stamp Regulation in favor of transactions relating to the Pearl Fishery.

Regulation No. 1 of 1831.

WHEREAS it has happened that foreign Merchants, and other Natives of India, resorting to the Pearl Fisheries on the Coasts of this Island, have been arrested on mesne process, on false and fictitious claims of designing persons, made for the purpose of preventing such foreign Merchants, and others, (who may often find it difficult or impossible to give security to answer such pretended claims) from engaging in lawful competition at the said Fisheries.

In order therefore to protect such foreign Merchants and others against such unjust and oppressive arrests.

1. It is hereby enacted by His Excellency the Governor in Council, that, during the continuance of the Fishery about to be holden at Arippe in the present year 1831, no person whose ordinary place of residence shall not be within the Jurisdiction of the Court out of which the process is sought to be obtained, shall be liable to be arrested on mesne process, unless the Plaintiff shall satisfy such Court, not only by his own affidavit as at present by law is required, but by the affidavit of one or more witnesses or by production of the contract, or instrument, (if any) on which the action shall be founded, that such Plaintiff has good prima facie ground of action, not unless such Plaintiff shall give good and sufficient security to be approved of by the Court, that he will bona fide proceed with and prosecute such action.

2. Provided always, that nothing herein contained shall be construed to affect any process of the Supreme Court of Judicature or any process of a Criminal nature, or any process founded

on alleged assaults, or other injuries of a personal nature, committed at the said Fishery, or founded on transactions occurring at the said Fishery.

REGULATION No. 1 of 1831.

3. And whereas it would materially tend to facilitate the business of the said Pearl Fishery, if, during its continuance, the transactions thereof were relieved from some of the strict provisions of the Stamp Regulation. It is therefore further enacted, that from the commencement of the said Fishery, and until the 31st day of August 1831, it shall be lawful for all Merchants and others engaged in the said Fishery, to give and take Receipts for money, and to enter into any written engagements concerning, or in any way relating to, the said Fishery on unstamped paper; and for the purpose of producing any such document in evidence before any of the Courts of Justice in this Island, such persons may at any time before, and on the 31st day of August, but not after, make application to, and lodge such document and the full amount of Stamp duty therein required by law with the Provincial Judge, or Sitting Magistrate of the District in which he resides, and such Provincial Judge, or Sitting Magistrate, shall thereupon forthwith transmit such document together with a Certificate of the payment of the Stamp duty, to the Stamp Office at Colombo to be duly stamped, and such document shall there be duly stamped and shall become lawful, and admissible in evidence, to all intents and purposes whatsoever.

Given at Colombo, the 10th day of February One Thousand Eight Hundred and Thirty-one.

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

JOHN RODNEY,  
*Chief Secy. to Govt.*

In the name of His Majesty WILLIAM THE FOURTH of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

### PROCLAMATION.

(Repealed by Ordinance No. 3 of 1840.)

(Signed) E. BARNES.

WHEREAS it is desirable for the security of property and the preservation of good order within the Kandyan Provinces, that measures be adopted which may tend to the suppression of vagrancy—We Lieutenant General The Honorable Sir EDWARD BARNES, Knight Commander of the most Honorable Military Order of the Bath, Governor and Commander in Chief and over the British Settlements and Territories in the Island of Ceylon with the Dependencies thereof; do hereby proclaim and ordain, that every Agent of Government, or other Magistrate, within the Kandyan Provinces shall, and may, and is hereby required to apprehend all reputed thieves, rogues, vagabonds, and suspected persons, who shall be found lurking within his Jurisdiction without any ostensible means of subsistence, or who cannot give a satisfactory account of themselves; and examine them on oath, as well as all others who may be able to give an account of the circumstances and mode of livelihood of such persons; and if, upon such examination, there shall appear to the Agent or Magistrate good ground for believing that any such person is destitute, or has no honest means of livelihood, it shall be lawful for the Magistrate to commit such person to prison, and order him to be employed in the making or repair of the public roads or upon some other public works, until he shall find security for his good behaviour, or until some creditable person shall agree to take him into service, or until the Magistrate shall be satisfied from his deputation subsequent to his apprehension, or from other circumstances, that he will himself engage in some employment and endeavour to procure an honest livelihood.

Proclamation of 1831.

Provided Nevertheless, that it shall not be lawful for any Magistrate to make any such order, or detain any person so apprehended, or require any such security for a longer period than one year; unless such person shall abscond, before he is duly discharged, in which case the Magistrate may order him to be imprisoned and kept to hard labour for any further period not exceeding six calendar months.

Given at Colombo in the said Island of Ceylon, this Fourth day of May in the Year of our Lord One Thousand Eight Hundred and Thirty-One.

By His Excellency's Command,

P. ANSTRUTHER,  
*Deputy Secy. to Govt.*

GOD SAVE THE KING.

### REGULATION.

For repealing the Regulation No. 2 of 1828, and No. 3 of 1828.

WHEREAS His Majesty's Government deems it expedient, that the Regulation No. 2 of 1828, "For limiting the possession of Elephants, to

Regulation No. 2 of 1831  
Preamble.

REGULATION No. 2 of 1831.

The Regulations No. 2 and No. 3 of 1828 repealed.

persons thereto authorized by Government;" and the Regulation No. 3 of 1828, "For declaring the power of the Governor to establish Tolls, and for enforcing the payment thereof," should be repealed:

It is hereby enacted by His Excellency the Governor in Council, that the said Regulations No. 2 of 1828, and No. 3 of 1828, be, and the same are hereby repealed.

*Given at Colombo, this Twelfth day of August One Thousand Eight Hundred and Thirty-one.*

By Order of the Council,

P. ANSTRUTHER,  
Secy. to Council.

By His Excellency's Command,

P. ANSTRUTHER,  
Secy. to Govt.

### REGULATION.

*Repealed by Ordinance No. 10 of 1842, except as to Tolls on Canals.*

*For confirming the Tolls on Roads, Bridges, &c. heretofore established.*

Regulation No. 3 of 1831.

**W**HEREAS a facility of communication between the different parts of this Island must greatly tend, as experience has already proved, to the comfort, improvement, and prosperity of the inhabitants: And whereas for defraying the expenses of making, and constructing Roads, Bridges, Canals, and Ferries: and of repairing, improving, and maintaining the same, certain Tolls have been established, and are required to be levied, and taken.

1. It is therefore hereby declared, and enacted by His Excellency the Governor in Council, that the several Tolls heretofore established, and now required to be levied and taken at, or upon any Roads, Canals, Ferries, or other places be, and the same are hereby confirmed.

2. And it is further enacted, that any person who shall during the period for which Toll is now established, and hereby confirmed, pass, or attempt to pass through, upon, or over, such Road, Bridge, Canal, Ferry, or other place, without paying the Toll so established, upon, to the person or persons duly authorized to levy, and receive the same; or who shall aid, or abet any other person in so passing, or attempting to pass; or who shall in any way molest, or obstruct the person, or persons, so authorized, or his or their assistants, in the execution of his or their duty, in levying, and receiving such Toll, shall, on conviction before any Court of competent jurisdiction, be punished by such fine, or imprisonment, or both; and shall also be condemned to make such compensation (if any) to the Toll-keeper, or Collector, as such Court may deem reasonable, and proportionable, to the offence.

*Given at Colombo, this Twelfth day of August One Thousand Eight Hundred and Thirty-one.*

By Order of the Council,

P. ANSTRUTHER,  
Secy. to Council.

By His Excellency's Command,

P. ANSTRUTHER,  
Depy. Secy. to Govt.

*To be proclaimed in the Kandyan Provinces,*  
P. ANSTRUTHER,  
Depy. Secy. to Govt.

### REGULATION.

*(Repealed by Regulation No. 2 of 1833.)*

*For increasing the Import Duty on Pepper.*

Regulation No. 4 of 1831.

**W**HEREAS in consequence of the encouragement held out by the Government to the cultivation of black Pepper, many of the inhabitants of this Island have been induced to undertake the cultivation of that article, and it is therefore expedient to afford them every protection in carrying on their laudable undertaking, particularly by discouraging the importation of foreign Pepper.

It is hereby enacted by His Excellency the Governor in Council, that from and after the date hereof, in lieu of the existing duty, there shall be levied on all Pepper which shall be

imported into the Island of Ceylon, a duty calculated at the rate of Fifteen shillings for every one hundred weight thereof. REGULATION No. 4 of 1831.

*Given at Colombo, this Tenth day of October, One Thousand Eight Hundred and Thirty-one.*

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Depty. Secy. to Govt.*

## REGULATION.

(Repealed by Regulation No. 3 of 1833.)

*For imposing a Commutation tax in the Island of Delft, in lieu of certain other taxes hitherto payable.*

**W**HEREAS it has been represented that sundry taxes are levied in the Island of Delft, under various laws and customs, which—more particularly the palmira and cattle taxes—bear hard on the lower and poorer orders; and whereas it has been represented, that it would be a relief to His Majesty's subjects, the inhabitants of that Island, if the said taxes, together with the joy tax, and the obligation of performing ouliam or gratuitous service, in aid of the establishment of the Government stud, were commuted for a general commutation tax, similar to that imposed in certain of the northern provinces of this Island: It is therefore enacted, by His Excellency the Governor in Council, that the duty or tax payable by the inhabitants of the said Island of Delft in respect of palmira, and of cattle, and on the wearers of joys, or ornaments, and the obligation of performing ouliam, or gratuitous service, in aid of the Government stud, be, and the same are hereby annulled; except in respect of any arrears thereof now due; and that in lieu of the said several duties or taxes, there shall be levied upon every male inhabitant of the said Island, being above the age of 15 years, and under 60 years, and of that description of persons commonly known by the appellation of Natives, a commutation tax of one shilling and six pence to be payable on, or before the 30th day of June in every year, at such place, and to such person as the Superintendent of the said Island shall appoint, and publicly notify; and that every such payer shall thereupon receive from the Superintendent, or person by him appointed, a certificate of the due payment of the said tax. Regulation No. 5 of 1831.

Provided always, that no stranger, traveller, or person arriving in the said Island, from beyond Sea, or from other parts of Ceylon, shall be liable to pay the said tax; unless his usual place of abode be within the said Island of Delft; or, if his usual place of abode be not therein, until he shall have resided therein for the space of three months consecutively; nor shall the Headmen, and Police-Vidahns in actual employ in the said Island, during the period of their employment, nor any person who shall produce a certificate, that he has paid the commutation tax for any one year, imposed upon any other district or province of Ceylon, be liable for that year to pay the commutation tax hereby imposed.

3. And it is further enacted, that the returns made by the several headmen, of the persons who are liable to pay the said commutation tax, shall be open at all times to the inspection of any person desirous of seeing them; that every person liable to pay the said commutation tax, and who on demand of payment thereof made to him, shall neglect, or refuse to pay the same, shall be liable to be called upon by the Superintendent of the said Island, to work without pay, upon any public work to be appointed by him for a period not exceeding fourteen days; and if any person so called upon, shall abscond or evade the work appointed to him, the Superintendent shall commit him to prison, to be employed at hard labor, for a period not exceeding fourteen days; or shall impose upon him, in addition to the said tax, a fine not exceeding ten shillings; one half whereof shall be paid to the informer.

4. And it is further enacted, that any person convicted before a Court of competent jurisdiction of embezzlement, or extortion, or attempt to embezzle or extort money or property of any description, under pretence of carrying into effect the provisions of this Regulation, shall be punished by fine, or imprisonment with hard labour, or both, according to the discretion and jurisdiction of the said Court; and the Court may at its discretion, award one half, or any less share of any fine imposed by the Court, to be paid to the person on whose information a conviction shall take place.

*Given at Colombo this Tenth day of October One Thousand Eight Hundred and Thirty-one.*

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Depty. Secy. to Govt.*

## REGULATION.

*(Repealed by Ordinance No. 13 of 1840.)*

*For confirming, and more effectually securing the payment of, the Duty, heretofore established, on all Toddy consumed in the making or baking of Bread and Pastry, within the Four Gravets of Colombo.*

REGULATION No. 1 of 1832.

WHEREAS it is expedient to confirm, and to make provision for more effectually securing the payment of the Duty heretofore established, and still of right payable to Government, on all Toddy consumed in the making, or baking of Bread and Pastry, within the Four Gravets of Colombo.

1. It is therefore hereby declared and enacted by his Excellency the Governor and Council, that the duty heretofore established of Three Pence per Kanade on all Toddy consumed in the making or baking of bread and pastry within the Four Gravets of Colombo be and the same is hereby confirmed.

2. And it is further enacted, that all and every person or persons heretofore liable to the said duty, shall within one month from the day of the date of the Renter, or other person authorised to receive the same, all such arrears respectively due from them in that behalf, on pain of forfeiting the sum of One Pound over and above the amount of such arrears.

3. And it is further enacted, that from and after the first day of March next, it shall not be lawful for any person or persons whomsoever, within the Four Gravets of Colombo, to use Toddy in the making or baking of bread or pastry of wheaten flour, for sale, without a license for that purpose first had and obtained from the Collector of the said District, who is hereby authorized and required to grant the same on application, such license to continue in force for the period of one year from the day of the date thereof inclusive, and no longer:—and that every person convicted of using Toddy in the making or baking of bread or pastry of wheaten flour for sale, within the limits aforesaid, without such license, shall forfeit the sum of One Pound Sterling.

4. And it is further enacted, that all and every person or persons applying for and obtaining such license as aforesaid, shall thereupon deposit with the Collector, a full and true account in writing of every house, shop, warehouse, room, or other place by such person or persons respectively used, or intended to be used, in the making or baking of bread or pastry, on pain of forfeiting the sum of One Pound Sterling; and that all and every such person or persons, who shall be convicted of making or baking bread or pastry in any place within the said limits, not specified in the said account, shall for every such offence, forfeit the sum of One Pound Sterling.

5. And it is further enacted, that from and after the said first day of March, all and every person or persons so using Toddy as aforesaid, within the said limits, shall, monthly and at the end of every month, furnish the Renter, or other person authorized to collect and receive the said duty, with a full and true account of the quantity of Toddy respectively used by them in the making or baking of bread or pastry of wheaten flour for sale during the month preceding, on pain of forfeiting for every omission to furnish such account, the sum of Ten Shillings.

6. And it is further enacted, that all and every such person or persons, so using Toddy as aforesaid within the said limits, shall, within one week next after they shall have respectively furnished the Renter or other authorized person as aforesaid with such account as in the preceding clause is mentioned, pay to such Renter, or other authorized person, the amount of duty respectively due from them in that behalf, on pain of forfeiting for every omission of such payment the sum of Ten Shillings, over and above the amount of duty then due.

7. And it is further enacted, that the respective penalties hereinbefore mentioned, shall, if necessary, be levied by distress and sale of the offender's property; and that one moiety of such penalty or penalties, shall on conviction of the offender or offenders before any competent Court, be paid to the Informer, and the other moiety to the use of our Lord the King.

*Given at Colombo, this Thirteenth day of February One Thousand Eight Hundred and Thirty-two.*

By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Depy. Secy. to Govt.*

*At the COURT of SAINT JAMES'S, the 12th day of April 1832.*

ORDER IN COUNCIL, 13TH APRIL  
1832.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY.

Lord CHANCELLOR	Earl of CARLISLE	Lord HOLLAND
Lord PRESIDENT	Lord JOHN RUSSELL	Mr. GRANT
Lord PRIVY SEAL	Viscount PALMERSTON	Sir JAMES GRAHAM, Bt.
Duke of RICHMOND	Viscount MELBOURNE	Mr. STANLEY
Lord STEWARD	Viscount GODERICH	
MARQUIS OF WINCHESTER	Viscount ALTHORP	

WHEREAS by the ancient Laws and Customs of the ISLAND OF CEYLON, the Native and Inhabitants thereof are bound to render various services to the Government of the tenure of their Lands, or in respect of their caste or otherwise.

And whereas by the second clause of a Proclamation dated at Colombo the 3rd day of September the year 1801, the Governor of the said Island recited so far as regarded the Provinces of the said Island, that he had seen by experience the necessity of abolishing tenure by service and substituting a less oppressive regular mode of contribution to the service of the State.

And whereas by the fourth clause of the said Proclamation the said Governor of the said Island proclaimed so far as regarded the Maritime Provinces of the said Island, that persons of whatever caste and condition should from that day continue subject to serve only on the especial order of the said Governor and his Successors, Governors or Lieutenant Governors of the said Island, only according to their respective castes, and that on the receipt of adequate pay for such service.

And whereas by the 21st clause of a Proclamation dated at Kandy the 21st day of November 1818, it was proclaimed amongst other things by the Governor of the said Island, so far as regarded the Kandyan Provinces of the said Island, that the obligation of certain Inhabitants of Temple Villages to perform fixed gratuitous services to the Crown was to continue unaffected.

And whereas by the 30th clause of the said last mentioned Proclamation, it was amongst other things by the Governor of the said Island so far as regarded the Kandyan Provinces of the said Island, that all persons should be liable to service for Government on the requisition of the Board of Commissioners and Agents of Government according to their former customs and families or tenures of their Lands, on payment being made for their labour, it being well understood that the Board of Commissioners under the Governor's authority might commute such description of service as under their present circumstances was not usefully applicable to the public good, to such other as might be beneficial, and provided further that the holding of lands duty free should be considered the payment for the service of the Katapurule and Atepattoo Departments, and persons allotted to the Dessaves service, and also for the service to Government of certain persons of the Temple Villages and in part for those which cut Cinnamon, and also that the duty of clearing and making roads and putting up and repairing Bridges should be considered a general gratuitous service falling on the districts through which the roads pass or wherein the bridges lie.

And whereas His late Majesty King George the Fourth, by a Commission under the Great Seal of this United Kingdom, was pleased to authorize and appoint certain Commissioners therein named, to repair to the said Island there to examine into all the Laws, Regulations and Usages of the Settlements in the said Island, and into every other matter or thing in any way connected with the administration of the Civil Government thereof; and whereas the said Commissioners have in pursuance of the said Commission, reported to His Majesty that various representations had been made to them by the aforesaid Native and Indian Inhabitants of the said Island, complaining of the evils which they have suffered from the enforcement of the services aforesaid, and requesting relief. And whereas the Native and Indian Inhabitants as well of the said Maritime Provinces as of the said Kandyan Provinces of the said Island will be able to follow their own occupations with more profit to themselves and to render their services to His Majesty more effectually and beneficially, if such services are rendered freely and for such remuneration as may be agreed upon between His Majesty's Officers in the said Island and the said Inhabitants, instead of being enforced by punishment without remuneration or with such remuneration only as may be fixed by His Majesty's Officers in the said

ORDER IN COUNCIL, 15TH APRIL  
1832.

Island without the consent of the said Inhabitants. And whereas it hath been made to appear to His Majesty that the Governor of the said Island and the Council of Government thereof are unanimously of opinion that the said system of forced labour ought not to be continued.

Now therefore His Majesty is pleased with the advice of His Privy Council, to order, and it is hereby ordered, that the said 4th clause of the said Proclamation dated at Colombo the 3rd day of September in the year 1801, and also so much of the said 21st and 30th clauses of the said Proclamation dated at Kandy the 21st day of November 1818, as is herein before recited, shall be repealed, abrogated, and annulled, and the same are hereby repealed, abrogated, and annulled accordingly.

And for the removal of all doubts respecting the future exemption of the said Native and Indian Inhabitants of the said Island from the obligation to render the said services to His Majesty, it is hereby ordered and decreed that none of His Majesty's Native or Indian Subjects within the said Island shall be liable to render any service to His Majesty in respect to the tenure of their lands, or in respect of their caste or otherwise, to which His Majesty's Subjects of European birth or descent are not liable, any law, custom or regulation to the contrary notwithstanding.

Provided always, that nothing herein contained shall be construed to affect the services which the Tenants of any lands in any Royal Villages in the said Kandyan Provinces of the said Island are bound to render to His Majesty, so long as they continue tenants of such lands upon such tenures, or the services which the tenants of any lands in any Temple Villages in the said Kandyan Provinces of the said Island may be bound to render to any Temple, so long as they continue tenants of such lands; or the service, which the tenants of Lands in any other villages in the said Kandyan Provinces of the said Island may be bound to render to the proprietors of such Villages, so long as they continue tenants of such lands.

And whereas by the 4th clause of a Regulation of Government dated at Colombo the 21st day of September 1829, entitled "a Regulation of Government No. 4 of 1829," it was enacted, so far as regarded the Maritime Provinces of the said Island by the Governor of the said Island in Council, that with a view to the encouragement of agricultural speculations, all labourers of whatever nation, caste, or description who should be *bona fide* employed in any plantation of Coffee, Cotton, Sugar, Indigo, Opium or Silk, or in the manufacture of the produce thereof, should be exempted from being called out in the public service during the period for which they should be so *bona-fide* employed, excepting during actual war, and for the purpose of repelling invasion or during internal commotion.

And whereas the exemption from Public service which is conferred by the said 4th clause of the said last mentioned Regulation of Government upon persons employed in such manner as is therein mentioned, is, by the provisions of this present order secured to such persons in common with all other His Majesty's Subjects within the said Island. Now, therefore, His Majesty is pleased with the advice of His Privy Council, to order the said 4th clause of the said last mentioned Regulation of Government shall be repealed, abrogated, and annulled, and the same is hereby repealed, abrogated and annulled.

And whereas by the 3rd clause of a Regulation of Government dated the 25th day of November 1825, entitled, "Regulation of Government No. 10 of 1825," it was enacted by the Governor of the said Island in Council, that if it should appear to any such Collector as was specified in the second clause of the said last mentioned Regulation on or after the first day of July then next ensuing, that any person liable to a certain tax imposed by the first clause of the said last mentioned Regulation upon every male inhabitant of the districts of Jaffnapatam, Manar and Trincomalie, and the Wanny provinces, which said districts and provinces are part of the said Maritime provinces of the said Island, had not complied with the exigencies of that Regulation, such person should be liable to be called on by such Collector to work gratuitously at any public work which might be selected, for a period not exceeding fourteen days, and that if any person should abscond from or evade being employed in such work he should be then liable to be committed by such Collector to imprisonment and to be employed at hard labour for the said period of fourteen days or such portion thereof as might remain after reckoning the days he might have voluntarily worked under the previous order of such Collector.

And whereas it is expedient to repeal the said third Clause of the said last mentioned Regulation of Government. Now therefore His Majesty is pleased with the advice of His Privy Council to order, and it is hereby ordered, that the said 3rd Clause of the said last-mentioned Regulation of Government shall be repealed,



abrogated and annulled, and the same is hereby repealed, abrogated and annulled accordingly; and it is hereby ordered, that when any portion of the said Tax so by the said 1st Clause of the said last mentioned Regulation imposed, shall be in arrear and unpaid, the same shall be recovered from the person liable to pay the same in the same manner and by the same process as is used for the recovery of other debts, due to His Majesty in the said Maritime provinces of the said Island.

ORDER IN COUNCIL, 12TH APRIL  
1832.

And whereas by the 1st Clause of a Regulation of Government bearing date at Colombo the 1st day of May in the year 1827, entitled, "a Regulation No. 3 of 1827," in the preamble of which said last-mentioned Regulation of Government it was recited that evil disposed Persons had been from time to time employed to seduce and entice away Chalias from the settlements of His Majesty in the said Island, all Chalias being bound by their caste to serve His Majesty in the cultivation of the Island in Cinnamon, it was amongst other things enacted by the Government of the said Island in Council, so far as regarded the said Maritime provinces of the said Island, that any person who should contract with, entice, persuade or encourage any Chalia to go away from the said Island beyond the said Island, any person so offending should upon conviction thereof before the Honourable Supreme Court of Judicature, be sentenced by such Court to transportation, fine or imprisonment at hard labour, according to the nature and circumstances of the offence and the condition of the offender, as the said Supreme Court should in its discretion think fit.

And whereas it is expedient to repeal so much of the said first clause of the said last mentioned Regulation of Government as is herein before recited. Now therefore His Majesty is pleased with the advice of His Privy Council to order, and it is hereby ordered, that so much of the said first clause of the said last mentioned Regulation of Government as is herein before recited shall be repealed, abrogated and annulled, and the same is hereby repealed, abrogated, and annulled.

And the RIGHT HONORABLE VISCOUNT GODERICH, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) Wm. L. BATHURST.

#### REGULATION.

*Repealing certain parts of the Resolution of the late Dutch Government, passed on the 3d of February 1747, and the Proclamation made by the Honorable Sir ROBERT BROWNRISS, late Governor of this Island on the 2d of June 1817;— and for allowing Moors and Malabars to own Houses and Grounds in the Fort and Pettah of Colombo.*

**W**HEREAS, by the Resolution of the late Dutch Government, passed on the 3d of February 1747, by which Moormen and Malabars were first permitted to possess Houses and Grounds in this Island, the possession of Houses and Grounds in the Fort and Pettah of Colombo, by such Moormen and Malabars, was expressly excepted and prohibited.

Regulation No. 2 of 1832.

Preamble.

And whereas, on the 2d day of June 1817, the Honorable Sir ROBERT BROWNRISS, then Governor of this Island, by his Proclamation of that date, did proclaim and require that the said prohibition should be strictly enforced, with certain exceptions in the said Proclamation particularly mentioned.

And whereas, it is expedient that such prohibition should cease and be done away.

1. It is therefore enacted by His Excellency The Right Honorable The Governor and Council, that from and after the 1st day of June next, the said Proclamation, and so much of the said Resolution as prohibits the possession by Moormen and Malabars of Houses and Grounds within the Fort and Pettah of Colombo, be, and the same are hereby declared to be, from thenceforth repealed; and that it shall be lawful from thenceforth for Moors and Malabars to own Houses and Grounds within the Fort and Pettah of Colombo, any law or usage to the contrary notwithstanding.

Proclamation of 2d June 1817, and so much of the Resolution of 3d February 1747 as prohibits the possession by Moormen and Malabars of Houses and Grounds within the Fort and Pettah of Colombo, repealed.

*Given at Colombo this Fifth day of May One Thousand Eight Hundred and Thirty-two.*

By Order of the Council,  
P. ANSTRUTHER,  
*Secy. to Council,*

By His Excellency's Command,  
P. ANSTRUTHER,  
*Depy. Secy. to Govt.*

## REGULATION.

*(Nullified by Ordinance No. 3 of 1840.)**For repealing the fourth Clause of the Regulation No. 12 of 1806.*

REGULATION No. 3 of 1832.

**W**HEREAS it is expedient that the fourth clause of the Regulation of Government No. 12 of the year 1806, should be repealed.

It is therefore enacted by His Excellency the Right Honorable the Governor and Council, that the fourth Clause of the said Regulation be, and the same is, hereby repealed.

*Given at Colombo, this Twenty-seventh day of July, One Thousand Eight Hundred and Thirty-two.*

By Order of the

By His E

RUTHER,  
Secy. to Council.RUTHER,  
Secy. to Govt.

Read a first time in Council this day. And the same being enacted in pursuance of Instructions received from the Right Honorable the Secretary of State for the Colonial Department—It is ordered that it be passed without a second reading.

By Order of the Governor and Council,

P. ANSTRUTHER,  
Secy. to Council,

Colombo, July 27, 1832.

## REGULATION.

*(Repealed by Ordinance No. 24 of 1848.)**For repealing the Regulation No. 2 of the year 1822, and making other provisions in lieu thereof.*

Regulation No. 1 of 1833.

**W**HEREAS it is expedient to repeal the Regulation No. 2 of the year 1822, entitled "For the protection of the Revenue of Government derived from Timber growing in the Royal forests, and for imposing a Tax on Timber felled in private Gardens," and to make other provisions in lieu thereof.

1. It is therefore enacted by His Excellency the Governor and Council, that from and after the first day of February 1833, the Regulation No. 2 of the year 1822, shall be and is hereby repealed, save and except in all cases relating to the recovering of any arrears of the duties thereby imposed, which may at that time remain unpaid, or to any fines, penalties or forfeitures in that behalf which shall have been before incurred.

2. And it is further enacted, that from and after the first day of February 1833, no Timber shall be cut either in the Government Forests, or on any land the property of Government, without a license for that purpose previously obtained from the Collector of the District, specifying the number and description of Trees to be felled, the place where, and the time when, and the terms and conditions on which, the same are to be felled.

3. And it is further enacted, that any person cutting such Timber without such license shall be liable to a fine, or in default of payment, to imprisonment, subject to hard labour, such fine not exceeding Seven Pound- and Ten Shillings, and such imprisonment, not exceeding Two Months, and the Timber so cut shall be confiscated.

4. And it is further enacted, that convictions for offences against this Regulation shall be had and the penalties levied by and before any Provincial Judge, Sitting Magistrate, or Justice of the Peace having local Jurisdiction; one half of such penalties to be paid to the informer.

*Given at Colombo this Seventh day of January One Thousand Eight Hundred and Thirty-three.*

By Order of the Council,

P. ANSTRUTHER,  
Secy. to Council.

By His Excellency's Command,

P ANSTRUTHER,  
Depy. Secy. to Govt.

## REGULATION.

*For repealing save as is therein mentioned, the Regulation No. 4 of the year 1831.*

**W**HEREAS it is expedient to repeal, save as hereinafter mentioned, the Regulation No. 4 of the year 1831, entitled "For increasing the Import duty on Pepper."

REGULATION No. 4 of 1831.

It is therefore enacted by His Excellency the Governor and Council, that after the first day of July next, the said Regulation No. 4 of 1831 shall be and is hereby repealed, save and except in all cases relating to the recovering of any arrears of the duty thereby imposed, which may at that time remain unpaid.

Regulation No. 4 of 1831 repealed, except as to the recovery of arrears.

*Given at Colombo the Seventh day of January One Thousand Eight Hundred and Thirty-three.*



By Order of the Council,

P. ANSTRUTHER,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Depy. Secy to Govt.*

## REGULATION.

*For repealing, save as is therein mentioned, the Regulation No. 5 of the year 1831.*

**W**HEREAS it is expedient to repeal, save as hereinafter mentioned, the Regulation No. 5 of the year 1831, entitled "For imposing a Commutation Tax in the Island of Delft in lieu of certain other Taxes hitherto payable."

REGULATION No. 5 of 1831.

It is therefore enacted by His Excellency the Governor and Council, that from and after the first day of February next, the said Regulation No. 5 of 1831, shall be and is hereby repealed, save and except in all cases, relating to the recovering of any arrears of the duty thereby imposed, which may at that time remain unpaid, or any fines, penalties, or forfeitures in that behalf, which shall have been before incurred; saving also so much of the said Regulation as annuls the duty or tax theretofore payable by the inhabitants of the said Island of Delft in respect of Palmyra and of Cattle, and by the wearers of Joys or ornaments, and the obligation of performing Ouliam or gratuitous service.

Regulation No. 5 of 1831 repealed.

Except as to the recovery of arrears or fines, &c. before incurred.

Further exception.

*Given at Colombo this Seventh day of January One Thousand Eight Hundred and Thirty-three.*

By Order of the Council,

P. ANSTRUTHER,  
*Sec. to Council,*

By His Excellency's Command,

P. ANSTRUTHER,  
*Dep. Sec. to Govt.*

## REGULATION.

*(Amended by Ordinance No. 1 of 1847.)*

*For the protection of "The Ceylon Savings' Bank," and the Fund thereby established.*

**W**HEREAS, a certain provident Institution, called "The Ceylon Savings' Bank," has lately been established, for the safe custody and increase of small savings belonging to the industrious classes of His Majesty's subjects in this Island, and it is expedient to give protection to the said Institution and the Funds thereby established;

REGULATION No. 4 of 1833.

Preamble.

1. It is therefore enacted by His Excellency the Governor and Council, that as soon as the Rules and Regulations, established or to be established for the management of the said Institution shall have been entered, deposited and filed in manner hereinafter directed, the several Members and Officers of the said Institution, and the several Depositors therein, and their Representatives, shall be entitled to and shall have the benefit of the provisions contained in this Regulation of Government.

Banks and Depositors to be entitled to the benefits of this Regulation, when Rules entered.

## REGULATION No. 4 of 1833.

Rules to be open for inspection.

A transcript to be sent to Colonial Secretary.

So with respect to alterations.

But first to be submitted to Government.

When entered to be binding.

Such entry, manuscript or copy, to be received as evidence.

Treasurer &c. to derive no benefit from the Bank.

May become Depositors.

Government to appoint Trustees.

May object to securities.

Treasurer to be Treasurer of the Bank.

Funds how to be laid out.

Bonds exempt from stamp duty.

2. And it is further enacted, that the said Institution shall not have the benefit of this Regulation of Government, unless the Rules and Regulations for the management thereof shall be entered in a Book or Books, to be kept by an Officer of the Institution to be appointed for that purpose, which Book or Books shall be open at all reasonable times for the inspection of the persons making deposits in the funds of the said Institution, and unless such Rules and Regulations shall be fairly transcribed, and such Transcript deposited with the Colonial Secretary, who is hereby directed and required to grant a certificate of the receipt thereof signed by himself on a Duplicate copy, to be provided by and returned to such Institution; but, nevertheless, nothing herein contained shall extend to prevent any subsequent alterations in or amendments of any such Rules or Regulations, or repealing the same in whole or in part, or making any new Rules or Regulations; but such new Rules or Regulations, or such Alterations, Amendments, or Repeals shall not be in force until the same respectively shall be entered in such Book or Books as aforesaid, and a Transcript or Transcripts thereof deposited with the Colonial Secretary as aforesaid, who shall certify the same as aforesaid.

3. And it is further enacted, that before a Transcript of any Rules or Regulations, or Alterations in or Amendments of former Rules or Regulations, for the Management of the said Institution, shall be deposited with the Colonial Secretary as aforesaid, such Transcript shall be submitted to the Trustees or Managers of the said Institution for the Time being, for the purpose of ascertaining whether the same are in conformity to Law, and with the Provisions of this Regulation.

4. And it is further enacted, that all Rules and Regulations from time to time made and in force for the management of the said Institution as aforesaid, and duly entered in such Book or Books as aforesaid, and deposited with the Colonial Secretary as aforesaid, shall be binding on the several Members and Officers of the said Institution, and the several Depositors therein and their Representatives, all of whom shall be deemed and taken to have full notice thereof by such Entry and Deposit as aforesaid; and the Entry of such Rules and Regulations in such Book or Books as aforesaid or the Transcript thereof deposited with the Colonial Secretary as aforesaid, or a true copy of such Transcript examined with the original, and proved to be a true copy, shall be received as Evidence of such Rules and Regulations respectively in all cases; and no certiorari shall be brought or allowed to move any such Rules or Regulations into any of His Majesty's Courts of Record, and every copy of any such Transcript deposited with the Colonial Secretary as aforesaid, shall be made without Fee or Reward, except the actual expense of making such copy and such copy shall not be subject to any Stamp Duty.

5. And it is further enacted, that no Person, or Persons, being Treasurer, Trustee, or Manager of the said Institution, or having any Control in the Management thereof, shall directly or indirectly have any Salary, Allowance, Profit or Benefit whatsoever therefrom, beyond their actual Expences for the Purposes of the said Institution. Provided, however, that nothing herein contained shall be construed as preventing the Treasurer or Treasurers, Trustee or Trustees, Manager or Managers, or other Persons having direction in the Management of the said Institution, from becoming Depositors therein on the same terms as others.

6. And whereas, His Majesty's Colonial Government of Ceylon has consented to advance the sum of two thousand Pounds, without interest, to enable the said Institution to commence its operations; it is therefore further enacted, that the appointment of the Trustees of the said Institution (to consist of not less than three) shall be and the said appointment is hereby vested in His Majesty's said Government, and that the said Government shall also be entitled, from time to time, by any Officer thereto duly authorised, to object to the nature of the security or securities on which the sums deposited or to be deposited in the said Institution are to be lent out; and that the Treasurer of this Colony for the time being shall be the Treasurer of the said Institution.

7. And it is further enacted, that the said sum of two thousand Pounds advanced by Government, and the several sums which shall, from time to time, be deposited in the said Institution, shall be laid out at interest by the Trustees thereof, on good and sufficient securities, that is, on the Pledge or Mortgage of moveable or immoveable property, to be approved of by the said Trustees and the superintending Committee of the said Institution; and that the Bonds for all such loans shall be exempt from Stamp duty, and shall be made in the names of the said Trustees, who are hereby empowered to sue any of the debtors of the said Institution, in default of the regular payment of interest or of the principal, according to the terms of the Bond or Bonds that may be granted in that behalf.

8. And it is further enacted, that the Managers of this Institution shall pay over to the Treasurer all sums of money received by them from Depositors, as often as the same shall amount to fifty Pounds; and that the Treasurer of the said Institution shall not make any payment, unless the person or persons applying for that purpose shall produce to him an order, under the hands of one of the Trustees and two of the Members of the superintending Committee.

REGULATION No. 4 of 1833.  
Deposits when to be paid over to Treasurer.  
Treasurer to make payment on order only.

9. And it is further enacted, that no Trustee or Manager shall be personally liable, except for his own Acts and Deeds, nor for any thing done by him in virtue of his Office, except in cases where he shall be guilty of wilful neglect or default; but that the Actuary, and Clerks or other Officers and servants, or other person or persons receiving salaries or allowances for their services from the funds of the said Institution, shall give good and sufficient security, by bond or bonds to the Trustees, for the just and faithful execution of their duties in their respective Offices.

Liability of Trustees and other Officers.

10. And it is further enacted, that from and after the first day of August 1833, it shall not be lawful for the said Institution to receive from any one present or future Depositor any sum exceeding £30 in the whole, nor any sum or sums exceeding £30 in the whole, principal and interest, at any one time, nor any sum or sums exceeding £30 in the whole, principal and interest, at any one time, nor to receive from any Depositor any sum or sums exceeding £150 in the whole, principal and interest, at any one time, nor to receive from any Depositor any sum or sums exceeding £200, principal and interest included, no more Interest than 3 per cent per annum shall be allowed on any such deposit, so long as it shall continue to amount to the said sum of £200.

Rules for payment of Interest.

11. And it is further enacted, that all interest which shall become due and payable upon sums of money deposited in the said Bank shall be computed from the first day of the month subsequent to that in which such deposits shall have been made, and that such interest shall be placed to the accounts of the respective Depositors as cash deposits on the thirty-first day of December, in each year; and that Depositors demanding payment of the whole amount of their deposits in the said Bank, shall be allowed the interest due on such deposits up to the last day of the month preceding that on which notice of such withdrawing shall be given; provided always, that no interest shall be computed or allowed on any fractional part of ten shillings.

Depositors to declare their residence, &c.

12. And it is further enacted, that all persons desirous of making any deposit in the said Bank shall, at the time of making their first deposit, and at such other times as they shall be required so to do, declare their residence, occupation, and profession or business, either in person or by proxy in such manner and form as may be provided by the Statutes and Regulations of the said Bank.

Persons allowed to act as Trustees for Depositors.

13. And it is further enacted, that any persons may act as Trustees for Depositors, whether such persons are themselves depositors in the said Bank or not, provided that such Trustees shall make such declarations on behalf of such Depositors, and be subject to the like conditions in every respect as are required in the case of persons making deposits on their own account; and that the receipts of such Trustees, or the survivor of them, or the Executor or Administrator of any sole Trustee, or surviving Trustee, with or without (as may be required by the Managers) the receipt of the person on whose account such sum may have been deposited, shall be a good and valid discharge to the Trustees and Managers of the said Bank.

Savings of Minors may be invested.

14. And it is further enacted, that deposits shall and may be received by the Trustees or Managers of the said Bank from or for the benefit of Minors, subject to the same Regulations as deposits made by others; and that it shall be lawful for the Trustees or Managers of the said Bank to pay to such Minors their share and interest in the said Bank; and that the Receipts of such Minors shall be a sufficient discharge in that behalf, any law or usage to the contrary notwithstanding.

15. And it is further enacted, that it shall and may be lawful for charitable Societies and Institutions to deposit their funds in the said Bank to the extent of one hundred and fifty Pounds per annum, until the amount of such deposits, including interest, shall equal five hundred Pounds; after which the same shall not bear interest beyond the rate of three per cent per annum. Provided always that it shall and may be lawful for the Trustees or Managers of the said Bank, should they consider it expedient so to do, to give 30 days' notice to the Trustees of such charitable Institutions to withdraw from the said Bank all such sums as they may have deposited therein, together with the interest accumulated thereon, or to refuse to receive any further deposits from them; and that upon the expiration of the said period all interest upon the amount then in deposit on account of such charitable Institutions shall cease.

16. And it is further enacted, that the receipt or discharge of the Treasurer, Trustee, or other Officer for the time being of any such charitable Institution, for any money paid according to the requisition of such Treasurer, Trustee, or other Officer duly authorized to require such payments, shall be a sufficient discharge for the same.

## REGULATION No. 4 of 1833.

17. And it is further enacted, that it shall and may be lawful for any Depositor, after having withdrawn any sum or sums of money, to re-deposit the same at any time or times within any one year, reckoning from the 31st day of December, provided such sum or sums of money so re-deposited, and any previous deposit or deposits made by such Depositor in the course of the year, and still remaining in his or her name taken together, shall not exceed at any time in such year, the sum of thirty pounds additional principal money bearing interest.

Letters of Administration when to be dispensed with.

18. And it is further enacted, that in case of the death of any Depositor in this Bank, whose deposits, including interest thereon, shall not exceed the sum of Ten Pounds, and that the Trustees or Managers shall be satisfied that no will was made and left, and that no Letters of Administration will be taken out, they shall be at liberty to pay the same to the relatives of the deceased, according to the law of distribution, or to require the production of Letters of Administration, at their discretion, and that the said Bank shall be indemnified by any such payments from all and every claim in respect thereof by any person whatsoever.

Effects and rights of Bank vested in Trustees for time being.

19. And it is further enacted, that all Monies, Goods, Chats, and all Securities for money or other obligatory Instruments, Muni- cements, and all other effects whatever, and all rights or claims by the said Bank shall be vested in the Trustee or Trustees thereof for the use and benefit of the said Bank, and the respective Executors, Administrators, or Administrators, according to their respective rights and interests, and after the death or removal of any Trustee or Trustees, shall be the succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any assignment or conveyance whatever; and also shall, for all purposes of action or suit, as well Criminal as Civil, in Law or in Equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such Proceeding (where necessary) be stated to be, the property of the Person or Persons appointed to the Office of Trustee or Trustees of the said Bank for the time being, in his, or their proper name or names, without further description: and such person or persons shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any action, suit or prosecution, Criminal as well as Civil, in Law or Equity, touching or concerning the property, right or claim aforesaid of or belonging to or had by such Institution; and such person or persons so appointed shall and may, in all cases concerning the property, right or claim aforesaid of such Institution, sue and be sued, plead and be impleaded, in his, or their proper name or names, as Trustee or Trustees aforesaid, without further description.

All Instruments or documents required by Rules or this Regulation exempt from Stamp Duty.

20. And it is further enacted, that no power, warrant, or letter of attorney, or to be granted by any person or persons, as Trustee or Trustees of the said Bank, nor any power, warrant, or Letter of attorney given by any Depositor or Depositors in the funds of the said Bank, to any other person or persons, authorizing him, her, or them to make any deposit or deposits of any sum or sums of money in the said Funds on behalf of the said Depositor or Depositors or to sign any Document or Instrument required by the Rules or Regulations of the said Bank to be signed, on making such Deposits, or to receive back any sum or sums of money deposited in the said Funds, or the dividends or interest arising therefrom, nor any Receipt nor any entry in any Book of receipts for Money deposited in the Funds of the said Bank, nor for any money received by any Depositor, his or her Executors or Administrators, Assigns or Attornies, from the Funds thereof, nor any draft or order nor any appointment of any Agent or Agents, nor any Certificate or other Instrument for the revocation of any such appointment, nor any bond or other Instrument or document whatever required or authorized to be given, issued, signed, made or produced in pursuance of this Regulation or of the Rules and Regulations of the said Bank, shall be subject or liable to or charged with any Stamp duty or duties whatever.

*Given at Colombo this Fifth day of July, One Thousand Eight Hundred and Thirty-three.*

By Order of the Council,

P. E. WODEHOUSE,  
*Sec. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Col. Secretary.*

## REGULATION.

(Repealed by Ordinance No 2 of 1844, except as to the export of cinnamon plants and seeds.)

For repealing all the existing Laws relating to Cinnamon; for allowing the cultivation, possession and sale of Cinnamon by all persons whomsoever, under certain restrictions; for allowing the exportation thereof from the Ports of Colombo and Point de Galle, on payment of a certain duty, and for securing the due payment of that duty.

**W**HEREAS it has been determined by His Majesty's Government to allow, from and after the 10th day of July next, the cultivation, possession and sale of Cinnamon under certain restrictions, and from the same date to allow all persons whomsoever to export Cinnamon from the Ports of Colombo and Point de Galle exclusively, on payment of the duty hereinafter mentioned. And it is therefore expedient that all the Laws now in force relating to Cinnamon should be repealed.

REGULATION No. 5 of 1833.

1. It is therefore enacted by His Excellency the Right Honorable the Governor and Council, that from and after the 10th day of July next, all Laws, Customs, Proclamations, and Regulations, now in force in this Island, in so far as the same shall relate to or affect the growth, cultivation, gathering, purchase, price, transport, exportation or preservation of Cinnamon, or of Cinnamon trees, plants, seeds, or plantations, shall be and the same shall be and that from and after the said 10th day of July next it shall and may be lawful for any person, whomsoever to cultivate, possess and sell or otherwise dispose of Cinnamon, subject to the exceptions hereinafter expressed and declared, and such restrictions as may hereinafter be necessary and be duly enacted for enforcing the payment of the export duty thereon.

2. And where it is indispensably necessary to make provisions for the due payment of the duty hereinafter mentioned—It is therefore further enacted, that from and after the 10th day of July next, it shall and may be lawful for all persons whomsoever to ship, for exportation beyond seas, any quantity of Cinnamon or of Cinnamon Oil or Clove Oil from the Ports of Colombo and Point de Galle exclusively, upon payment of a duty on such Cinnamon calculated at the rate of three Shillings for every pound weight thereof, and so in proportion for any less quantity, such duty to be levied indiscriminately and without distinction of quality on all Cinnamon so exported; and a duty of One Shilling for every ounce weight of Cinnamon Oil and one penny for every ounce weight of Clove Oil so exported.

3. And it is further enacted, that all Cinnamon, Cinnamon Oil or Clove Oil exported from or shipped at, or attempted to be exported from or shipped at, any Port in this Island, other than the said Ports of Colombo and Point de Galle, shall on due proof thereof before a Court of competent Jurisdiction, be confiscated, and that the Ship, Vessel, Boat, or Dhoney, in which the same shall have been so shipped or in which any Cinnamon, Cinnamon Oil or Clove Oil shall be found, on which the duty shall not have been paid, shall in like manner be confiscated, and the Owner or Owners, Exporter or Exporters thereof, and the commander or principal persons in charge of any Ship, Vessel, Boat, or Dhoney, on board of which the same shall be discovered, shall furthermore severally be liable, on conviction before any Court of competent authority, to a fine of ten Shillings for every pound weight of Cinnamon, and five Shillings for every ounce weight of Cinnamon Oil or Clove Oil.

4. And it is hereby further enacted, that in every indictment, suit, or proceeding at Law, the onus of proving that any Cinnamon, Cinnamon Oil or Clove Oil found on board any Ship, Vessel, Boat or Dhoney has been duly shipped at one of the Ports beforementioned and that the duties have been duly paid thereon, shall lie upon the Owner or Exporter thereof, or the person in charge of the Ship, Vessel, Boat or Dhoney.

5. And it is further enacted, that the exportation of Cinnamon and of Cinnamon Oil and Clove Oil from the Ports of Colombo and Point de Galle aforesaid, and the collection and payment of the duties thereon, shall in all respects be subject to the rules and directions laid down in the 9th Regulation of the year 1825, with regard to the exportation of goods in general, as fully and completely to all intents and purposes whatsoever as any other goods therein, in that behalf, mentioned or referred to.

6. And it is further enacted, that it shall not be lawful to remove any Cinnamon exceeding in quantity ten pounds at any one time from or to any place within the Maritime Provinces of this Island, or within the Kandian Provinces of Nuwerakidawiya or Tamancadewe, either by land or inland navigation without the written Permit of the form hereunto annexed of the Collector of the District or Province in which the place from which the Cinnamon is intended to be removed, shall be situate, or of any other person duly authorised in that behalf, and that such permit shall be obtained in all cases without fee or other payment, being demandable for the same, in manner following: Whenever any person shall be desirous of removing Cinnamon in any larger quantity than 10 lbs. from one place to another, he shall present to the Collector or other person duly authorised to grant permits, an application in writing either in English or one of the Native languages as may be most convenient, which application shall be dated and signed by the person on whose behalf it is presented, and shall state the quantity of Cinnamon intended to be removed, the places from which and to which it is to be removed, the true names of the person sending the same and of the person to whom it is to be sent, and the mode of conveyance by which it is intended to be sent, and the intended time of removal, as per Form No. 1 hereunto annexed; thereupon a permit of the Form No. 2 shall issue in conformity with the application, and limiting the time within which it is to be in force, which permit shall be kept by the person to whose charge the Cinnamon intended to be removed under it shall be committed, and shall constitute the warrant and authority for such removal, and shall be delivered up at the expiration of the term for which it is granted, to the Collector of the District or Province into which the Cinnamon shall have been removed, or to any other person duly authorised in that behalf.

7. And it is hereby further enacted, that on the removal of any Cinnamon the Officer of Government thereunto authorized at any place or places from, through, and to which, the same shall be removed, shall be at liberty and is hereby required to ascertain whether the quantity so removed corresponds with the quantity specified in the Permit produced by the Party removing the same, and whether the removal be in all respects in conformity with the terms of the Permit, and if found to correspond, to endorse the permit accordingly; and in every case in which it shall be attempted to remove Cinnamon exceeding 10 lbs. in weight without such Permit, or a greater quantity than the quantity specified in the Permit, the whole of the Cinnamon so attempted to

REGULATION No. 5 of 1833.

be removed shall on proof thereof before a Court of competent Jurisdiction, be confiscated, and the person removing the same shall be liable to a fine of ten Shillings for every pound weight thereof.

8. And be it further enacted, that it shall not be lawful for any person or persons within the Maritime Provinces of this Island or within the Kandyan Provinces of Nuwerakalawiya or Tamankadewe, to have Cinnamon in his or their possession of greater quantity than one hundred pounds weight, without the written Certificate of the Form No. 3 hereunto annexed of the Collector of the District or Province or other officer duly authorised to grant the same. Such Certificate to be obtained in all cases without fee or payment, and to be in force for one year only from the date thereof—And whereas at the present period no Cinnamon is produced in the Malabar Provinces, neither is the export thereof from any of the said Provinces permitted under this Regulation; and as some of these Provinces, especially the Province of Jaffna, offer peculiar facilities to illegal export, it is hereby further enacted, that it shall not be lawful for any person or persons to remove or have in his or their possession any quantity of Cinnamon exceeding five pounds within those Malabar Provinces, that is to say, in such parts of the Maritime Provinces as are situated North or East of the Wallaway River in the Tangalle District, or North of the Dedro Oya in the Chilaw District, except for the purpose of retail and in quantities not exceeding at any one time fifty Pounds weight, and except under a license to be granted according to the Form No. 4 annexed to this Regulation, duly procured from the Collector of the District or Province, or other Officer duly authorised to grant the same, and the Collector shall be at full liberty according to his discretion to refuse such License; and he shall be at all convenient despatch the reason for such refusal. And any person removing or having in his or their possession Cinnamon, contrary to the prohibitions herein contained, in greater quantity than is herein permitted, shall forfeit the whole of the Cinnamon so removed, and be further liable to a fine of ten Shillings, for every pound exceeding the quantity respectively abovementioned.

9. And it is hereby further enacted, that every person or persons possessing Cinnamon within the Districts or Provinces aforesaid, shall, on the first day of every month, deliver to the Collector of Revenue or Customs, or other Officer duly authorized in that behalf, Returns of the quantity of Cinnamon in his or their possession during the preceding month, and of the quantity during the same period sold or otherwise disposed of, and parted with, and shall also at any time, when thereunto required by such Collector or other Officer, lay open for his inspection all and every Store or other place or places, in which any Cinnamon belonging to him shall be deposited, and shall, if thereunto required, furnish with the least possible delay, to the said Collector or other Officer an account in writing of the quantities in such Store or places of deposit; and whenever any Return or Returns, or account made pursuant to this Regulation, shall be found to be fraudulent or false, the whole of the Cinnamon found in the possession of the person making such fraudulent or false returns or accounts, shall be seized and confiscated.

10. And it is hereby declared to be the duty of Magistrates, Officers of Police, Collectors of Customs, Masters Attendant, Modliars, Headmen, and subordinate Officers, and they are hereby strictly required and enjoined in their respective Districts and Offices, to assist in the suppression of the illicit removal, possession, or exportation of Cinnamon, or of Cinnamon Oil or Clove Oil and in the detection of any infractions of the Custom House Regulations, and in the discovery of offenders, and they are hereby authorised and required to seize any Cinnamon which they may have reasonable grounds for believing to have been exported, removed, or possessed contrary to any of the provisions of this Regulation and to report such seizure and the grounds and circumstances thereof to the Collector of Revenue, for the immediate information of His Majesty's Government.

11. And it is hereby further enacted, that all Cinnamon, Cinnamon Oil or Clove Oil seized under or by authority of this Regulation, shall be delivered as soon as practicably may be, into the charge of the Collector of the District in which the same shall be seized, or of the nearest Magistrate, or of such other person as Government may direct.

12. And it is hereby further enacted, that every subordinate Officer making seizure of Cinnamon, Cinnamon Oil or Clove Oil seized under this Regulation, shall without delay transmit a report of the cause and circumstances of the seizure to his immediate Superior, and in case he shall omit, neglect, or unnecessarily delay to do so, he shall in addition to any damages to be recovered against him by the owner or owners or persons damaged, be fined at the discretion of the Court having competent Jurisdiction, according to the circumstances of the case.

13. And it is hereby further enacted, that it shall be lawful for any Judge, Magistrate, Collector of the District or of Sea Customs, by whose order or direction any Cinnamon, Cinnamon Oil or Clove Oil shall be seized, or into whose custody any Cinnamon, Cinnamon Oil or Clove Oil shall have been delivered by any subordinate Officer or other person seizing the same, if he shall ascertain that such Cinnamon was seized on erroneous information, or that it was not liable to confiscation, thereupon to release and restore the same to the owner or person from whom the same was seized, and that in every such case the Judge, Magistrate or Collector is hereby required forthwith to report to Government the circumstances of the seizure and release thereof.

14. And it is hereby further enacted, that any person in Government employ who shall be convicted of smuggling or assisting or conniving at the smuggling of Cinnamon, Cinnamon Oil or Clove Oil or assisting in or conniving at any clandestine or fraudulent dealing with respect to the removal or possession of Cinnamon, Cinnamon Oil, or Clove Oil, or with respect to any license rendered necessary by this Regulation, shall in addition to any other penalties imposed by this Regulation, be liable to be fined at the discretion of the Court before whom he shall be convicted, according to the circumstances of the case, and be further incapacitated from holding any situation under Government.

15. And it is hereby further enacted, that it shall not be lawful to export from this Island, or its Dependencies, any Cinnamon plants or seeds, and that every person or persons engaged or concerned in the exportation thereof, shall be liable to a fine of ten Shillings for every plant and for every ounce of seed exported or attempted to be exported contrary to this prohibition, and the articles so exported or attempted to be exported shall be confiscated.

16. And it is further enacted, that Trials for breaches of this Regulation shall be had before any Court of competent Jurisdiction, and that the property of the offender shall be answerable for any penalty or penalties to be imposed under any of the clauses; but in cases in which his or their property shall be insufficient to satisfy such penalty or penalties, the offender or offenders shall be liable to one month's imprisonment at hard labour for every pound sterling, remaining unpaid; provided that such imprisonment shall not exceed twelve months on any one conviction.

*Repealed by Ord. No. 9 of 1853.*



17. And it is further enacted, that in all cases of conviction under this Regulation, the Informer shall be entitled to one half of the penalties imposed upon the offender or offenders, and to one half of the property confiscated, and the Court before whom the conviction shall be had is hereby authorised and required immediately upon conviction to cause to be paid to the Informer from and out of the Public Funds, one half of the penalty or penalties imposed. Provided always, that if such half of the penalty or penalties imposed on any one occasion shall exceed the sum of £10. the Court shall only authorise such immediate payment to the amount of £10 to the informer, who shall be entitled to receive the remainder of such half from the first sums recovered from or levied upon the goods of the offender or offenders.

REGULATION No. 5 of 1833.

Given at Colombo, this Ninth day of Ju'y, One Thousand Eight Hundred and Thirty-three.

By Order of the Council,

P. E. WODEHOUSE,  
Secy. to Council.

By His Excellency's Command,

P. ANSTRUTHER,  
Colonial Secy.



No. 1.

REGULATION FOR PERMIT TO REMOVE CINNAMON.

Sir, Please to grant to \_\_\_\_\_ a Permit for the removal of \_\_\_\_\_ lbs. of Cinnamon by\* \_\_\_\_\_ from † \_\_\_\_\_ to be delivered to \_\_\_\_\_ at \_\_\_\_\_ and the \_\_\_\_\_ day of \_\_\_\_\_ between the \_\_\_\_\_ day of \_\_\_\_\_

\* Here insert either by land or Inland Navigation.  
† Here insert the name of the place from where the Cinnamon is to be removed.  
‡ The name of the person to whom the Cinnamon is to be delivered.

No. 2.

FORM OF PERMIT FOR REMOVAL.

TO ALL CONCERNED.

No. \_\_\_\_\_ Permit the bearer \_\_\_\_\_ to convey \_\_\_\_\_ lbs. of Cinnamon account of \_\_\_\_\_ from \_\_\_\_\_ by \_\_\_\_\_ at \_\_\_\_\_ in conformity to the 6th Clause of Regulation No. 5 of 1833. This Permit to be in force until the \_\_\_\_\_ day of \_\_\_\_\_ 183

\* Insert date.  
† Name of Officer granting Permit

No. 3.

FORM OF CERTIFICATE FOR WHOLESALE DEALERS.

No. \_\_\_\_\_ I do hereby Certify that \_\_\_\_\_ residing at \_\_\_\_\_ has this day enregistered his name as a wholesale dealer in Cinnamon, subject to the Provisions of the Regulation No. 5 of 1833 and he is therefore warranted in keeping any quantity of Cinnamon in his Store or Stores situated at \_\_\_\_\_ This Certificate to remain in force until the \_\_\_\_\_ day of \_\_\_\_\_ 183

\* Insert date.  
† Name of Officer granting Certificate.

No. 4.

FORM OF LICENSE TO RETAIL IN THE MALABAR PROVINCES.

TO ALL CONCERNED.

No. \_\_\_\_\_ This is to Certify that \_\_\_\_\_ residing at \_\_\_\_\_ in the Province of \_\_\_\_\_ is licensed to have in his possession, for the purpose of retail, any quantity or quantities of Cinnamon not exceeding in the whole fifty pounds, subject to the provisions of the Regulation No. 5 of 1833. This License to be in force until the \_\_\_\_\_ day of \_\_\_\_\_ 183

\* Insert date.  
† Name of Officer granting License

PROCLAMATION 31st Aug. 1833.

## PROCLAMATION.

**W**HERAS by His Majesty's Charter or Letters Patent, bearing date at Westminster the 18th day of February now last past, it is declared, that it is expedient to make more general and effectual provision for the administration of Justice in the Island of Ceylon and its Dependencies, than is provided by the several Charters now in force for that purpose in the said Island: For which purpose the said several Charters are, in and by the said Charter or Letters Patent of 18th February aforesaid, revoked and annulled. And it is further declared, that such revocation shall take effect at and from after the time when the said last mentioned Charter or Letters Patent shall come into operation in the said Island, which operation it is further ordained, shall commence at the expiration of two calendar months, next after the arrival thereof within the said Island or of such earlier period as the Governor for the time being of the said Island shall, by a Proclamation to be for that purpose issued, appoint. And whereas the said last mentioned Charter or Letters Patent did bear date on the Seventh day of this present month of August.

We therefore the said Governor, in pursuance of His Majesty's Charter and by the said Charter or Letters Patent of 18th February last aforesaid, and by virtue of the authority thereby reposed in Us in that behalf, do hereby appoint and proclaim, that the said Charter or Letters Patent (this day published and promulgated in the Government Gazette) shall come into full force and operation within the said Island, and every part thereof, on the 1st day of October in the present year of Our Lord One Thousand Eight Hundred and Thirty-three. And all persons are hereby warned and enjoined to take notice of the Premises, and to conform themselves thereto, as they will answer to the contrary at their peril.

*Given at Colombo, in the said Island of Ceylon, this Thirty-first day of August in the year of Our Lord One Thousand Eight Hundred and Thirty-three.*

By His Excellency's Command,

P. ANSTRUTHER,  
Col. Secretary.

GOD SAVE THE KING!

## CHARTER.

18TH FEBRUARY, 1833.

**W**ILLIAM the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, to all to whom these presents shall come, Greeting.

CHARTER 18TH FEBRUARY 1833.  
Recital of Letters Patent.

1. WHEREAS, His late Majesty King GEORGE the Third by three several Charters and Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date respectively at Westminster the 18th day of April in the year of Our Lord One Thousand Eight Hundred and One, the Sixth day of August in the year of Our Lord One Thousand Eight Hundred and Ten, and the Thirteenth day of October in the year of Our Lord One Thousand Eight Hundred and Eleven, did establish within His said late Majesty's Settlements of the Island of Ceylon and the Territories and Dependencies thereof, a certain Court called the Supreme Court of Judicature in the Island of Ceylon, and a certain other Court called the High Court of Appeal in the Island of Ceylon, and did make certain other provisions for the due administration of Justice in the said Settlements, Territories, and Dependencies. And Whereas since the day on which the last of the said several Charters and Letters Patent bears date, a certain Territory in the Interior of the said Island of Ceylon, called the Kingdom of Kandy or the Kandyan Provinces of the Island of Ceylon, hath become and now is subject to His Majesty, whereby the whole Island of Ceylon with its Dependencies has become and now is part of His Majesty's Dominions. And whereas it is provided by each and every of the said several Charters and Letters Patent that nothing therein respectively contained or any Act which should be done under the authority thereof respectively should extend or be deemed or construed to extend to prevent His said late Majesty his Heirs and Successors from making such further or other provision for the Administration of Justice throughout the said Settlements and Territories in the said Island of Ceylon with their Dependencies at His and their Will and Pleasure and as Circumstances might require; His said late Majesty meaning and intending fully and absolutely and to all intents and purposes whatsoever to reserve to Himself His Heirs and Successors such and the same rights and powers in and over the said Settlements, Territories and Dependencies, and every part thereof, and especially touching the Administration

And annexation of the Kandyan Provinces.

And of power reserved in the former Charters for repealing them.

of Justice therein and all other Matters and Things in and by the said several Charters and Letters Patent provided for, as if the said several Charters and Letters Patent had not been made, any thing therein contained, or any Law Custom Usage Matter or Thing whatsoever to the contrary in any wise notwithstanding. And whereas it is expedient to make more general and more effectual provision for the Administration of Justice in the said Island and its Dependencies. Now know Ye, that We upon full consideration of the premises, and of Our certain knowledge and mere motion have thought fit to revoke and annul, And We hereby revoke and annul each and every of the said Charters and Letters Patent, such revocation to take effect at and from after the time when (as hereinafter mentioned) this Our Charter will come into operation in Our said Island.

CHARTER 13TH FEBRUARY 1833.

Necessity for a new Charter.

Old Charters repealed.

2. And whereas in the several Districts and Provinces of the said Island there are several Courts appointed to administer Justice by the exercise of Original Jurisdiction. Inhabitants of the said Districts and Provinces known respectively by the names of the Provincial Courts, the Courts of the Sitting Magistrates, the Courts of the Judicial Commissioner, the Court of the Judicial Agent, the Courts of the Agents of Government, the Revenue Courts, and the Court of the Sitting Magistrate of the Maha-badde; And whereas such Courts differ among themselves in respect of their constitution, of their rules of procedure, and of the kinds and degrees of their jurisdiction, as which they exercise within the limits of their respective Districts or Provinces: Now know ye that We upon full consideration of the Premises have thought fit to direct ordain and appoint that the said Provincial Courts, the said Courts of the Sitting Magistrates, the said Court of the Judicial Commissioner, the said Court of the Judicial Agent, the said Courts of the Agents of Government, the said Revenue Courts, and the said Court of the Sitting Magistrate of the Maha-badde, shall be and the same are hereby respectively abolished, such abolition to take effect at and from after the time when (as hereinafter mentioned) this Our Charter will come into operation in Our said Island.

Recital of subordinate Courts.

Such Courts abolished.

3. And whereas the Governor of Our said Island for the time being and the said Court of the Judicial Commissioner, have hitherto exercised an Appellate Jurisdiction for the Administration of Justice in certain cases arising in the Kandyan Provinces of Our said Island, and whereas certain Courts called the Minor Courts of Appeal, and certain Courts called the Minor Courts of Appeal from Revenue cases, have hitherto exercised an Appellate Jurisdiction for the Administration of Justice in certain cases arising in the Maritime Provinces of the said Island, and whereas the existence of several independent Appellate Jurisdictions in the said Island tends to introduce uncertainty into the Administration of Justice there, Now know ye that We upon full consideration of the premises have thought fit to direct and ordain, and do hereby direct and ordain that the said Appellate Jurisdictions of the Governor of the said Island and of the said Court of the Judicial Commissioner respectively, shall be and the same are hereby respectively abolished, and that the said Minor Courts of Appeal and the said Minor Court of Appeal for Revenue Cases and such their Appellate Jurisdiction shall be and the same are hereby abolished.

Reciting Courts of Appellate Jurisdiction.

Uncertainty thence arising.

Abolition of such Appellate Courts.

4. And to provide for the Administration of Justice hereafter in Our said Island, Our Will and Pleasure is and We do hereby direct, that the entire Administration of Justice Civil and Criminal therein, shall be vested exclusively in the Courts erected and constituted by this Our Charter, and in such other Courts as may be holden within the said Island under any Commission issued or to be issued in pursuance of the Statutes in that case made and provided for the trial of offences committed on the Seas or within the Jurisdiction of Our Lord High Admiral or the Commissioners for executing his Office, or under any Commission issued or to be issued by Our Lord High Admiral or by the Commissioners for executing his Office for the time being; and it is our Pleasure and We hereby declare that it is not and shall not be competent to the Governor of Our said Island by any Law or Ordinance to be by him made with the advice of the Legislative Council thereof or otherwise howsoever, to constitute or establish any Court for the Administration of Justice in any case Civil or Criminal, save as hereinafter is expressly saved and provided. Provided nevertheless, and We do hereby declare that nothing herein contained shall extend or be construed to extend to prevent any persons from submitting their differences to the arbitration of certain assemblies of the inhabitants of Villages, known in Our said Island by the name of Gangsabes.

The Courts hereby erected to have an exclusive Jurisdiction.

Saving the rights of the Court of Vice Admiralty, and the Piracy Commission Court.

The Governor may not establish Courts.

Exception.

Supreme Court established.

5. And We do hereby grant direct and appoint, that there shall be within the said Island of Ceylon one Supreme Court which shall be called "The Supreme Court of the Island of Ceylon."

## CHARTER 18TH FEBRUARY 1833.

To consist of a Chief Justice and two Puisne Judges.  
Titles of the Chief Justice.  
Judges how to be appointed.

6. And We do direct and appoint that the said Supreme Court of the Island of Ceylon shall consist of and be holden by and before, one Chief Justice and two Puisne Justices, and that the Chief Justice shall be called and known by the name and style of the Chief Justice of the Island of Ceylon, and that the said Chief Justice and Puisne Justices shall from time to time be nominated and appointed to such their Offices by Letters Patent to be issued under the Public Seal of the said Island, in pursuance of Warrants to be from time to time issued by Us Our Heirs and Successors, under Our or Their Sign Manual, and shall hold such their Offices during the pleasure of Us Our Heirs and Successors.

The Governor may provisionally appoint Judges in cases of death, resignation, incapacity, absence or suspension.

7. And We do further direct and appoint, that upon the death resignation sickness or incapacity of the said Chief Justice or any of the said Puisne Justices, or in case of the absence of any of them from the said Island, or in case of such suspension from Office as hereinafter mentioned, of any such Chief Justice or Puisne Justice, it shall and may be lawful to and for the Governor of the said Island for the time being, by Letters Patent to be by him for that purpose issued under the public Seal of the said Island, to nominate and appoint any one or more person or persons to act as and in the place and instead of any such Chief Justice or Puisne Justice so dying or resigning or labouring under such sickness or incapacity as aforesaid, or being so absent as aforesaid from the said Colony, or being so suspended, until the vacancy or vacancies so created by any such death or resignation or sickness or incapacity or absence or suspension, shall be supplied by a new appointment to be made in manner aforesaid, or until the Chief Justice or Puisne Justice so becoming sick or incapable or being absent or suspended as aforesaid, shall resume such his Office and enter into the discharge of the duties thereof.

The Governor when authorised to suspend a Judge.

8. And whereas cases may arise in which it may seem necessary to Our Governor for the time being of Our said Island, that a Judge of the said Court should be suspended from the exercise of his functions therein provisionally, until Our pleasure can be known. And it is expedient that no such Act of suspension should take place except upon the most evident necessity and after the most mature deliberation, and that in any such event the Judge who may be so suspended should receive the most early complete and authentic information of the Grounds of such Proceedings against him. We do therefore declare direct and appoint that it shall and may be lawful for the Governor of Our said Island for the time being by any Order or Order to be by him for that purpose made and issued under the Public Seal of the said Island with the advice and consent of the Executive Council of the said Island or the major part of them, upon proof of the misconduct or incapacity of any such Chief Justice or Puisne Justice as aforesaid, but not otherwise, to suspend him from such his Office and from the discharge of the duties thereof; Provided that in every such case the said Governor shall immediately report for Our information through one of Our Principal Secretaries of State, the grounds and causes of such suspension; And provided also that a full statement be entered on the Minutes of the said Executive Council of the Grounds of such Proceeding and of the evidence upon which the same may be founded; a full copy of which Minutes and Evidence shall by such Governor be transmitted to such Judge together with the Order suspending him from such his Office. And We do hereby reserve to Us Our Heirs and Successors, with the advice of Our or Their Privy Council, full power and authority to confirm or to disallow any such suspension from office as aforesaid of any such Chief Justice or Puisne Justice.

Rules to be observed in such case.

Rank of the Chief Justice.

9. And We do hereby give and grant to Our said Chief Justice for the time being rank and precedence above and before all Our Subjects whomsoever within the said Island and its Dependencies, excepting the Governor or Lieutenant Governor for the time being thereof, and excepting such persons as by Law or Usage in England take place before Our Chief Justice of Our Court of King's Bench.

Rank of the Puisne Judges.

10. And We do hereby give and grant to the said Puisne Justices for the time being rank and precedence above and before all our Subjects whomsoever within the said Island and its Dependencies, excepting the Governor or Lieutenant Governor for the time being thereof, the said Chief Justice, and the Officer for the time being Commanding Our Forces in the said Island and its Dependencies, and excepting such persons as by Law or Usage in England take place before Our Puisne Justices of Our Court of King's Bench; and We do hereby declare that the said Puisne Justices shall take rank and precedence between themselves according to the priority of their Appointments respectively.

Supreme Court to have a Seal.

11. And We do further grant direct ordain and appoint that the said Supreme Court of the Island of Ceylon shall have and use as occasion may require, a Seal bearing a Device and Impression of Our Royal Arms, with an Exergue or Label surrounding the same with this Inscription "The Seal of the Supreme Court of the Island of Ceylon," and that the said Seal shall be delivered to and shall be kept in the custody of the said Chief Justice with full liberty to deliver the same to any Puisne Justice of the said Court for any temporary purpose, and in case of the vacancy

The custody of the Seal.

of or suspension from the Office of the Chief Justice, the same shall be delivered over to and kept in the custody of such person as shall be appointed by the said Governor of the said Island to act as and in the place and stead of the Chief Justice.

CHARTER 18TH FEBRUARY, 1833.

12. And We do further direct and appoint, that no such Chief Justice or Puisne Justice as aforesaid, shall be capable of accepting taking or performing any other Office, Place of Profit or Emolument within the said Island, on pain that the acceptance of such other Office as aforesaid shall be *ipso facto* an avoidance of such his Office of Chief Justice or Puisne Justice as the case may be, and the salary thereof shall cease accordingly from the time of such acceptance of any other Office or place: Provided nevertheless that no such Chief Justice or Puisne Justice shall be rendered incapable of holding his Office or shall forfeit his salary by accepting the Office of Judge of the Court of Vice Admiralty in the said Island, or of Commissioner for the Trial and Judication of Prize Causes and other Maritime Questions arising in India.

Judges incapable of holding other offices of profit.

Exception.

13. We do hereby constitute and appoint Our trusty and wellbeloved Sir CHARLES KNIGHT, Knight, to be the first Chief Justice of the said Supreme Court, and Our wellbeloved WILLIAM ROUGH, Esquire, Serjeant at Law, to be the Second Chief Justice of the said Supreme Court, and Our trusty and wellbeloved WILLIAM ROUGH, Esquire, to be the Second Puisne Justice of the said Supreme Court.

Appointment of the Judges by name.

14. And We do hereby direct ordain appoint and declare, that there shall be attached and belong to the said Court an Officer to be styled the Registrar and Keeper of Records of the said Court, and such and so many other Officers as to Our Chief Justice of the said Court, for the time being from time to time appear to be necessary for the Administration of Justice, and the due execution of the Powers and Authorities which are granted and committed to the said Court by these Our Letters Patent, Provided nevertheless, that no Office shall be created in the said Court unless the Governor of the said Island for the time being shall first signify his approbation thereof to the said Chief Justice for the time being, in writing under the hand of such Governor.

Ministerial Officers of the Court: their number how to be determined.

15. And We do further direct and declare Our will to be, that all the subordinate Officers of the said Court shall be appointed to such their Offices by Us or by the Governor of the said Island on Our behalf, by Commissions to be for that purpose used under the Public Seal of the said Island: Provided nevertheless, that all persons who shall be attached to or hold any Office in the said Court as Clerk or Private Secretary to any of the Judges thereof shall be appointed to such Office by the Judge for the time being whom such person may so serve in any such capacity.

Ministerial Officers how to be appointed

The Judges to appoint their own private Secretaries.

16. And We do further direct and appoint that the several Officers of the said Supreme Court shall hold their respective Offices during the pleasure of Us Our Heirs and Successors, and shall be subject to be suspended from their Offices therein by the said Court for misconduct or other sufficient cause.

Subordinate Officers to hold during pleasure of the King, but liable to suspension by the Court.

17. And We do hereby authorise and empower the said Supreme Court to admit and enrol as Advocates or Proctors in the said Supreme Court, all such persons being of good repute as shall upon examination by one or more of the said Justices of the said Supreme Court, appear to be of competent knowledge and ability: Provided always, that whenever the said Supreme Court shall refuse to admit and enrol any person applying to be admitted and enrolled as an Advocate or Proctor in the said Supreme Court, the Judges of the said Court shall in open Court assign and declare the reasons of refusal. And We do direct and declare that no persons whatsoever not so admitted and enrolled as aforesaid shall be allowed to appear plead or act in the said Supreme Court for or on behalf of any other person being a Suitor in the said Court.

Admission of Advocates and Proctors.

No person not so admitted capable of acting as such.

18. And We do further declare Our pleasure to be, and do hereby ordain and appoint, that for the purpose of the Administration of Justice under this Our Charter, the said Island of Ceylon shall be divided into the District of Colombo, and three Circuits, to be called respectively the Northern Circuit the Southern Circuit and the Eastern Circuit; and that the said Northern Circuit shall comprise the District of Jaffna, together with the several Districts which are parcel of the Maritime Provinces of the said Island, and which lie to the westward of the Kandyan Provinces of the said Island between the said District of Jaffna and the District of Colombo; and that the said Southern Circuit shall comprise the District of the Mahagampattoo and all the Districts parcel of the Maritime Provinces of the said Island lying to the westward and southward of the Kandyan Provinces of the said Island, between the District of the Mahagampattoo and the District of Colombo; and that the said Eastern Circuit shall comprise all the Kandyan Provinces of the said Island and all the Districts parcel of the Maritime Provinces of the said Island lying to the eastward of the Kandyan Provinces of the said Island, between the District of Jaffna and

The Island to be divided into three circuits.

Their limits described.

CHARTER 12TH FEBRUARY 1833.

The Governor on application from the Judges may by Proclamation alter such limits.

the District of Mahagampattoo. Provided nevertheless that it shall be lawful for the Governor for the time being of Our said Island on any application to him for that purpose made in writing under the hands of the Judges for the time being of the said Supreme Court or the major part of them, but not otherwise, by any Proclamation or Proclamations to be from time to time for that purpose issued, to alter as occasion may require the before mentioned Division of the said Island as aforesaid, and to establish any other Division or Divisions thereof for that purpose which may appear to the said Governor and the whole or the major part of such Judges, more conducive to the public convenience and the effective Administration of Justice in the said Island.

The Governor may subdivide the Circuits into Districts.

19. And We hereby authorise and require the said Governor for the time being of Our said Island with the concurrence of the Judges of the said Supreme Court or the major part of them, but not otherwise, by any Proclamation or Proclamations to be by him for that purpose from time to time issued, to subdivide into Districts of the Circuits into which the said Island, exclusive of the District of Colombo, shall be in manner aforesaid divided; and from time to time with the like concurrence shall not otherwise, to revoke alter and amend any such Proclamation or Proclamations as occasion may require, and which appointment of the said Circuits and Districts shall be made in such a manner as may best consist with and promote the prompt and efficient Administration of Justice therein as hereinafter mentioned. Provided always that the said Circuits shall in manner aforesaid be divided into Districts in pursuance of the said Charter the existing Divisions of Our said Island comprised within the respective limits of the said Circuits respectively, shall for the purposes hereof be deemed and taken to be such Districts as aforesaid.

Existing Divisions to remain for the present.

District Courts established.

20. And We do further grant direct and appoint, that within each and every District of the said Island there shall be one Court to be called the District Court of such District. And that every such District Court shall be holden by and before one Judge, to be called the District Judge, and three Assessors. And that every such District Judge shall be appointed to such his Office by Letters Patent to be for that purpose issued under the Public Seal of the said Island by the Governor thereof for the time being, in pursuance of Warrants to be for that purpose addressed to him by Us Our Heirs and Successors: Provided that such Governor may and he is hereby authorised and required to issue such Letters Patent as aforesaid provisionally and subject to the future signification of the pleasure of Us Our Heirs and Successors, and without any such Warrant or Warrants as aforesaid on any occasions on which it may be necessary to make any such appointment or appointments before the pleasure of Us Our Heirs and Successors can be known. And We do hereby declare that the said District Judges respectively shall hold such their Offices during the pleasure of Us Our Heirs and Successors.

District Judges how to be appointed.

District Judges to hold during pleasure.

Assessors how to be chosen.

21. And We do further direct and appoint, that the before mentioned Assessors shall be selected from amongst Our subjects inhabiting the said Island whether Natives thereof or otherwise, and being respectively men of the full age of Twenty-one years and upwards and possessing such Qualifications as shall from time to time be determined by any Rules and Orders of Court to be made in the manner hereinafter mentioned, and not having been convicted of any infamous Crime nor labouring under any such bodily or mental incapacity as would render them unfit for the discharge of that Office. And We do hereby reserve to Ourselves Our Heirs and Successors, the right of appointing in each of the said District Courts one person to act as a Permanent Assessor, but in respect of all Assessors until any such appointment shall be made, and after any such appointment shall be made in respect of all Assessors not so appointed, it is Our pleasure and We do hereby direct and declare, that they shall be selected summoned and required to serve in the said Office in such manner as shall be provided by such Rules and Orders of Court as are hereinafter particularly mentioned.

Right of appointing a permanent Assessor in each District reserved.

Assessors to be chosen and summoned as before mentioned.

Appointment of subordinate Officers of District Courts.

22. And We do hereby further direct, that the Ministerial and other subordinate Officers of the said District Courts respectively, shall respectively be appointed to and shall hold such their Offices therein in such and the like manner in every respect as is hereinbefore provided with regard to the Ministerial and other Officers of the said Supreme Court; and that the admission and enrolment of persons to appear plead or act in any of the said District Courts as Advocates or Proctors shall be regulated and provided for by such general Rules and Orders of Court as are hereinafter mentioned.

Admission of Advocates and Proctors in the District Courts.

Supreme Court to be held at Colombo.  
Except for Circuits.  
District Courts to be holden at places to be appointed by the Governor.

23. And We do further direct and appoint that the said Supreme Court shall be holden at Colombo in the said Island, excepting for the purpose of such Circuits as are hereinafter mentioned, and that every such District Court as aforesaid shall be holden at such convenient place within every such District as the Governor for the time being

of Our said Island shall from time to time for that purpose appoint by any Proclamation or Proclamations to be by him in manner aforesaid issued for such Division as aforesaid of the said Island into Districts.

CHARTER 18TH FEBRUARY 1833.

24. And We do further grant direct and appoint that each of the said District Courts shall be a Court of Civil Jurisdiction, and shall have cognizance of and full power to hear and determine all Pleas Suits and Actions in which the Party or Parties Defendant shall be resident within the District in which any such Suit or action shall be brought or in which the Act Matter or thing in respect of which any such Suit or Action shall be brought shall have been done or performed within such District. Provided nevertheless, that no such District Court as aforesaid shall be competent to hold Jurisdiction of or to hear or to determine any Cause Suit or Action wherein the Judge of such Court shall himself be a Party Plaintiff or Defendant; but that every Cause Suit or Action according to the Provisions aforesaid would have been cognizable in any District if the Judge of such Court had not been a Party thereto, shall in that case be heard and determined in the Court of any District immediately adjoining.

Civil Jurisdiction of District Courts.

If the District Judge be a Party the Court of the next adjoining District shall have cognizance of the Cause.

25. And We do further grant direct and appoint that each of the said District Courts shall be a Court of Criminal Jurisdiction and shall have full power and authority to enquire into and determine all Crimes and Offences committed wholly or in part within the District to which such Court may belong, and to hear try and determine all Prosecutions which shall be commenced against any Person or Persons for or in respect of any such Crimes or Offences, or alleged Crimes or Offences. Provided always that such Criminal Jurisdiction as aforesaid shall not extend to any Case in which the Person or Persons accused shall be charged with any Crime which according to any Law now or hereafter to be enforced within Our said Island shall be punishable with Death or Transportation or Banishment or Imprisonment for more than twelve Calendar Months or by Whipping exceeding One hundred lashes or by Fine exceeding Ten Pounds.

Criminal Jurisdiction of District Courts.

26. And We do further grant direct and appoint that each of the said District Courts shall have the care and custody of the Persons and Estates of all Idiots and Lunatics, and others of insane or nonsane mind resident within such Districts respectively, with full power to appoint Guardians and Curators of all such Persons and their Estates, and to make order for the maintenance of such Persons and the proper management of their Estates and to take proper Securities for such management from such Guardians and Curators and to call them to account and to charge them with any Balance which may be due from any such Persons as aforesaid or to their Estates, and to enforce the payment thereof and to take order for the secure Investment of any such Balances and such Guardians and Curators from time to time to remove and replace as occasion may require.

District Courts to have the custody of Persons and Estates of Lunatics within the District.

27. And We do further give and grant to the said District Courts respectively in their said respective Districts full power and authority to appoint Administrators of the Estates and effects of any Persons dying within such respective Districts Intestate or who may not have by any Last Will or Testament appointed any Executor or Trustee for the Administration or execution thereof, and like power and authority to enquire into and determine upon the validity of any Document or Documents adduced before them as evidence for the Last Will and Testament of any Person who may have died within such Districts respectively, and to record the same and to grant Probate thereof with like power and authority to appoint Administrators for the Administration or execution of the trusts of any such Last Will or Testament as aforesaid in cases where the Executors or Trustees thereby appointed shall not appear and take out Probate thereof, or having appeared and taken out such Probate shall by Death or otherwise become incapable to carry any such trusts fully into execution. And We do further authorise and empower the said District Courts in their said respective Districts to take proper Securities from all Executors and Administrators of the Last Wills and Testaments of any deceased Persons or of the Estates and effects of any Persons who may have died intestate for the faithful performance of such trusts and for the proper accounting to such Courts respectively for what may come to their hands or be by them expended in the execution thereof, with like power and authority to call all such Executors and Administrators to account and to charge them with any Balances which may be due to the Estates of any such deceased Persons, and to enforce the payment thereof and to take order for the secure investment of any such Balances, and such Executors and Administrators from time to time to remove and replace as occasion may require.

District Courts to appoint Administrators to the Estates of Intestates.

And to adjudicate upon the validity of Wills.

And to grant Probate. And to appoint Administrators.

And to take Securities from Executors and Administrations

And to call them to account and enforce the payment of or take security for Balances. And to remove and replace Executors and Administrators.

28. And whereas doubts might arise whether by virtue of the provisions aforesaid and without an express authority in that behalf, the said District Courts would be competent to entertain Suits therein brought for the protection of Our Revenue and for the punishment of offences committed against the Revenue Laws of Our said Island.

District Courts to take cognizance of all Revenue Cases.

CHARTER 18TH FEBRUARY 1833.

Saving the rights of the Courts of Vice Admiralty.

Limitation of Jurisdiction in such Cases.

Jurisdiction of District Courts to be exclusive.

Exception.

Judgments of District Courts how to be pronounced.

Assessors to give their opinions and Votes.

In case of a difference of opinion that of the Judge to prevail.

But record to be made of Questions and Votes.

Appellate Jurisdiction of Supreme Court.

Original Jurisdiction of Supreme Court

Civil and Criminal Sessions of the Supreme Court how to be holden.

Such Sessions to be holden twice a year in each Circuit.

At times and places to be appointed by the Governor in consultation with the Judges.

Now therefore for the removal of any such doubts We do hereby expressly declare that all Causes affecting Our Revenue arising within Our said Island and all Prosecutions for the punishment of Offences committed against the Revenue Laws thereof shall be cognizable within the said District Courts respectively, in such and the same manner as any other suits or prosecutions. Saving nevertheless, and reserving to all Courts of Vice Admiralty established or to be established within Our said Island, all such rights powers jurisdictions and authority as are by Law vested in them, as fully as if this Our Charter had not been made. Provided nevertheless, that no such Prosecution for any Offence committed against the Revenue Laws shall be cognizable within any such District Court in cases where the Punishment may be of greater degree or amount than such District Court can under the provisions aforesaid award upon Prosecutions for any other Offences.

29. And We do further grant and declare that the several Jurisdictions vested as aforesaid in the said District Courts is and shall be an exclusive Jurisdiction and shall not on any Plea or Pretext whatsoever be assumed or exercised by any other Court Tribunal or Judge within Our said Island, save and except in so far as respects the same Suits, Causes, Actions, Prosecutions, Matters and Things is hereinafter given by way of appeal to the Supreme Court aforesaid or to the respective Courts thereof. And also save and except in so far as an original Jurisdiction in such Suits Causes Actions Prosecutions Matters and Things is hereinafter vested in the said Supreme Court or in the respective Judges thereof, and also save and except in as far as respects the Jurisdiction of the Court of Vice Admiralty in the said Island.

30. And We do further direct and appoint that every final Sentence or Judgment of the said District Courts respectively and that every Interlocutory Order of the said Courts having the effect of a final Sentence or Judgment, and that every Order of any such Court having the effect of postponing the final decision of any Cause or Prosecution there pending, and any other Order which to the Judge of any such Court may appear of adequate importance, shall by such Judge be pronounced in open Court. And that such Judge shall in all such cases state in the presence and hearing of the Assessors before mentioned, what are the Questions of Law and of Fact which have arisen for Adjudication, and which are to be decided upon any such occasion together with his Opinion upon every such Question with the grounds and reasons of every such Opinion. And that every such Assessor shall also in Open Court and in the presence and hearing of the Judge and the other Assessors declare his Opinion and deliver his vote upon each and every Question which the Judge shall have previously declared to have arisen for adjudication, whether such questions shall relate to any matter of Law or to any matter of Fact. Provided nevertheless, that in case of any difference of Opinion between any such Judge and the majority or the whole of such Assessors upon any question of Law or of Fact depending before any such District Court, the Opinion of such Judge shall prevail and shall be taken as the Sentence Judgment or Order of the whole Court, but in every such Case a Record shall be made and preserved among the Records of the said Court of the Questions declared by the Judge to have arisen for adjudication and of the Vote of such Judge and of every such Assessor upon each such question.

31. And We do hereby grant declare direct and appoint that the Supreme Court of the Island of Ceylon shall be a Court of Appellate Jurisdiction for the correction of all Errors in Fact or in Law which shall be committed by the said respective District Courts, and shall have sole and exclusive cognizance by way of Appeal of all Causes, Suits, Actions, Prosecutions, Matters, and Things of which such District Courts may, in pursuance of the Provisions of this Our Charter or any of them take cognizance by way of Original jurisdiction. And We do further grant to the said Supreme Court power jurisdiction and authority to hold an original jurisdiction for enquiring of all Crimes and Offences committed throughout the said Island and for the hearing trying and determining all Prosecutions which shall be commenced against any Person or Persons for or in respect of any such Crimes or Offences or alleged Crimes or Offences. And to provide for the due execution of the powers and authorities and jurisdictions so vested as aforesaid in the Supreme Court, it is Our further pleasure, and We do direct ordain and appoint that Civil and Criminal Sessions of the said Supreme Court shall be holden by some one of the Judges thereof in each of the Circuits into which Our said Island is or shall be so divided as aforesaid.

32. And We do further direct and appoint that such Sessions as aforesaid of the said Supreme Court shall be holden twice in each year within the Northern, Southern, and Eastern Circuits of the said Island respectively hereinbefore described or referred to at such places within such respective Circuits and at such particular times in each Year as the Governor for the time being of Our said Island shall after previous consultation with the Judges of the said Supreme Court by Proclamations to be by him from



time to time for that purpose issued direct and appoint. Provided always that the times and places for holding such Civil and Criminal Sessions of the said Supreme Court on such Circuits shall be so arranged as that all the Judges of the said Supreme Court shall never at the same time be absent from Colombo, and that all such Judges shall be resident at the same time at Colombo not less than one month twice in each Year. And We do direct and appoint that the Chief Justice of the said Court shall first choose the Circuit on which he will proceed for the purposes aforesaid, and that the second choice shall be made by the Senior Puisne Justice for the time being.

CHARTER 16TH FEBRUARY 1833.

Choice of Circuits by the Judges.

33. And We do further direct ordain and appoint that, at every Civil Sessions of the Supreme Court to be holden on any such Circuit as aforesaid three Assessors shall be associated with the Judge, and that every Criminal Sessions of the Supreme Court to be holden on any such Circuit shall be holden before such Judge and a Jury of thirteen Men, which Assessors and Jurors shall be selected summarily required to appear and serve in such manner and form as shall be required by such general Rules and Orders of Court as hereinafter mentioned.

At Civil Sessions of Supreme Court, Assessors to be associated with the Judge.

At the Criminal Sessions thirteen Jurors.

We do will ordain and appoint that within each and every of the said Circuits respectively all and every the Appellate Powers Jurisdictions and Authorities hereby vested in the said Supreme Court, shall be exercised by the Judge for the time being of such Circuit and the Assessors so to be associated with him as aforesaid, and that within each and every of the said Circuits respectively all and every the original powers jurisdictions and authorities hereby vested in the said Supreme Court, shall be exercised by the Judge for the time being of such Circuit who upon the Trial of any Crimes made cognizable by the said Supreme Court by way of such Original Jurisdiction as aforesaid shall be associated with such Jurors as aforesaid.

Appellate and Original Jurisdiction of the Supreme Court how to be exercised on Circuit.

35. And We do further direct and appoint that at every Civil Sessions of the said Supreme Court so to be holden as aforesaid on every such Circuit, the said Court shall proceed to hear and determine all Appeals which may be then depending from any Sentence Judgment Decree or Order of any District Court within the limits of such Circuit, and to affirm reverse correct alter and vary every such Sentence Judgment Decree or Order according to Law, and if necessary to remand to the District Court for a further hearing or for the admission of any further Evidence any Cause Suit or Action in which any such Appeal as aforesaid shall have been brought, and upon hearing every such Appeal it shall also be competent to the said Supreme Court to receive and admit or to reject and reject new evidence touching the matters at issue in any such Original Cause Suit or Action as Justice may require.

At Civil Sessions the Court to hear all Appeals from District Courts of the Circuit.

with power to remand Causes for further hearing or new Evidence.

New Evidence may be admitted or rejected; by the Supreme Court at such Sessions.

36. And We do further direct and appoint that the Supreme Court aforesaid at any Civil Sessions to be holden on any such Circuit as aforesaid shall have full power and authority to grant and issue Mandates in the nature of Writs of Mandamus Prohibendo and Prohibition against any District Court within the limits of such Circuit, and to make order for the transfer of any Cause Suit or Action depending in any one District Court in such Circuit to any other District Court within the same Circuit, if it shall be made to appear to the satisfaction of the said Supreme Court at any such Civil Sessions as aforesaid that there is any sufficient cause or reason to conclude that in such particular Cause Suit or Action Justice would not probably be done in the District Court in which the same had so been commenced. And in every such case the District Court to which any such Cause Suit or Action shall be so transferred shall take Cognizance thereof and have power and Jurisdiction for the hearing trial and decision of the same as fully and effectually to all intents and purposes as the District Court in which the same was originally brought could or might have had.

With power to grant Prohibitions &c. to the District Courts of the Circuit.

and to transfer Causes from one District Court to another.

37. And We do further direct declare and appoint that the Judge of the Supreme Court holding any such Civil Sessions thereof as aforesaid on any such Circuit shall in open Court state and declare in the presence and hearing of the Assessors before-mentioned, what are the Questions of Law and of Fact arising for adjudication upon every Appeal brought before the said Supreme Court at such Sessions; and which are then to be decided, and shall then pronounce his opinion upon every such Question with the grounds and reasons of every such opinion, and that every such Assessor shall thereupon also in open Court and in the presence and hearing of such Judge and the other Assessors declare his Opinion and deliver his Vote upon such and every Question which the Judge shall have previously declared to have arisen for Adjudication, whether such Question shall relate to any matter of Law or to any matter of Fact, And in case of any difference of Opinion between any such Judge and the majority or the whole of such Assessors upon any Question of Law or of Fact depending upon such Appeal, the Opinion of such Judge shall prevail and shall be taken as the Sentence Judgment or Order of the whole Court, but in every such case a Record shall be

Form of proceeding at Civil Sessions of Supreme Court.

CHARTER 18TH FEBRUARY 1833.

made and preserved among the Records of the said Supreme Court, of the Question declared by the Judge to have arisen for Adjudication and of the Vote of such Judge and of every such Assessor upon every such Question.

At Criminal Sessions the Supreme Court to hear Appeals from Judgments of the District Courts in Criminal Cases.

And to receive or reject new Evidence.

38. And We do further direct ordain and appoint that at every Criminal Sessions of the said Supreme Court to be holden on any such Circuit as aforesaid such Court shall proceed to hear and determine all Appeals which may be then depending from any Sentence or Judgment pronounced by any District Court within the limits of any such Circuit in any Criminal Prosecution and to affirm reverse correct alter and vary every such Sentence and Judgment according to Law. And upon hearing every such Appeal it shall also be competent to the said Supreme Court to receive and admit or to exclude and reject new Evidence touching the Matters at Issue in any such original prosecution as Justice may require, and it shall also be lawful for the said Supreme Court at any such Criminal Sessions as aforesaid to make Order for the Transfer of any Prosecution depending in any one District Court in such Circuit to any other District Court within the same Circuit if it shall be made to appear to the satisfaction of the said Supreme Court at any such Criminal Sessions that there is any sufficient cause or reason to conclude that in such particular Case Justice would not probably be done in the District Court in which the Prosecution so commenced. And in every such case the District Court to which the Prosecution shall be so transferred shall take Cognizance thereof and shall exercise its Power and Jurisdiction for the Hearing Trial and Decision of the same as fully and effectually to all Intents and Purposes as the District Court in which the same was originally brought could or might have had.

Appeals in Criminal Cases.

39. And We do further declare and ordain that notwithstanding the right of Appeal hereby given from the Judgments and Sentences of the said District Courts upon such Criminal Prosecutions as aforesaid no such Appeal shall have the effect of staying the execution of any Sentence or Judgment pronounced by any such District Court upon any Prosecution unless the Judge of such District Court shall in the exercise of his discretion see fit to make order for the stay of any such Execution pending such Appeal.

At Criminal Sessions Supreme Court to exercise its Original Jurisdiction.

40. And We do further direct ordain and appoint that at every Criminal Sessions of the said Supreme Court so to be holden as aforesaid on every such Circuit the said Supreme Court shall inquire of all Crimes and Offences committed within the Limits of any such Circuit for the Trial of which such original Jurisdiction as aforesaid is hereby vested in the said Supreme Court, and which the King's Advocate or Deputy King's Advocate shall elect to prosecute before such Supreme Court and shall hear try and determine all Prosecutions which shall be commenced by the said King's Advocate or Deputy King's Advocate against any Person or Persons for or in respect of any such Crimes or Offences or alleged Crimes or Offences.

Offences to be prosecuted by Information in the name of the Advocate Fiscal.

41. And We do further direct and ordain that all Crimes and Offences cognizable before any of the Courts constituted by these presents or deriving authority from the same shall be prosecuted and that all Fines Penalties and Forfeitures recoverable therein to Our use, shall be sued for and recovered in the Name of Our Advocate Fiscal of Our said Island and by him or by some Deputy Advocate Fiscal by an Information to be exhibited without the previous finding of any Grand Jury or otherwise. Provided nevertheless that it shall be competent to the said Supreme Court by such Rules and Orders of Court as after mentioned to make any other and more convenient Provision for the prosecuting before the said District Courts Breaches of the Peace, Petty Assaults and other Minor Offences of the like nature.

Without a Grand Jury.

Questions of Fact on Criminal Prosecutions at such Sessions how to be decided.

42. And We do further direct and ordain that all Questions of Fact upon which Issue shall be joined at any such Criminal Sessions as aforesaid of the said Supreme Court on any such Circuit as aforesaid, shall be decided by such Jury of thirteen Men as aforesaid. And that the Verdict of such Jury shall be pronounced in Open Court by the mouth of the Foreman, and that if such Jury shall not agree upon their Verdict, then the Verdict of the major part of such Jury shall be received and taken as the Verdict of the Jury collectively.

All Questions of Law to be decided by the Judge.

who may reserve them for the decision of the whole Court.

43. And We do further direct and ordain, that all Questions of Law which shall arise for adjudication at any such Criminal Sessions as aforesaid, of the said Supreme Court, in any such Circuit as aforesaid, shall be decided by the Judge presiding at such Sessions, who shall pronounce his Judgment thereupon in Open Court, and assign the Grounds and Reasons of such Judgment, saving nevertheless to every such Judge the Right of Reserving such Questions for the decision of the Judges of the said Supreme Court collectively, at their General Sessions in manner hereinafter mentioned.

CHARTER 18TH FEBRUARY 1833.

Sentence of death is to be respited till the Case has been reported to the Governour.

44. And We do further appoint, declare, and direct, that in every case where any Person shall be adjudged to die by any Sentence of the Supreme Court of Our said Island at any such Criminal Sessions as aforesaid, the Execution of such Sentence shall be respited until the Case of such Person shall have been reported by the Chief Justice or Puisne Justice, who shall have presided at such Trial, to the Governour of the said Island for the time being, which Report shall be made as soon after the passing of such Sentence as conveniently may be.

The Judge at the Criminal Sessions is to issue a Mandate to all Jailors within the Circuits to return a Calendar of Prisoners.

45. And We do further appoint, declare, and direct, that the Judge on any such Circuit as aforesaid, holding the said Criminal Sessions of the said Supreme Court, shall, and may Issue his Mandate under his Hand and directed to all and every of the Fiscals or other Keepers of Prisons within the limits of his Circuit, to certify to the said Judge the several persons then and there in any of their custody committed or charged with any Crimes or Offences whatsoever. And the said Fiscals or other Prisons shall and are hereby required to make certify and transmit due to the said Judge by specifying in a Calendar or List to be annexed to such Mandate by specifying in a Calendar or List to be annexed to such Mandate the time and times when all and every of the said Persons were or were committed and by whose Authority particularly and on what Charges Crime or Crimes respectively in writing. And to the said List shall also be annexed such Information or Informations upon Oath as may be given against them or any of them and be then remaining in the Hands of the said Fiscals or Keepers of Prisons, or true Copies thereof attested by the said Fiscals or Keepers of Prisons respectively. And if need be according to the tenor and exigency of such Mandate such Fiscals or Keepers of Prisons shall bring the said persons so in their custody or any of them before the said Judge wheresoever the said Judge shall then be holding the Criminal Sessions of the said Supreme Court, together with such Witness or Witnesses, whose Name or Names shall appear to be written or endorsed on the respective Commitments, by virtue of which such Prisoners or Persons were or was delivered into their custody respectively, in order that such Prisoner or Prisoner may be dealt with according to Law. Provided always that when any Party or Parties shall after the making out of any such Calendar or List, and while such Judge shall be holding the Criminal Sessions of the said Supreme Court in the Town or Place wherein such Calendar or List was delivered be apprehended or committed on any Criminal Charge it shall and may be lawful for the Officer of such Supreme Court, to insert the Name or Names of such Person or Persons in such Calendar or List.

The contents of the Calendar.

The Informations on Oath against any Prisoner to be attached to it.

The Jailors to bring Prisoners before the Judge holding such Criminal Sessions.

with the Witnesses whose Names may be endorsed on the Commitments.

Proviso for the insertion in the Calendar of the Names of Persons committed during the Sessions.

46. And We do further direct, declare, and appoint, that any Judge of the Supreme Court remaining at Colombo, shall within the Limits of the District of Colombo, exercise the same Jurisdiction and hold such and the same Civil and Criminal Sessions as the said Judges of the Supreme Court are, by these Presents, directed, appointed, and ordained, to exercise and to hold on their respective Circuits, within the Limits of their respective Circuits.

The Judge at Colombo to hold the Civil and Criminal Sessions of the Supreme Court for that District.

47. And We do further ordain and appoint, that whenever any question of Law, Pleading, Evidence or Practice shall arise for Adjudication at any Civil or Criminal Sessions of the said Supreme Court at any such Circuit as aforesaid or within the said District of Colombo which shall appear to the Judge presiding at such Sessions to be a Question of doubt and difficulty, it shall be lawful for such Judge to reserve such Question of Law Pleading Evidence or Practice for the decision of the Judges of the said Supreme Court collectively, and to report any Question so reserved to the said Judges at some General Sessions of the said Supreme Court to be held for that purpose as hereinafter mentioned. And We do further direct and appoint that the Judges of the said Supreme Court shall, from time to time as occasion may require, collectively hold a General Sessions at Colombo, to hear and inquire of any Questions of Law Pleading Evidence or Practice so reserved as aforesaid, and to decide the same according to Law.

Judge on Circuit or at Colombo may reserve Questions of Law, &c. for the whole Court, in General Sessions.

48. And We further authorize and require the respective Judges of the said Supreme Court on such Circuits as aforesaid, and at the Sessions so to be holden for the district of Colombo to inspect and examine the Records of the different District Courts. And if it shall appear to them that contradictory or inconsistent decisions have been given by different District Courts or by the same District Court upon different occasions upon any matters of Law, Evidence, Pleading or Practice, then and in every such Case, the said Judges of the Supreme Court shall report to the Judges of the Supreme Court at Colombo, at such General Sessions as aforesaid, any such contradictions or inconsistencies, and the said Judges of the Supreme Court shall after due consideration of the matters so brought before them prepare the draft of such a declaratory Law upon any matter of Law or Evidence in respect to which such

Judges to compare the Records of District Courts: If the practice vary, to prepare Laws on Questions of Law or Evidence, and Rules of Court on pleading or practice.

CHARTER 18TH FEBRUARY 1833.

contradictory or inconsistent decisions shall have been given, as the occasion shall appear to them to require, and shall transmit such draft under the Seal of the said Court to the Governor for the time being of our said Island, who shall thereupon lay the draft of such declaratory Law before the Legislative Council of the said Island for their consideration. And We further direct and ordain that the said Judges of the Supreme Court shall, in pursuance of the Powers hereinafter vested in them, after due consideration of any Reports so to be made as aforesaid, by any such Judge of any such contradiction or inconsistency as aforesaid in any matter of Pleading or Practice make or establish such General Rules or Orders of Court for the removal of any doubts respecting any such matters as the occasion shall appear to them to require.

Supreme Court &c. may issue writs of Habeas Corpus;

and Injunctions;

but not to prevent parties from suing, defending or appealing.

And may order the Records of cases on appeal to be transmitted to Colombo; and to decide the same by consent at General Sessions.

And may make Rules of Court.

as to the time, and place of sessions.

49. And We do further ordain and appoint that the said Supreme Court or any Judge thereof at any Sessions so to be holden as aforesaid on any such Circuit as aforesaid, or in the District of Colombo or at any General Sessions of the said Court collectively, shall be and are hereby authorized to grant Mandates in the nature of Writs of Habeas Corpus and to grant Mandates to bring up the Body of any Person who shall be imprisoned of the said Island or its Dependencies, and to discharge or remand brought up or otherwise deal with such Person according to Law. And We do direct and appoint that the said Supreme Court or any Judge thereof shall be so to be holden on any such Circuit as aforesaid or in the District of Colombo or at any General Sessions of the said Court collectively shall be, and they and he is hereby authorized to grant and issue Injunctions to prevent any irretrievable mischief which might ensue before the party making application for such Injunction could prevent the same by bringing an Action in any District Court, Provided always, that it shall not be lawful for the said Supreme Court nor for any Judge thereof in any case, to grant an Injunction to prevent any Person from suing or prosecuting a Suit in any District Court or to prevent any party to any Suit, in any District Court from appealing or prosecuting an appeal to any Court of Appeal, or to prevent any Party from suing or prosecuting a Suit in any Court of Original Jurisdiction, or in any Court of Appeal, from doing so upon any Ground of Action Defence or Appeal.

50. And whereas it may be expedient that the Judges of the said Supreme Court of Colombo, previously to the commencement of any such Circuits as aforesaid should be enabled to inspect and examine the Records of the said District Courts, in cases upon which Appeals may have been entered. And it may also be convenient that with the consent of the litigant Parties, the Hearing of such Appeals should take place before the Judges of the said Court collectively at their General Sessions at Colombo and not at such Circuits as aforesaid. And it may also be convenient that in certain Cases the Judges of the said Supreme Court collectively, at such General Sessions, should be authorized to decide in a summary way and without further argument Questions arising upon any such Appeals, We do therefore further will, direct ordain and appoint, that it shall be lawful for the Judges of the said Supreme Court by such General Rules and Orders as hereinafter mentioned to require the said District Courts to transmit to them at Colombo the Records of such District Courts in any Cases upon which Appeals may have been entered. And We do authorize and empower the Judges of the said Supreme Court collectively at any such General Sessions as aforesaid, with the consent of all the litigant Parties but not otherwise (save as hereinafter provided in cases appealed to Us in Our Privy Council) to hear any such Appeals or to decide the same or any particular Question or Questions arising thereupon in a summary way and without further Argument and to remit any such Records with such their final decision thereupon to such District Courts to be by them carried into execution.

51. And whereas for carrying into effect the various Provisions of this present Charter and for the more prompt and effectual Administration of Justice in Our said Island, it is necessary that Regulations should be made respecting the course and manner of proceeding to be observed and followed in all Suits Actions and Criminal Prosecutions and other Proceedings whatsoever to be brought commenced had or taken within the said District Courts and the said Supreme Court respectively, which Regulations cannot be properly made except by the Judges of the said Supreme Court. We do therefore hereby further declare Our Pleasure to be, and do will ordain direct and appoint that it shall be lawful for the Judges of the said Supreme Court collectively at any General Sessions to be by them holden at Colombo as aforesaid from time to time to frame constitute and establish such General Rules and Orders of Court as to them shall seem meet, touching and concerning the time and place of holding any General Sessions of the Judges of the said Supreme Court collectively; and any Civil or Criminal Sessions of the said Supreme Court on any such Circuits as aforesaid or in the District of Colombo and the said several District Courts as shall not be inconsistent

with the Authority hereinbefore granted to the Governor of Our said Island respecting the appointing of the Times at which and the Places to which the Judges of the said Supreme Court shall perform their Circuits together with such General Rules and Orders as to them shall seem meet, and touching and concerning the form and manner of proceeding to be observed in the said Supreme Court at any General Sessions, and at such Civil and Criminal Sessions as aforesaid, on such Circuit as aforesaid or in the District of Colombo and in such District Courts respectively, and touching and concerning the Practice and Pleadings upon all Actions Suits and other matters both Civil and Criminal to be therein brought, the Proceedings of the Fiscals and other Ministerial Officers of the said Courts respectively, the Process of the said Courts and the mode of executing the same, the qualifications summoning impannelling and challenging of Assessors, and the summoning impannelling and challenging of Jurors, Arrest Mesne Process, or in Execution, the taking of Bail, the duties of Jailors and charged with the Custody of Prisoners, in so far as respects the making due the respective Judges of the said Supreme Court of all Prisoners in their respecting the mode of Prosecuting such Appeals as aforesaid from the Courts, the admission of Advocates and Proctors in the said Courts together with all such General Rules and Orders as may be necessary for complete effect to the Provisions of this present Charter in whatsoever form and manner of Administering Justice in the several Courts hereby and all such Rules Orders and Regulations from time to time to revoke, alter, amend or renew as occasion may require. Provided always that no such Rules Orders or Regulations shall be repugnant to this Our Charter. And that the same shall be so framed as to promote as far as may be the discovery of Truth and economy and expedition in the despatch of the business of the said several Courts respectively. And that the same be drawn up in plain succinct and compendious terms avoiding all unnecessary repetitions and obscurity and promulgated in the most public and authentic manner in the said Island as long before the same shall operate and take effect as to such Rules may appear practicable and convenient. And provided always that all such Rules, Orders and Regulations shall forthwith be transmitted to Us Our Heirs and Successors under the Seal of the said Court for Our or Their approbation or disallowance.

CHARTER 18TH FEBRUARY 1833.

and as to the procedure, Civil and Criminal, of the Supreme and District Courts, and of Fiscals.

and as to Process, Assessors, Jurors, Arrest, Bail and Jailors.

and as to appeals and the admission of Advocates and Proctors,

not to be repugnant to this Charter,

and to be transmitted for H.M.'s approval or disallowance.

52. And We do further grant, ordain, direct and appoint that it shall be lawful for any Person or Persons being a Party or Parties to any Civil Suit or Action depending in the said Supreme Court to Appeal to Us Our Heirs and Successors in Their Privy Council against any final Judgment, Decree, or Sentence, or against any Rule or Order made in any such Civil Suit or Action, and having the effect of a final or definitive Sentence, and which Appeals shall be made subject to the Rules and Limitations following; First—That before any such Appeal shall be so brought such Judgment Decree Sentence Rule or Order shall be brought by way of Review before the Judges of the said Supreme Court collectively holding a General Sessions at Colombo at which all the said Judges of the said Supreme Court shall be present and assisting, which Judges shall by such Rules and Orders as aforesaid, regulate the form and manner of Proceeding to be observed in bringing every such Judgment, Decree, Sentence, Rule or Order by way of Review before them, and shall thereupon pronounce Judgment according to Law, the Judgment of the majority of which Judges shall be taken and recorded as the Judgment of the said Court collectively. SECONDLY—Every such Judgment, Decree, Order or Sentence from which such an Appeal shall be admitted to Us Our Heirs and Successors as aforesaid, shall be given or pronounced for or in respect of a Sum or matter at issue above the amount or value of Five Hundred Pounds Sterling, or shall involve directly or indirectly the Title to Property or to some Civil Right exceeding the value of Five Hundred Pounds Sterling. THIRDLY—The Person or Persons feeling aggrieved by such Judgment, Decree, Order or Sentence shall, within fourteen days next after the same shall have been pronounced made or given, apply to the said Supreme Court at such General Sessions as aforesaid by Petition for leave to appeal therefrom to Us Our Heirs and Successors in Our or Their Privy Council. FOURTHLY—If such leave to Appeal shall be prayed by the Party or Parties who is or are adjudged to pay any Sum of Money or to perform any Duty, the said Supreme Court shall direct that the Judgment, Decree, or Sentence appealed from shall be carried into execution if the Party or Parties Respondent shall give Security for the immediate performance of any Judgment, Decree, or Sentence which may be pronounced or made by Us Our Heirs and Successors in Our or Their Privy Council upon any such Appeal, and until such Security be given the execution of the Judgment, Decree, Order or Sentence appealed from shall be stayed. FIFTHLY—Provided nevertheless, that if the Party or Parties Appellant, shall establish to the satisfaction of the said Supreme Court that real and substantial Justice requires that pending such Appeals execution should be stayed, it shall be lawful for such Supreme Court to order the execution of such Judgment, Decree, Order or Sentence

Appeal to His Majesty in Council.

Cause to be first heard at General Sessions of Supreme Court,

Amount appealable.

Application for leave to appeal to be made within 14 days.

Judgment to be executed on securities being given for restitution,

Court may stay execution when Justice requires it, Appellant giving security.

CHARTER 18TH FEBRUARY 1833.

Appellant to give Security for prosecution of Appeals & payment of Costs.

Court to determine Security.

If title to immoveable property be subject of Appeal, Security not required; if occupation how to be determined.

If moveable property be the subject of Appeal, Bond to be given.

Security for prosecution of Appeal never to exceed £300.

Appellant to be allowed three months to enter into Securities.

Application may be made to His Majesty in Council against orders on the subject of Securities.

Reservation to His Majesty of the right of admitting Appeals without regard to these Rules.

Transcripts of Records to be transmitted to His Majesty in Council.

Supreme Court to execute Judgments pronounced by His Majesty in Council on Appeal.

Revocation of all Laws repugnant to this Charter.

to be stayed pending such Appeal, if the Party or Parties Appellant shall give Security for the immediate performance of any Judgment, Decree or Sentence which may be pronounced or made by Us Our Heirs or Successors, in Our or Their Privy Council, upon any such Appeal. **SIXTHLY**—In all cases, Security shall also be given by the Party or Parties Appellant for the prosecution of the Appeal and for the payment of all such Costs as may be awarded by Us Our Heirs and Successors to the Party or Parties Respondent. **SEVENTHLY**—The Court from which any such Appeal as aforesaid shall be brought shall subject to the Conditions hereinafter mentioned, determine the nature, amount, and sufficiency of the several securities so to be taken as aforesaid. **EIGHTHLY**—Provided nevertheless, that in any case where the subject of litigation shall consist of immoveable property and the Judgment, Decree, Order or Sentence appealed from shall not change affect or relate to the actual occupation thereof, no security shall be demanded either from the Party or Parties Respondent, or from the Party or Parties Appellant for the performance of the Judgment or Sentence to be pronounced or made upon such Appeal, but if such Judgment, Decree, Order or Sentence shall change affect or relate to the occupation of any such Property, then such security shall not be of greater amount than may be necessary to secure the restitution of all damage or loss of such property or of the intermediate Profit which shall be lost by such Appeal may probably accrue from the intermediate occupation of such Property. **NINTHLY**—In any case where the subject of litigation shall consist of Movable Goods, Chattles or of any Personal Debt or Demand, the Security to be demanded shall be given by the Party or Parties Respondent, or from the Party or Parties Appellant for the performance of the Judgment or Sentence to be pronounced or made upon such Appeal, shall be either a Bond to be entered into in the amount or value of such subject of litigation by one or more sufficient Surety or Sureties, or such Security shall be given by way of mortgage or voluntary condemnation of or upon some immoveable property situate and being within such Island, and being of the full value of such subject of litigation over and above the amount of all mortgages and charges of whatever nature upon or affecting the same. **TENTHLY**—The Security to be given by the Party or Parties Appellant for the prosecution of the Appeal and for the payment of costs shall in no case exceed the sum of Three Hundred Pounds Sterling. Such Security shall be given either by such Surety or Sureties, or by such mortgage or voluntary condemnation as aforesaid. **ELEVENTHLY**—If the Security to be given by the Party or Parties Appellant for the prosecution of the Appeal and for the payment of such costs as may be awarded, shall in manner aforesaid be completed within three months from the date of the Petition for leave to Appeal, then and not otherwise the said Supreme Court shall make an Order allowing such Appeal, and the Party or Parties Appellant shall be at liberty to prefer and prosecute his her or their Appeal to Us Our Heirs and Successors in Our or their Privy Council in such manner and under such Rules as are observed in Appeals made to Us in Our Privy Council from Our Plantations or Colonies. **TWELTHLY**—Provided, nevertheless, that any Person or Persons feeling aggrieved by any Order which may be made by, or by any proceedings of the said Supreme Court respecting the Security to be taken upon any such Appeal as aforesaid, shall be and is hereby authorised by his her or their Petition to Us in Our Privy Council to apply for redress in their premises.

53. Provided always, and We do further ordain, direct, and declare, that nothing herein contained doth or shall extend to take away or abridge the undoubted Right or Authority of Us Our Heirs and Successors, to admit and receive any Appeal from any Judgment, Decree, Sentence or Order of the said Supreme Court on the humble Petition of any Person or Persons aggrieved thereby in any Case in which and subject to any Conditions or Restrictions upon and under which it may seem meet to Us Our Heirs and Successors so to admit and receive any such Appeal.

54. And We do further direct and ordain, that in all Cases of Appeal allowed by the said Supreme Court or by Us Our Heirs and Successors such Court shall, on the application and at the Costs of the Party or Parties Appellant, certify and transmit to Us Our Heirs and Successors in Our or Their Privy Council, a true and exact Copy of all Proceedings, Evidence, Judgments, Decrees, and Orders had or made in such Causes so appealed, so far as the same have relation to the matter of Appeal, such Copies to be certified under the Seal of the said Court.

55. And We do further ordain and direct, that the said Supreme Court shall, in all Cases of Appeal to Us Our Heirs and Successors, conform to execute and carry into immediate effect such Judgment and Orders as We Our Heirs and Successors in Our or Their Privy Council, shall make thereupon in such manner as any Original Judgment or Decree of the said Supreme Court can or may be executed.

56. And We do further ordain and direct, that all Laws, Customs, and Usages now or at any time heretofore established or in force in the said Island, so far as such

Laws or Usages are in any wise repugnant to or at variance with this present Charter shall be and the same are hereby revoked abrogated rescinded and annulled.

CHARTER 18TH FEBRUARY 1833.

57. And We do further declare that for the purpose and within the meaning of the present Charter any Person lawfully administering for the time being the Government of the said Island shall be deemed and taken to be the Governor thereof.

Definition of the title "Governor."

58. And We do further ordain and direct that at the expiration of two Calendar months next after the arrival within the said Island of these presents, or at such earlier period as the Governor for the time being of the said Island shall by a Proclamation to be for that purpose issued, appoint this Our Charter shall come into operation within the said Island, and from that time forward every Suit Action Complaint Matter or Thing which shall be then depending before any Court administering Justice by Original or Appellate in the said Island and its Dependencies shall and may be proceeded upon in which it ought to have been instituted or to which it ought to have been Appeal if it had been instituted or carried up in Appeal after the time Provisions herein contained shall have come into operation, and all Proceedings hereafter be had in such Suit Action Complaint Matter or Thing respectively conducted in like manner as if such Suit Action Complaint Matter or Thing instituted or carried up in Appeal in or to such last mentioned Court, and all Punishments and Proceedings whatsoever belonging or pertaining to any such Suit Action Complaint Matter or Thing shall, when the Provisions herein contained shall have come into operation, be delivered over by the Court in which such Suit Action Complaint Matter or Thing shall be then depending, to the Court in or to which such Suit Action Complaint Matter or Thing ought to have been instituted or carried up in Appeal if it had been instituted or carried up in Appeal after the time when the Provisions herein contained shall have come into operation.

Governor to fix the time at which the Charter is to come into operation, when all Suits pending are to be transferred to the new limits.

We do hereby strictly charge and command all Governors, Commanders, Magistrates, Officers Civil and Military, and all Our Liege subjects within and belonging to the said Island and its Dependencies, that in the execution of the several Powers Jurisdictions and Authorities hereby granted made given or created, they be aiding and assisting and obedient in all things as they will answer the contrary at their peril.

All persons to aid in the execution of the Charter.

60. Provided always, that nothing in these Presents contained or any Act which shall be done under the Authority thereof; shall extend or be deemed or construed to tend to prevent Us Our Heirs and Successors by any other Letters Patent to be granted or Them from time to time for that purpose issued under the Great Seal of the United Kingdom, from revoking this Our Charter or any part thereof or from making such further or other Provision for the Administration of Justice throughout the said Island and its Dependencies at Our and Their Will and Pleasure as circumstances may require; We meaning and intending fully and absolutely to all intents and purposes whatsoever, to reserve to Ourselves Our Heirs and Successors such and the same rights and powers in and over the said Island and its Dependencies, and especially touching the Administration of Justice therein and all other Matters and Things in and by these Presents provided for, as if these Presents had not been made, any thing in these Presents contained or any Law Custom Usage Matter or Thing notwithstanding to the contrary in any wise notwithstanding.

Reservation of right to revoke and amend the Charter.

In witness whereof We have caused these Our Letters to be made Patent, witness Ourselves at Westminster the Eighteenth day of February in the third Year of Our Reign.

BY WRIT OF PRIVY SEAL.  
BATHURST.

### REGULATION.

*To obviate doubts of the District Courts having succeeded to all the functions, whether Judicial or otherwise, heretofore exercised by the Provincial and other Courts; as well as of the Government Agents possessing all the powers previously exercised by Collectors or Agents of Government or the Revenue Commissioner in Kandy.*

WHEREAS by His Majesty's Charter or Letters Patent bearing date at Westminster the 18th February 1833, (which Charter His Excellency the Right Honble the Governor by Proclamation bearing date the 31st day of August last past, has declared shall come into force and operation on the 1st day of October now next ensuing) the Courts at present exercising jurisdiction in this Island, and

Regulation No. 6 of 1833.

REGULATION No. 6 of 1833.

known respectively by the names and titles of the Provincial Courts, the Courts of the Sitting Magistrates, of the Judicial Commissioner, of the Judicial Agent, of the Agents of Government, the Revenue Courts, and the Court of the Sitting Magistrate of the Mahabaddé, will be abolished, and will be replaced throughout the Island by District Courts to be established in pursuance of the said Charter, which will exercise the Judicial functions now exercised by the Courts so to be abolished as aforesaid—And whereas by various Regulations of Government many powers and authorities are conferred and many duties imposed on the Provincial and other Courts above enumerated, of which powers, authorities and duties, some are partly of a Judicial nature, and partly not, and others are of a nature wholly different and distinct from a Judicial character: And it might therefore often become a matter of doubt whether such powers and authorities can legally be exercised by, and whether such duties do properly devolve upon, the District Courts so about to be established:

All powers (i.e., judicial or not, vested in District Courts.

1. For removing therefore all such doubts, it is hereby declared by the Right Honble the Governor and Council, that from and after the present month of September, all powers and authorities which in and by Regulations of Government, or by any other Laws now in force in this Island, have been conferred, and all duties which have in like manner been imposed on the said Courts so about to be abolished, or on the Judges thereof respectively, shall, and may be exercised by the District Courts about to be established, and all Acts done, and Orders issued, by such District Courts, or by the Judges thereof, in pursuance of such powers and authorities, or in the execution of such duties, shall be good, legal and valid, to all intents and purposes, as if such Acts had been done or Orders issued by the Courts or Judges particularly named in the Regulation or Law conferring such powers and authorities, or prescribing such duties respectively. And all persons who shall fail or neglect to observe any provisions of such Regulation or other Law, or who shall disobey any of a District Court or Judge, made in pursuance thereof, shall be liable to the same penalties as if such failure, neglect or disobedience had been committed towards, or in respect of, any of the Courts of the Island now in existence.

Powers of Collectors, &c., vested in Government Agents.

2. And whereas, by Instructions received from His Majesty's Government, it is directed that those Public Officers who have heretofore been known and designated in this Island by the title of Collectors and Agents of Government, the Revenue Commissioner in Kandy, shall henceforth be called Government Agents. It is therefore hereby further declared and enacted, that all powers and authorities which by any Regulations of Government, or any other Law have been conferred on Collectors or Agents of Government or the Revenue Commissioner in Kandy, or their Assistants, and all duties which have been in like manner imposed upon them, shall be respectively exercised and performed by the Government Agents, now or hereafter to be appointed, or their Assistants.

*Given at Colombo, this Nineteenth day of September, One Thousand Eight Hundred and Thirty-three.*

By Order of the Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Col. Secretary.*

The above Regulation "For obviating doubts of the District Courts having succeeded to all the functions whether Judicial or otherwise heretofore exercised by the Provincial and other Courts, as well as of the Government Agents possessing all the powers previously exercised by Collectors or Agents of Government or the Revenue Commissioner in Kandy," having been read a first time this day, and the Council being of opinion that it is necessary that the same be passed prior to the 1st of October, when the Charter of 1833 will come into operation, and that this necessity justifies a departure from the general Rule laid down on the 13th day of December 1831—It is ordered by the Right Honble the Governor and Council that the same be passed and published forthwith.

By Order of the Governor and Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

Colombo, 19th September, 1833.



## REGULATION.

REGULATION No. 7 of 1833.

*For continuing in the Loan Board the Powers now vested in it by Law; and for extending its operation to the District Courts established by the Charter of 18th February 1833.*

**W**HEREAS in the year 1824, a certain Board called the Loan Board was established at Colombo, for the purpose of carrying into execution an arrangement proposed by the Judges of the Supreme Court, and sanctioned by His Majesty's approbation, for lending out on interest the monies belonging to suitors in the said Supreme Court, and to the estates of intestates under the administration of the Registrar of the said Court, lying in deposit in the public Treasury of the said Board, in the exercise of the authorities vested in it, has been found to have afforded much advantage to the parties interested in the money so lent out, by giving them a reasonable rate of interest, without loss or hazard. And whereas His Majesty's Charter of the 18th February 1833, the original Jurisdiction formerly exercised by the Supreme Court, will be transferred to the District Courts established in pursuance of the said Charter; whereby the administration of the said monies and estates will devolve on the District Courts, to whose Jurisdiction the suitors and estates will respectively be subject, and such suitors and estates will, in many instances, lose the advantage which they at present derive from the said money being so lent out on interest, unless authority, similar to that which is now exercised by the Loan Board at Colombo, be vested either in one general Board for the whole Island, or in some person or persons in each of the Districts. And whereas it will greatly tend to the advantage of the parties interested, and to the security of the monies and estates under the administration of the said District Courts, if the said institution now in operation be made available to the District Courts in the Island, under the general superintendance and control of the said Supreme Court as heretofore:

Loan Board would become inoperative by the new Charter.

1. Be it therefore enacted by the Right Honble the Governor and Council, that from and after the 30th day of the present month of September, the Loan Board, as at present composed, or as the same may hereafter be composed by the Governor, by Letters Patent under the Great Seal of the Island, shall and may exercise the like powers and authorities over the monies now under their administration, or which may hereafter come under their administration, as they now by Law may legally exercise; subject to all Rules and Regulations which have been passed for directing the mode of such administration, or which may hereafter legally be passed in that behalf.

Its powers continued;

2. And in order to give a more general and extended effect to the operations of the said Board, and to prevent the monies belonging to suitors in the several District Courts of the Island or to estates of intestates under the administration of the persons appointed by the said Courts for that purpose, from remaining unused and unproductive to the parties severally interested therein. It is hereby further enacted, that at the end of the month of October in the present year 1833, and at the end of each and every following month, the Government Agent of each Province in the Island shall transmit to the Colonial Treasury at Colombo the balance, if any, which at the end of every such month shall be in his hands, to the credit of each and every District Court within his Province, or if such balance be in favor of such Government Agent, in account with any of the District Courts within his Province, he shall then draw upon the said Colonial Treasury for the amount of such balance. And all suitors and other persons entitled to the monies so transmitted to the Colonial Treasury, shall be entitled to the same advantages and interest, subject to the same conditions as the monies now under the administration of the said Board are entitled and subject to, or to which they shall become entitled and subject, by any Rules to be duly made in that behalf by the Supreme Court, with the sanction of Government, or by Legislative enactment, if they should be of a nature to require such authority.

And extended to the District Courts.

3. And it is further declared and enacted, that no Bond or Obligation or any other instrument or document whatever which shall be required for the borrowing,

No stamps necessary.

REGULATION No. 7 of 1833.

lending, securing, or repayment of any sums from by or to the said Loan Board, shall be subject or liable to any Stamp duty.

*Given at Colombo, this Twenty-third day of September, One Thousand Eight Hundred and Thirty-three.*

By Order of the Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Col.*

The above Regulation, "For continuing in the Loan Board the Power *shall be* in it by Law, and for extending its operation to the District Court *shall be* " by the Charter of 18th February 1833," having been read a *shall be* day, and the Council being of opinion that it is necessary that the *shall be* prior to the 1st of October, when the Charter of 1833 will come *shall be* into operation, and that this necessity justifies a departure from the General Rule *shall be* laid down on the Thirteenth day of December 1831: It is ordered by the Right Honble the Governor and Council that the same be passed and published forthwith.

By Order of the Governor and Council,

P. E. WODEHOUSE,

Colombo, 23d September, 1833.

## REGULATION.

*(Repealed by Ordinance No. 6 of 1834.)*

*For Repealing Regulations No. 1 of 1821 and No. 7 of 1822, and for providing another course for the production of official documents as Evidence.*

Regulation No. 8 of 1833.

**W**HEREAS the Regulation of Government No. 1 of 1821, "For declaring in what manner, Copies or Extracts from documents of public record in the public Offices of Government may be procured, and the validity of the same as Evidence," as amended by Regulation No. 7 of 1822, may be found productive of inconvenience, by retarding the due administration of justice: And whereas the objects thereby proposed may be attained in a manner equally beneficial to the public, by leaving the question of admissibility in evidence of official documents to the ordinary course of legal decision, like other questions of evidence: It is therefore hereby enacted, by the Right Honble the Governor and Council that the said Regulations No. 1 of 1821, and No. 7 of 1822, shall be from henceforward, and the same are hereby repealed.

2. And it is further enacted, that whensoever it shall happen that a party to a suit or to a Criminal prosecution in any of the Courts of this Island, shall consider that any papers or other documents in any of the Offices of Government in this Island are necessary for the support of his case, it shall and may be lawful for such party to apply for and obtain from the Court, in which such suit or prosecution shall be pending, the usual process or Citation in the nature of a *Subpoena Ducus Tecum*, directed to the principal Officer of Government or other person in whose charge or custody or under whose control the papers or documents required shall be; and such Officer or other person shall produce or cause the same to be produced in Court on the day specified in such Citation or Subpoena, any thing in the said Regulations, or in either of them, or in any other Rule or Custom to the contrary hereof notwithstanding.

3. But in order to prevent the publication of official papers or documents, where such publication would be productive of detriment to the public interest: It is further enacted that it shall and may be lawful for such Officer or other person, before he produces such official papers or documents to be read in evidence, to object to such production, stating the grounds of his objection for the consideration of the Court. And if the Court shall be of opinion that the publicity to be given to such papers or documents, by their being so received in evidence, would be injurious to the public interests, or that from the confidential nature of them, or from other circumstances, it would be improper to receive them without the permission of Government, for that purpose first had and obtained, such opinion shall be recorded, and such papers or documents shall not be received in evidence, until the party requiring their production shall be furnished with such permission, or unless such decision be reversed by the Supreme Court as hereinafter provided. Or if the Court shall be of opinion that no such objection exists to receiving such papers or documents in evidence, such opinion shall in like manner be recorded, and the papers or documents shall be received in evidence, unless such decision be reversed by the Supreme Court as hereinafter provided.

4. Provided always, that if the party requiring such evidence shall be dissatisfied with the decision of the Court rejecting the same, on the grounds alledged for such rejection; or if the Officer or other person called upon to produce such papers or documents shall be dissatisfied with the decision of the Court in favor of admitting them in evidence, in either of such cases, the Court shall suspend the carrying such its decision into execution, until reference shall have been made to the Supreme Court on the subject, which reference the District Judge shall forthwith cause to be made, without waiting for an appeal in the regular form.

REGULATION No. 8 of 1833.

5. And to avoid the inconvenience which would arise, from the originals of official papers or documents being detained for any length of time from the Offices to which they may respectively belong. It is hereby further enacted, that in any case in which such papers or documents shall be received in evidence, if the Officer or other person producing them shall state that the public service requires that they should be returned to such Office, the Court shall, after the originals shall have been inspected by the respective parties, direct that copies be taken thereof, which copies shall be filed in the case, and shall be held to be good and legal evidence, and the originals shall be returned to the Officer or other person producing them.

Colombo, this Twenty-third day of September. One Thousand Eight Hundred and

By Order of the Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Colonial Secretary.*

The above Regulation "for repealing Regulations No. 1 of 1821 and No. 7 of 1822, and for providing another course for the production of official documents as evidence," having been read at a public meeting of the Council on the 23rd day of September, 1833, and the Council being of opinion that it is necessary that the same be put into operation on the 1st of October, when the Charter of 1833 will come into operation, and that the departure from the General Rule laid down, on the Thirteenth day of December, 1832, be ordered by the Right Honorable the Governor and Council that the same be forthwith.

By Order of the Governor and Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

Colombo, 23d September, 1833.

## REGULATION.

(Repealed by Ordinance No. 2 of 1835.)

To provide for the case of Cattle, Goats, and Sheep, found straying within the Gravets of Colombo, Galle, Matura, Trincomalie, Jaffna, or Kandy.

REGULATION No. 9 of 1833.

WHEREAS it is expedient to prevent the mischief, annoyance, damage and danger, occasioned by stray Cattle, Goats, and Sheep, within the Gravets of Colombo, Galle, Matura, Trincomalie, Jaffna and Kandy.

1. It is therefore enacted by his Excellency the Right Honble the Governor and Council that it shall be lawful for any person to seize any Cattle, Goats, or Sheep found straying within the Gravets of Colombo, Galle, Matura, Trincomalie, Jaffna, or Kandy, and to take the same to the nearest Constable or Police Vidahn, who shall forthwith report the circumstance to the District Judge; and the Judge shall cause such stray Cattle, Goats, or Sheep to be impounded, and public notice thereof to be given in the usual manner.

2. And it is further enacted, that if at any time within 8 days inclusive, from the date of such public notice, the owner of such stray Cattle, Goats, or Sheep shall appear, he shall not be entitled to receive the same back, but upon payment of reasonable expenses, to be assessed by the convicting Judge, for keeping the same and of any damage which shall be proved to the satisfaction of such Judge to have been done by the Cattle, Goats, or Sheep so straying, together with one-tenth of the value thereof, to be assessed in like manner, such tenth to be paid over to the finder of the Cattle, Goats or Sheep, if he shall appear to have acted *bona fide* and without fraud; the amount of such expenses for keeping the same to be paid over to the Government Agent for the use of Government and the amount of damage, if any, to the party injured.

3. And it is further enacted, that if no claimant of such stray Cattle, Goats, or Sheep, shall appear, within eight days from the date of such public notice inclusive, or if a claimant shall appear and refuse or neglect to pay such expenses, damages and tenth as hereinbefore provided, within a reasonable time, the convicting Judge shall cause such Cattle, Goats or Sheep to be publicly sold, as Government property, to the highest bidder, for ready money, one-half of the proceeds thereof, after satisfying such damages as may be proved as above directed, to be paid over to the

REGULATION No. 9 of 1833.

finder, if he shall appear to have acted *bona fide* and without fraud, and the remainder to the Government Agent for the use of Government.

*Given at Colombo, this Twenty-third day of September, One Thousand Eight Hundred and Thirty-three.*

By order of the Council,

P. E. WODEHOUSE,  
*Secy. to Council.*

By His Excellency's Command,

P. ANSTRUTHER,  
*Colonial Secretary.*





**A P P E N D I X .**



# CAPITULATION

BY

## THE PORTUGUESE TO THE DUTCH.

---

**A**RTICLES proposed for the cessation of hostilities by the Portuguese to the Dutch.—(Extracted from the History of Ceylon, by the Rev. Philippus Baldæus, Minister of the Gospel in the Expedition).

On the 11th May 1656, about 8 o'clock in the morning, the Deputies of the Portuguese, named Laurenço Ferreira de Britto, late Capiteyn Moor of Point de Galle, F. J. de Luçena Vavares, late Collector of the Revenue of Colombo, and Diego Leitão de Souza, private Secretary of this place, delivered the following Articles which they requested may be granted and approved.

### I.

They shall wait for provision and succour, till the 20th of this month, and if they are by that time at the Town of Bahia, and be strong enough to raise the siege of the Town, all and every negotiation shall, in consequence, become of no effect;—in the mean time, there shall be a cessation of hostilities on either side, nor shall the least enmity be shewn; Provided, nevertheless, that no intercourse or communication shall be had, but with persons passing and repassing; for which purpose hostages shall be given on both sides.

### II.

In case of the surrender of the Town, the Churches and Images shall be treated with all honour. The Ecclesiastical persons and the Clergy shall be permitted to take with them, freely and without hindrance, all Images they may wish and desire, together with the relics, consecrated vessels, silver lamps and ornaments, and all things appertaining to Religious worship, and to the Churches, including the moveable property which each of them has in his possession.

### III.

The persons of the Generals, Anthonio de Souza Continho, and Francisco de Melo de Castro, and of the son of Anthonio de Souza Continho, shall be treated with due honour and respect; and they may freely depart from this Town with all their moveable property, gold, silver, rings, precious stones, &c. and with all their servants and Portuguese pages, as also their free servants, and male and female slaves; and they may reside in their houses until embarkation, but under the protection of the General of our state, who shall provide them (at their expense) with the necessaries of life, during the time of their residence here, and with necessary articles for their voyage, and procure also suitable ships for the safe conveyance of them and their families.—That the ships shall be furnished with able sailors, arms and ammunition of war and every thing requisite both for war as well as the sea; and this shall take place whenever the said Generals shall be in readiness to depart.

### IV.

The Captain of the Town, the Captain Moor of the Camp, the Senior Merchant, Serjeant Major, and the family of the Captain who died lately, shall be treated in the same manner and fully as well as the two Generals.

## V.

The Captain of the Infantry and those on half pay, and all other Officers superior as well as inferior, shall be allowed to march out with their badges of office, colours flying, drums beating, matches lighted, and guns shotted, and with all their property; and they shall be provided with Vessels to convey them to India or to the opposite coast; and the Governor of the Netherlands shall maintain them at this place with the funds that shall remain here for the King of Portugal, and if there be no funds, the expenses shall devolve upon the Hon'ble Company until their departure. They shall also not be allowed to be molested either by water or by land.

## VI.

In like manner, the *Ovidoor*, Judge and other Officers of the Chamber, the Senior Merchant, the Alcalds Moor, and the Superintendent of the King's effects, shall enjoy the same liberty and privileges which have been required for the Captain of the Town and Field.

## VII.

The Nobles, Chevaliers, and principal Burghers of the Town, as also the married persons and other Inhabitants shall be allowed to enjoy the same privileges as shall be granted to the Town and its Captain; and in case any of them shall be desirous of remaining under the obedience of the Netherlands Government, they shall be allowed to have free and undisturbed possession of their houses, goods, villages, and whatever else may belong to them, and shall be treated as natural born Dutchmen. With respect to their religious worship, a Church with Priests shall be provided for them, together with the Clergy shall be allowed to exercise their religious services, and unmolested; and those who shall afterwards be desirous of proceeding to the shore or coast of India, shall be allowed to sell and alienate their moveable moveable property freely and unmolestedly, and vessels shall be provided for the transport of themselves and their effects as stated before, excepting those who have ships of their own, and trade with them to various places, and who shall pay duty as they have hitherto done.—Further, the Inhabitants who remain at this place, shall be at liberty to live and provide for themselves in the manner above recited.

## VIII.

The Merchants and Strangers, Europeans as well as Natives, who have arrived at this Town with their vessels from various places, for the purpose of Trading, shall be permitted to carry with them their moveable goods, gold, silver, and merchandize, which they have purchased, and especially the Cinnamon of the King or of the Town, as well that which has already been shipped as that which may yet be shipped on board; and they shall moreover be supported and a passage provided for them at their own expense; and in case they shall be in want of mariners, they shall be furnished with such.

## IX.

In like manner, the coloured Inhabitants of this place, both married and unmarried, and strangers of all classes, shall be allowed to enjoy the same privileges as have been asked for the Portuguese Burghers and married people.

## X.

The Modliars, Aratchies, and Lascoreens, who have hitherto served the Portuguese, whether they have come to us from the service of the Netherlands Company, or from that of His Majesty, shall be allowed to proceed (without any hindrance) to what ever place they please.

## XI. AND XII.

Likewise, the crime committed by Simon Lopes de Basto, a Portuguese, who has served the Dutch for some time, shall be forgiven, and he shall be allowed to proceed in company with the Generals. The offences committed by Dutchmen who have taken up arms on our side, shall not be imputed to them, but they shall be allowed freely to depart together with our soldiers.



## XIII.

That all sick and wounded soldiers and married people shall be allowed to remain in the Hospital until they be cured and restored to health, and that they be provided on their voyage (if it cannot be done at the expense of the King) at the expense of the Hon'ble Company.

## XIV.

At the surrender of the Town, and when the Dutch shall take possession thereof, the Hon'ble the Governor shall prevent any harm, violence or disrespect being done or shewn to the Generals and the principal persons. The soldiers and married persons with their wives and children shall in like manner be protected from molestation, and remain under the protection of the Governor, either within or without the Town, in safety and security, so that they may not be attacked by the people of the King of Kandy.

(Signed) ANTHONIO DE SOUZA CONTINHO.

The answer of the Governor and Chief Officers of the Dutch Army given in the name of His Imperial Majesty of Ceylon and the High and Mighty Lords, the States General of the Free United Netherlands, the Hon'ble the Directors of the East India Company, and the Hon'ble the Governor General Joan Matsuyker, and the Hon'ble Council of India, to the proposals and request of the Chief Commanders of the Fort of Cochin, made through the Deputies of their Council;

the surrender shall be made before noon, and thereupon the privileges herein mentioned shall be granted.

Clergy shall have all the privileges mentioned in the second Article, and their departure two suitable places shall be provided for them.

As to the third Article, the Governor answers, that it is not possible for certain reasons, to transport the Generals to Tutucoreen or Manaar, at the present time; but that they shall be sent thither, or to Cochin, or Wingwella, on the first opportunity; but if they wish to go to the Coast of Coromandel, they shall be sent within fifteen days, in the ships of the Company; and shall be allowed to carry with them their male and female slaves as well as those of Mr. Christovan de Souza, and their servants; and it shall be left to their honour, not to take away anything else. They shall also be at liberty to carry with them all their property, gold, silver, rings, and precious stones; and until their departure, they may remain in their houses as required by the aforesaid Article.

The Officers referred to in the fourth Article, shall be treated and protected according to their dignity against all insult and molestation, and they shall be at liberty to take with them, from the Port, all their gold and silver articles, money, linen, and wearing apparel, and as regards male and female slaves, they shall be treated agreeably to their condition. By wearing apparel shall also be understood, bedding, carpets, quilts, blankets, and curtains.

The Captains in command, and those on half pay, of the Infantry, shall march out with their arms; and shall also proceed to the Coast of Coromandel, and shall be treated according to their ranks. They may also take with them so much of the goods and as many slaves and free servants as the Governor in his discretion shall be pleased to permit.

The Infantry shall march out with all their goods, with colours flying, matches lighted, guns shotted, and drums beating, and proceed to the Governor's house, and there lay down their arms at the foot of the standard. They shall then be sent under proper treatment to Europe. Those who are married and their descendants by natives of India, shall also proceed to the Coast of Coromandel; and as long as they remain here, they shall be maintained by the Hon'ble Company.

The Officers alluded to in the sixth Article, shall receive the same favours and liberties as are granted to other persons of distinction, and the Captain of the Town, and the Senior Merchant shall be included among them.

All those who remain subject to the Dutch arms, shall be treated with all kindness and courtesy; and they shall remain in the peaceable possession of their goods; but in the event of their departure at any time, from this country, their property shall be at the disposal and discretion of the Governor.

The respectable Burghers and married Portuguese, and their children who do not wish to remain in this Island, shall, at their departure, be treated in the same manner as the other Officers; but the married people and those born in the Island, shall be treated at the discretion of the Governor. The European and Native merchants, and other foreign traders, who from time to time have settled at this place for the purpose of trading, shall proceed to the Coast of Coromandel, with the like assistance and liberty as are granted to other Officers.

The Modliars, Aratchies, and Lascoreens, with their adherents, shall be treated with the same kindness as our own people.

All sick and wounded persons, soldiers and married people, who are in Hospital or elsewhere undergoing medical treatment, shall be allowed to remain there until they have recovered and shall have all things demanded on their behalf.

All Officers, married persons, privates and unmarried ladies, shall remain under the protection of the Governor, without the least harm being done to them by person.

It is further decided by the Governor, that the ships and vessels which may arrive up to the 30th of this month, for the succour of this Fort of Colombo, shall be informed of the surrender of this Town, and be requested to depart; and they shall be protected until they are out of sight of Colombo.

Thus done, on Thursday the 11th May, 1656.

ADRIAN VANDER MEYDE,  
JAN VANDER LAAN,  
PIETER DE BITTER,  
EDWARD OOMS,  
YsBRANDT GODSKENS.

Adrian Van der Meyde, Governor, on behalf of The Honble The East India Company in the Island of Ceylon, and the other members of our Hon'ble Council; WHEREAS the Deputies have, within the time above appointed, arrived with the resolution of the General Anthonio de Souza Continho and his Hon'ble Council, bringing the Capitulation duly approved of by them: We do therefore hereby promise fully and completely to fulfil the above Articles, and to afford such further assistance and protection as may lie in our power. The tokens whereof, We the abovenamed, as well as the said Deputies, have signed hereunder.

*Given at the Dutch Camp at Colombo, on the 12th May, 1656.*

ADRIAN VANDER MEYDE,  
J. VANDER LAAN,  
PIETER DE BITTER,  
EDWARD OOMS,  
YsBR. GODSKENS,  
JOHANNES HARTMANN.

ANTHONIO DE SOUZA CONTINHO,  
FRANCISCO DE MELO DE CASTRO,  
ANTHONIO DE SILVA,  
GASPER DE RONGA PEREIRA,  
LAURENCO FERREIRA DE BRITTO,  
HIERONYMO DE LUCENA TAVARES,  
DIEGO LEITAO DE SOUZA.

# INDEX

## TO THE LEGISLATIVE ACTS OF THE DUTCH GOVERNMENT OF THE ISLAND OF CEYLON.

### VOL. I.

- Proclamation.*—Ordering the inhabitants to report the number of their Slaves to the Commissioners appointed for that purpose; and forbidding the Portuguese to emancipate their Slaves on pain of punishment. *June 19, 1656, p. 1*
- „ Prohibiting the opening of Shops on Sundays and holydays; and of carrying on trade on pain of a fine of *Rds. 6* for every offence, and *Rds. 3* for those who are found at such places. *Sep. 8, 1657, p. 5*
- „ „ Prevention of concubinage. *May 30, 1641, p. 9*
- „ „ Ordering persons who bring articles for sale to Garrison being molested, on pain of corporal punishment. *July 15, 1642, p. 13*
- „ Prohibiting Military men from stopping behind when on march, or leaving their station without special consent, on pain of death. *Sep. 23, 1652, p. 17*
- „ Prohibiting Military men from selling or exchanging any Arms entrusted to them. *April 1, 1643, p. 21*
- „ Prohibiting fighting with Weapons. *June 1, 1643, p. 25*
- „ Prohibiting absence from the Guard at night without leave of the Officers, on pain of being punished as deserters. *Aug. 4, 1643, p. 28*
- „ Prohibiting the selling of Arrack after 9 o'clock in the evening, on pain of a fine of 2 reals of 8*d.* and being employed at hard labour. *Jan. 27, 1646, p. 33*
- „ Ordering all persons walking in or out of the town to wear swords on pain of forfeiting a real. *Nov. 9, 1646, p. 37*
- „ Prohibiting the purchase from Military men of their rations, on pain of paying *Rds. 25* for the first, *Rds. 50* for the second, and of receiving corporal punishment for the third offence, *Jan. 5, 1652, p. 41*
- „ Prohibiting holding free persons as Slaves though they came from the enemy, on pain of their being set at liberty. *March 28, 1652, p. 45*
- „ Prohibiting stealing of cattle, or misusing them. *Sep. 8, 1657, p. 49*
- „ Prohibiting purchasing or selling by any other measure than those given out by Government, and under its mark, on pain of a fine of 25 reals. *Sep. 10, 1657, p. 53*
- „ Prohibiting gambling on pain of punishment. *Nov. 10, 1643, p. 57*
- „ Prohibiting the purchase of clothing from Military men, on pain of having to return the same, and receiving punishment. *Nov. 7, 1643, p. 61*
- Ordinance.*—Interdicting the deportation of Slaves, male or female, without their consent, on pain of receiving corporal punishment. *July 8, 1658, p. 75*
- Proclamation.*—Prohibiting the purchase of clothing from Military men, on pain of having to return the same, and receiving punishment. *May 9, 1658, p. 71*
- „ Prohibiting Military men from molesting the inhabitants, on pain of severe correction. *July 29, 1658, p. 88*
- „ Prohibiting the deportation of Slaves from this Island. *March 19, 1659, p. 92*
- Notification.*—Explaining the enactment touching the ill-treatment of Slaves. *Aug. 29, 1659, p. 102*
- Proclamation.*—Prohibiting Moormen from residing within the Jurisdiction of Galle, Matura, and Belligam, on pain of punishment. *Oct. 14, 1659, p. 107*
- Ordinance.*—For the Burghers, and prescribing their oath. *April 16, 1659, p. 107*
- Regulation.*—For the Military Troops of Ceylon. *Nov. 14, 1659, p. 113*
- Proclamation.*—Prohibiting stealing Rice, and purchasing and selling Cinnamon, on pain of death. *Nov. 14, 1659, p. 128*
- „ For introducing the German language. *Nov. 14, 1659, p. 129*
- Regulation.*—For preventing the traffic in Salt. *July 10, 1660, p. 130*
- Proclamation.*—Declaring Portuguese Coin not current. *July 10, 1660, p. 132*
- „ For preventing Fornication; and respecting Salt. *Nov. 19, 1659, p. 133*
- „ Interdicting the sale and alienation of Singhalese and their estates. *p. 141*
- Regulation.*—For the Military. *Nov. 21, 1661, p. 150*
- Ordinance.*—Respecting the private alienation of immoveable property. *March 2, 1661, p. 155*
- Proclamation.*—Ordering every one to remain in his native country. *Aug. 7, 1663, p. 165*
- „ Prohibiting the stealing and selling of Cinnamon on pain of death. *Sep. 18, 1663, p. 167*
- „ Preventing Slaves belonging to Moormen wearing the dress of a Moorman, with a cap or other head cloths, on pain of their masters being liable to pay a fine of 20 reals. *May 19, 1664, p. 169*
- „ Interdicting the spoliation of Pearl banks, on pain of being banished for life. *1665, p. 170*
- „ Ordering Toepasses, Parwas, Chetties, Moormen, and Gentoos to have themselves registered on pain of being banished from this Island. *May 28, 1665, p. 171*
- „ Prohibiting the cutting down of fruit-bearing trees. *Aug. 17, 1665, p. 173*
- „ Containing a prohibition against selling Landed Property to Moormen and Hindoos. *Aug. 28, 1665, p. 175*
- Regulation.*—Respecting the sale of Provisions. *Aug. 19, 1665, p. 177*
- Ordinance.*—Prohibiting the owners of fields leaving them uncultivated, on pain of those lands being retaken by Government. *Aug. 23, 1666, p. 179*

**Ordinance.**—Against cutting earth, and building houses in the streets and roads.

March 2, 1666, p. 180

**Extract.**—From the Resolution passed by the Admiral and Council of Ceylon against killing Bullocks.

July 7, 1668, p. 183

**Proclamation.**—Prohibiting the purchase or sale of Gunpowder and Bullets on pain of death.

June 18, 1668, p. 181

**Extract.**—From the Resolution passed in the Fort of Colombo against selling, bartering, and alienating Grants without the special permission of Government, on pain of such Grants being null and void.

July 25, 1668, p. 185

**Proclamation.**—Prohibiting the accepting or giving out Pagodas, Bullion, and Spanish Dollars not having the ordinary weight.

Nov. 16, 1668, p. 185

**Extract.**—From the Resolution passed in the Council of Ceylon, prohibiting private Trade and Importation of goods without consent.

Sep. 25, 1668, p. 149

**Notification.**—To the Tavern keepers, prohibiting the sale of Country Beer on pain of forfeiting Rds. 50.

July 18, 1669, p. 190

**Interdiction.**—On the distilling of Cinnamon and Camphor Oil from the roots of Cinnamon trees.

Aug. 24, 1669, p. 196

**Ordinance.**—Prohibiting galloping on horseback or in chariots in the Fort or Town, on pain of paying a fine of Rds. 6.

July 4, 1670, p. 197

" Ordering the Streets to be kept clean on pain of a fine of Rds. 50.

Aug. 10, 1673, p. 199

" For reporting the number of male and female Slaves of each household to the Commissioners appointed for the purpose; and causing the owners of the said Slaves to appear before them, and prove their title to the same within the space of six weeks, on pain of forfeiting all the concealed Slaves, and being punished.

Oct. 7, 1673, p. 200

**Instructions.**—To the Assizer, and prohibition against Gold and Silver-smiths making anything for themselves, or for others, or making, selling, or delivering anything whatsoever of Gold without its being previously marked by the Assizer.

Sep. 1666, p. 205

**Renewal** of the Proclamation of the 7th August, 1663, with this alteration, that Slaves running away, and being apprehended will, for the first time be corporally punished, and branded; for the second time punished with death; and all persons assisting those Slaves in their escape will be liable to the same punishment.

April 17, 1679, p. 211

**Proclamation.**—For the Native Troops in Ceylon.

April 17, 1674, p. 212

" For the prohibition of trading in Tutucoreen Cloth by Government servants, on pain of dismissal from the service.

July 24, p. 214

" For prohibiting the traffic in Opium, Chaya roots, Thomback skins, Chancos, Arrekanut, Salt, and other contraband goods; and that Government servants, if convicted of having acted against this order, be dismissed from the service, and punished; that the said goods shall be confiscated according to the circumstance of the case; that natives, and other free inhabitants of Ceylon being found guilty thereof, shall forfeit, besides the said goods, Rds. 300; but that foreign natives, whether Merchants, Moormen residing in the Island of Ceylon or abroad, or any other persons, shall over and above the said fine and confiscation of goods, be banished from this Island; and in the event of their returning back, be put in chains for the term of five years.

Jan. 22, 1675, p. 214

**Advertisement.**—Respecting Bakers and Tavern keepers.

May 7, 1675, p. 225

**Ordinance.**—Ordering all persons having houses in Town covered with cadjan, to get the same covered with tiles, on pain of forfeiting the whole grounds; and that the street before each house be kept

clean; and that the Cattle be driven without the Fort for pasture, on pain of punishment, and forfeiting the same.

Feb. 12, 1676, p. 226

**Ordinance.**—Respecting Tavern and Arrack shop keepers.

Sep. 2, 1676, p. 263

**Proclamation.**—Interdicting the importation of Salt into this Island.

Nov. 3, 1676, p. 273

**Advertisement.**—Respecting the exportation of Slaves from Ceylon without a special license, on pain of forfeiting the Slaves, and being corporally punished.

Dec. 2, 1676, p. 275

**Ordinance.**—Concerning the sale of Country Liquors at a lower rate than what is fixed.

Aug. 13, 1677, p. 282

**Renovation** of the Proclamation of the 17th April, 1679, prohibiting the setting at liberty, selling and exporting of Slaves.

Aug. 13, 1677, p. 284

**Proclamation.**—Prohibiting the importation of private property from Tutucoreen in Government Vessels.

July 24, 1670, p. 288

" Respecting the Dress, Custom, Laws, and usages of the Cingalese in general; and the low castes in particular.

Aug. 11, 1686, p. 295

" Prohibiting the sale of Slaves to Gentoos and Mahometans on pain of punishment.

Dec. 28, 1657, p. 65

" Prohibiting the sale or purchase of free Cingal on pain of punishment.

Dec. 27, 1660, p. 65

" Ordering that Slaves deserting their masters be hanged on being apprehended.

Aug. 7, 1663, p. 164

## VOL. II.

**Proclamation.**—Declaring Abatjes and Drones not current.

Feb. 1670, p. 295

" Prohibiting injury to Trees in the Town of corporal punishment.

March 20, 1702, p. 9

" Prohibiting the grazing of animals (except of horses) in the streets within the Fort or Town, on pain of forfeiting the same, and paying a fine of Rds. 3.

March 20, 1702, p. 9

" For repealing the Proclamation of 21st March, 1702, touching animals grazing in the streets.

Aug. 15, 1703, p. 17

" Ordering that all natives shall proceed to their Corles and Patoos, on pain of being put to hard labour in chains for the space of three years.

Sep. 12, 1703, p. 17

" Prohibiting living in concubinage with male or female Slaves of the Company, on pain of being put in chains for the space of three years.

Jan. 11, 1704, p. 21

" Prohibiting the masters of small Dhonies or Canoes leaving the shore after 6 o'clock in the evening, and repairing to their respective Vessels, on pain of forfeiting a fine of Rds. 5; and approaching the Fort in the night time, on a fine of Rds. 25, and confiscation of the said Vessels and Canoes.

Jan. 17, 1704, p. 25

**Advertisement.**—Respecting Butchers, fixing the price of Pork and Beef; and also respecting Bakers and the price of Bread.

Sep. 22, 1704, p. 29

**Proclamation.**—Prohibiting the interment of corpses either of male or female Slaves without the knowledge of the Fiscal or Dessave, and prohibiting the employ of Government Slaves in private services, on pain of being fined.

Aug. 24, 1705, p. 37

" Interdicting the Cingalese, both inferior Headmen and common people, preferring their complaints to the Dessave, previous to the same being brought before their respective Headmen; and with regard to the Chalias, ordering that they should state their complaints to the Superintendent of the Cinnamon Plantation, previous to the same being brought before the Governor, on pain of being put in chains for the space of three years.

Feb. 20, 1706, p. 41

" Regarding all persons infected with Leprosy, that they will give information of their sickness, in order to be sent to the Leper Hospital; and

- prohibiting all infected natives and beggars coming to the Fort or Town, on pain of being whipped away by the Caffres, or servants of the Fiscal. *March 24, 1706, p. 53*
- Proclamation.**—Prohibiting the building of small Ola Houses or Huts on the plain without the Cayman's Gate, on pain of being punished. *Oct. 27, 1706, p. 61*
- " Ordering strangers arriving at Colombo (except those employed in the Coast Dhonies) to report their names to the Sabendhar, (Collector of Customs) on pain of being imprisoned as vagrants, and otherwise punished. *April 14, 1707, p. 65*
- " Declaring Shillings and double Stivers (Pice) on both sides of which the impression can be seen, current. *Oct. 15, 1707, p. 69*
- " Declaring that all persons found guilty of fraud or robbery of Government goods, shall be fined in *Rds. 25*, and receive corporal punishment. *Dec. 29, 1707, p. 73*
- " Prohibiting animals straying within the Fort, and in the Town, except Hogs having a ring in their snouts, on pain of being killed. *Jan. 26, 1708, p. 93*
- " Prohibiting the having of Slaves illegally in possession, or disposing of, and alienating them, likewise of selling liquors to the Slaves, on pain of paying heavy fines. *Jan. 20, 1708, p. 101*
- " Prohibiting the production of Documents without being written on stamped paper, on pain of corporal punishment, and of the same being void, and of no value. *Oct. 17, 1709, p. 109*
- " Respecting the Proclamation of the 27th January, respecting the prohibition against traffic in opium, and other contraband goods. *Dec. 19, 1709, p. 117*
- " Prohibiting every person, except the Tavern keepers of the Town giving lodgings to seafaring men, or any other travellers, on pain of being corporally punished, unless provided with a license from the Governor or Fiscal. *Feb. 20, 1710, p. 129*
- " Requiring the inhabitants of Jaffnapatam to give a list of their Landed Property to the Commissioners appointed for registering them, on pain of being put in chains. *March 10, 1710, p. 133*
- " Prohibiting the harbouring, or selling Arrack to the Military or seafaring men belonging to any homeward bound ship, on pain of being put in chains. *Nov. 28, 1710, p. 141*
- " Prohibiting Slaves or Servants being turned out of service on account of sickness, on pain of paying a fine of *Rds. 50*; and for the third offence, receiving corporal punishment. *April 27, 1711, p. 145*
- " Prohibiting Christians from Idolatry, on pain of being publicly whipped, and put in chains for the space of one year. *Jan. 6, 1711, p. 153*
- " Prohibiting the importation of Sapan wood into Jaffnapatam, on pain of being severely punished. *Feb. 7, 1712, p. 161*
- " Prohibiting the admission of Soldiers in the Taverns or Arrack shops after 6 o'clock in the evening, and the sale of Arrack to any person whomsoever after 9 o'clock, on pain of a fine of *Rds. 50*. *Dec. 30, 1712, p. 165*
- " Providing against giving false evidence, both in Criminal and Civil cases, on pain of being whipped, branded, and condemned to hard labour in chains. *May 8, 1713, p. 169*
- " Prohibiting Natives offending or assaulting Europeans in any manner whatsoever, on pain of being whipped, branded, and put in chains. *May 18, 1713, p. 173*
- " Prohibiting the carrying of Copper money from one place to another, throughout Ceylon, on pain of forfeiting the same. *Sep. 14, 1713, p. 177*
- " Prohibiting the sale, purchase, gift, or bartering of Gunpowder, on pain of death. *Nov. 6, 1713, p. 181*
- " Prohibiting the keeping of public or private assemblies or Conventicles by the Roman Catholics, on pain of a fine of *Rds. 100* for the first, *Rds. 200* for the second, and corporal punishment for the third offence. *Jan. 11, 1715, p. 185*
- Proclamation.**—Prohibiting the Christening of children by the Roman Catholic Priests. *Aug. 28, 1715, p. 197*
- " Renewing the Proclamation of the 5th October, 1697, entitled, "A Proclamation for prohibiting the selling Country Liquors in the Fort." *Aug. 31, 1716, p. 201*
- " Prohibiting Burghers leaving their place of residence without giving previous information thereof to their Captain, on pain of forfeiting a fine of *Rds. 6* for the first, *Rds. 20* for the second, and *Rds. 50* for the third offence, and further discretionary punishment. *Jan. 21, 1717, p. 205*
- " Prohibiting the exportation or sale of Cloth (of which the Company have not the monopoly,) without the same being previously stamped with the Company's Stamp, on pain of its being confiscated, and of paying a fine of *Rds. 25*. *Jan. 16, 1717*
- " Prohibiting the inhabitants of Tutucoreen (except licensed Tavern keepers) receiving strangers into their houses, and allowing them lodgings, on pain of punishment. *Feb. 27, 1717*
- " Prohibiting Coast Dhoney men importing white bleached Cloth, except Muslin, striped Linen, and coloured Handkerchiefs, on pain of confiscation. *June 28, 1718*
- " Prohibiting the killing of Oxen, Cows, and Buffaloes that might cause damages to the gardens and fields, with order to catch and tie them up for three days, and afterwards return them when claimed, to the owners, on receiving 12 Pice. *Feb. 7, 1719*
- " Interdicting the Company's servants deserting from the Batteries, on pain of death. *Nov. 7, 1719, p. 233*
- " Prohibiting the exportation of Silver Two-penny pieces from Ceylon without the consent of Government, on pain of *Rds. 2* fine for every Rix Dollar, intended to be exported.
- Advertisement.**—Warning the inhabitants to provide themselves with Firewood for six months. *Feb. 21, 1729, p. 241*
- Proclamation.**—For receiving and issuing Copper Doits as current Coin. *Aug. 8, 1731, p. 245*
- Advertisement.**—Prohibiting the throwing of dirt, &c., on the Streets, on pain of a fine of *Rds. 6*. *April 30, 1732, p. 249*
- " Prohibiting free women having carnal connexion with the Company's Slaves, on pain of punishment. *April 30, 1732, p. 261*
- Proclamation.**—Concerning those that are found guilty of Robbery, to be, for the first offence whipped and branded, and put to hard labour in chains for the space of twenty-five years, and for the second offence, to be hanged. *May 26, 1732, p. 269*
- Advertisement.**—For returning into the Treasury the Coin called Copper Doits, and issuing other Coin instead. *Oct. 30, 1732, p. 289*
- Proclamation.**—For receiving and issuing the current Coin called Copper Doits at a lesser rate than fixed by the Regulation of 8th August, 1731. *Feb. 5, 1733, p. 293*
- " Prohibiting the granting of lodging to Roman Catholic Priests, on pain of severe punishment. *March 25, 1733, p. 297*
- " Prohibiting the Monopoly in Rice, on pain of paying a fine of *Rds. 100* for the first, and double the amount for the second, and receiving severe punishment for the third offence. *March 30, 1733, p. 309*
- Ordinance.**—Prohibiting the trading in Spices. *June 29, 1733, p. 317*
- Proclamation.**—Concerning Burghers. *Dec. 29, 1733*
- " Ordering all Strangers arriving at Colombo to report their names to the Sabendhar, (Collector of Customs) on pain of being imprisoned and punished. *May 13, 1735, p. 350*
- " Prohibiting Contracts, or other dealing with Slaves, on pain of forfeiting *Rds. 50* for the first offence, and of being afterwards corporally punished. *June 8, 1715, p. 193*

## VOL. III.

- Advertisement.**—Prohibiting the exportation of Country Liquors, on pain of confiscation.  
*April 1, 1741, p. 1*
- Proclamation.**—Prohibiting the chipping of Coins, on pain of being severely punished.  
*Nov. 2, 1741, p. 3*
- Advertisement.**—Issued upon order received from the Lords the States General, containing prohibition against sending any Goods whatever to Europe.  
*June 15, 1742, p. 9*
- Proclamation.**—Prohibiting the purchase of Sugar from any except from the Company, on pain of forfeiture.  
*July 30, 1742, p. 17*
- Advertisement.**—Prohibiting sailing in the Lake of Colombo after sun-set, on pain of paying certain fines.  
*Sep. 4, 1742, p. 19*
- „ Containing a promise of impunity to those who shall point out any person that has given money to get an employment under Government.  
*Nov. 16, 1742, p. 21*
- „ For the prolongation of the Letters Patent granted to the East India Company.  
*Dec. 25, 1741, p. 23*
- Proclamation.**—Renewing the Regulation of the 13th May, 1735, ordering all Strangers to report their names to the Sabendhar.  
*July 12, 1743, p. 27*
- Advertisement.**—Prohibiting Hogs, or Cattle straying along the streets in the Fort, and in the Town, on pain of forfeiting the animal, and of paying a fine of *Rds. 3*.  
*Aug. 3, 1743, p. 29*
- „ Explaining the Regulations of the 6th August, 1742, and 31st January, 1743, respecting prohibition against exporting Arrekanuts.  
*Sep. 14, 1743, p. 31*
- Proclamation.**—Prohibiting the importation of Cloths for private persons in Government Vessels from the Coast of Madura, on pain of confiscation.  
*Nov. 30, 1743, p. 39*
- „ Renewing the Proclamation of the 20th February, 1706, touching Natives preferring their complaints.  
*Jan. 31, 1744, p. 43*
- Advertisement.**—Concerning Moormen, Chetties, and Parawas, that they do provide themselves with proper Certificates of their having been registered in the Oelian List, on pain of being put in chains; and that no Moormen, Chetties, Parawas, or Gentoos subject to Oelian duty, shall have the power of quitting the place without giving surety for the performance of his duty during the time of his absence.  
*Feb. 3, 1744, p. 49*
- Proclamation.**—Relative to persons possessing Government Grounds, on pretence of the same being their property, that information thereof be given to the Landraad within two months, on pain of punishment.  
*March 22, 1744, p. 57*
- Advertisement.**—That all Europeans, and other white people born in this country, either Company's servants or Burgliers possessing Lands as parvany, are to produce their Titles at the Chief Secretary's Office, in order to be registered, on pain of forfeiting their Lands, and paying a fine of *Rds. 25*.  
*April 8, 1744, p. 61*
- Proclamation.**—Respecting the inhabitants of Tutucoreen who have quitted their native place, that they do return to their respective places, and perform their usual duty, on pain of their habitations being given to be possessed by persons of other castes.  
*April 20, 1744, p. 73*
- Advertisement.**—Prohibiting Rice Merchants using any other parrahs than those impressed by the marks of the Assizer.  
*May 6, 1744, p. 79*
- „ Warning the inhabitants to prove the right and title to the Lands they possess before the Landraad, and to have them registered in the New Thombo, on pain of forfeiting such Lands as are not properly registered.  
*p. 95*
- Proclamation.**—Concerning the Commanders of Vessels, containing prohibition against allowing their Vessels to leave the Harbour without the special consent of Government, on pain of punishment.  
*Nov. 14, 1744, p. 117*

**Mandate.**—Requiring all the inhabitants of the Colombo District, and that of the Galle Corle, and Matura, to attend before their respective Headmen when called upon, for the purpose of performing their obligatory service, and having themselves registered in the New Thombo.  
*Oct. 15, 1744, p. 107*

**Advertisement.**—For preventing the Renters of the Pearl Banks selling their Oysters and Pearls at Arippe and Manaar, and allowing them to be exported to the Coast or elsewhere.  
*Dec. 1744, p. 119*

„ For taking back the Lands if not cultivated within the time stipulated, and for granting those Lands to other diligent cultivators.  
*Dec. 1, 1744*

**Proclamation.**—Prohibiting the sale of Gunpowder, Lead, and other Ammunition to the natives of this country, on pain of corporal punishment.  
*Dec. 3, 1744, p. 125*

„ Renewing the Proclamation of the 6th January, 1741, by which no other than the licensed Tavern keepers of the Fort are allowed to harbour strangers, &c.  
*Dec. 9, 1744, p. 131*

„ Concerning the Singhalese Headmen, requiring them to make regular Returns of Lands in their Districts to the Landraads, on pain of punishment.  
*May 20, 1744, p. 91*

**Advertisement.**—Concerning all the Moormen, Chetties, Hindoos, &c., and Parwas not registered in the Oelian List, requiring them to appear fourteen days at the Chief Secretary's Office in order to be registered, on pain of punishment.  
*Dec. 15, 1744, p. 138*

„ For the sale of two Government Vessels.  
*Dec. 8, 1744*

## VOL. IV.

**Proclamation.**—Prohibiting the mortgaging, disposing of, or in any wise alienating Service Parvany Lands, on pain of such mortgages, sales, &c., being declared void, and of no value.  
*Jan. 13, 1745, p. 1*

**Advertisement.**—Preventing the erection of Ola Mandooos, and the keeping of Arrack shops within the Fort, without a special License from Government.  
*Jan. 27, 1745, p. 3*

„ Prohibiting the erecting of Ola Huts in the Fort.  
*Jan. 27, 1745, p. 3*

„ Ordering individuals to deliver all Copper Doits into the Treasury, and to receive Pagodas and paper money instead.  
*Jan. 30, 1745, p. 6*

**Notification.**—To the Modliars of the Salpitte and Raygam Corle, and of the District of Cultura, requiring them to cause the necessary Bridges to be made in their respective Districts.  
*Feb. 1745, p. 9*

**Proclamation.**—Renewing the Proclamation of the 25th March, 1733, respecting the prohibition of baptizing children by Roman Catholic Priests.  
*Feb. 25, 1745, p. 16*

„ Relative to the Chiefs of the Corles, requiring them to state distinctly the number of Government Lands alienated by the inhabitants.  
*April 10, 1745, p. 25*

**Advertisement.**—Respecting the sale of several Government Houses.  
*May 19, 1745, p. 31*

**Notification.**—Prohibiting the sale and alienation of Grants in the Colombo District, without leave from the Landraad.  
*Oct. 9, 1743, p. 62*

**Proclamation.**—Prohibiting approaching the Pearl Banks and stealing Oysters, on pain of severe punishment.  
*Nov. 15, 1745, p. 77*

„ Requiring the Proprietors of Lands to cultivate their grounds within three years, on pain of those grounds being given to other active persons.  
*Nov. 15, 1745, p. 87*

**Ordinance.**—That the Corales do send in lists of the number, and the different castes who are obliged to perform Government service.  
*Dec. 30, 1745, p. 89*

**Proclamation.**—Containing prohibition against the

inhabitants of Negombo cultivating the Paddy-fields of the inhabitants of Pittegal Corle on receiving Ande and Ottoe. *Jan. 18, 1746, p. 105*

**Proclamation.**—Containing an order, that the country Gold Coin, *Derham Djavie*, be declared current at Batavia. *March 29, 1745, p. 110*

” Prohibiting Government Servants receiving money, or any thing else, under pretext of Paresse from the Natives. *April 12, 1746, p. 114*

**Ordinance.**—Containing an order that all the Land cases be decided before the Landraad.

*April 12, 1746, p. 119*

” Containing a prohibition against going from one place to another without leave, on pain of punishment. *Aug. 24, 1746, p. 123*

” Requiring the Proprietors of Lands to get their Lands registered in the New Thombo, on pain of forfeiting the same; and prohibiting the alienation of Service Parveny Lands.

*Sep. 15, 1746, p. 125*

**Advertisement.**—Renewing the Proclamation of the 3rd August, 1743, containing prohibition against leaving Hogs, or Cattle to stray in the streets of the Fort. *Sep. 27, 1746, p. 149*

” Prohibiting the discounting anything, or changing Pagodas for other Coin. *Feb. 25, 1747, p. 149*

**Proclamation.**—Recommending and encouraging the natives to plant Pepper. *April 5, 1737, p. 161*

**Notification.**—For declaring current the Pagodas at Negapatam, at the rate of *Rds. 2* each. *March 8, 1747, p. 165*

” Prohibiting the Divers of the Pearl Oysters selling one, on pain of punishment.

*March 8, 1747, p. 177*

” Government Grounds in the Districts of any will be given to any person who shall make application, for the purpose of planting.

*March 14, 1747, p. 181*

**Advertisement.**—For declaring a Coin called *Boeseroekoe* current. *p. 195*

**Proclamation.**—By the Governor General declaring a Silver Coin called *Dirham* current at Batavia. *April 21, 1747, p. 199*

**Advertisement.**—For establishing a Table of Fees according to which the Coast Dhonymen are to pay for the necessary Documents which they are obliged to take at Colombo and Galle.

*Sep. 18, 1747, p. 201*

” For contracting with Government for precious stones. *Dec. 7, 1747, p. 203*

VOL. V.

**Advertisement.**—Prohibiting Vessels that sail towards Colombo passing through Aripoo before touching Manaar, and taking there a clearance. *p. 1*

” For declaring current the new Negapatam Pagoda. *April 29, 1749, p. 3*

**Proclamation.**—Renewing the Proclamation of the 16th November, 1743, containing a prohibition against keeping Arrack shops, and smuggling, on pain of forfeiting *Rds. 50*. *Dec. 3, 1748, p. 12*

” Renewing the Proclamation of the 25th February 1745, containing a prohibition against granting lodgings to Roman Catholic Priests, on pain of severe punishment. *Aug. 10, 1748, p. 13*

**Notification.**—Prohibiting the receiving of the Coin called *Boeseroekoe* as currency.

*April 23, 1749, p. 18*

**Proclamation.**—Prohibiting the disposing of Slaves to Moormen or Gentooes, upon private Certificates or Olas. *June 20, 1749, p. 26*

” For renewing the Proclamation of the 13th March, 1683, requiring the owners of Slaves not being in the possession of proper Certificates, to get them regularly made out within six weeks after proving their title to their said Slaves.

*June 20, 1749, p. 27*

” Prohibiting the clearing of Jungles, without the same being previously inspected by a Commissioner. *Sep. 30, 1743, p. 28*

**Advertisement.**—Declaring the value of 108 new Negapatam Pagodas equal to *Rds. 200*.

*Nov. 18, 1749, p. 29*

**Notification.**—Requiring the Proprietors of Landed Property to produce the Title Deeds of their Lands before persons appointed, for the purpose of registering all the Landed Property in the District of Colombo, on pain of paying a fine of *Rds. 100*.

**Advertisement.**—Requiring all persons having any claim against the Singhalese Weeskamer, to make the same within six weeks, before the Commissioners appointed for the purpose.

*Sep. 30, 1750, p. 33*

**Notification.**—Respecting Government grounds between Galkisse and Caltura, granted for the purpose of planting. *Oct. 13, 1750, p. 34*

” Requiring all persons having claims upon the Boedelkamer of Negombo, to state the same to the Commissioners appointed for the purpose within eight days. *Nov. 20, 1750, p. 38*

” Requiring strangers arriving here to provide themselves with Licence for remaining at this place. *April 22, 1751, p. 39*

” Prohibiting the cutting of earth from the Dam between the Fort and the Pettah.

*April 21, 1751, p. 42*

” Prohibiting the cutting or lopping of Trees standing within the Fort. *June 20, 1751, p. 45*

**Proclamation.**—Prohibiting the intrusion of the Roman Priests; and holding private or public meetings, on pain of severe punishment.

*July 31, 1751, p. 50*

**Notification.**—Ordering Natives of the male sex, except Singhalese, to pay each *Rds. 12* a year, on account of Oelian duty. *Aug. 12, 1751, p. 59*

**Proclamation.**—Ordering all seafaring men to remain in the night time on board of their Vessels, on pain of imprisonment. *Aug. 11, 1751, p. 68*

**Advertisement.**—Fixing the rate of Silver Ducatoons, and Silver Rupees. *Nov. 6, 1753, p. 78*

**Proclamation.**—Ordering all seafaring persons to remain in the night time on board of their Vessels, on pain of being put to hard labour in chains.

*Aug. 14, 1755, p. 88*

” Renewing the Proclamation of the 6th January, 1741, and 9th December, 1744, enacting that no other than the Tavern keeper of the Fort shall lodge Marines or seafaring men and others.

*Aug. 8, 1755, p. 90*

**Advertisement.**—Declaring the Coin called *Boeseroekoe* not current. *Dec. 7, 1756, p. 96*

” Prohibiting the trade in blue Linen.

*Dec. 14, 1756, p. 98*

” Fixing the rates of Silver Ducatoons, and Silver Rupees. *Dec. 17, 1756, p. 102*

” Renewing the Proclamation of the 5th September, 1742, and 27th January, 1745, containing a prohibition against sailing in the Lake adjoining the Fort. *Dec. 30, 1756, p. 104*

**Notification.**—Declaring the Coin called blue Stivers current. *Jan. 8, 1757, p. 108*

” Prohibiting the cutting of earth between the Fort and the Pettah. *April 2, 1757, p. 115*

” Prohibiting the sailing in the Lake facing the Fort after sunset. *April 2, 1757, p. 116*

**Proclamation.**—Prohibiting the felling of any Timber in the Marandahn, on pain of paying a fine of *Rds. 200*, or of being imprisoned at hard labour in chains for 25 years. *April 12, 1757, p. 117*

” Prohibiting the sale of Liquors to Slaves; and gambling. *May 31, 1757, p. 122*

” Prohibiting individuals from encouraging and assisting Slaves in making their escape, on pain of being corporally punished. *May 31, 1757, p. 123*

” Prohibiting the destroying of Cinnamon trees, on pain of punishment. *May 31, 1757, p. 124*

” Requiring the Proprietors of Slaves (of whom no regular Certificates are made out) to prove their titles to them, and to get regular Certificates executed within six months.

*May 31, 1757, p. 138*

” Prohibiting the mortgaging of Landed Property

in any other way except by Judicial Bonds.  
*May, 31, 1757, p. 141*

**Proclamation.**—Requiring persons having successively obtained Government grounds as grants for cultivation, to appear before the Dessave, and state their Lands so obtained. *June 15, 1757, p. 144*

**Notification.**—Containing the offer of a premium of *Rds. 16* on the apprehension of every European Deserter. *June 15, 1757, p. 147*

**Advertisement.**—Prohibiting correspondence with any person in Europe touching the state, trade, &c., of the Dutch East India Company in Ceylon. *July 16, 1757, p. 151*

**Proclamation.**—Prohibiting living in the Slave Island, and having carnal connexion with the Company's Slaves. *July 25, 1757, p. 159*

„ Preventing the sale of Gunpowder, Lead, and other Ammunition to natives of this Island, on pain of corporal punishment. *July 25, 1757, p. 160*

„ Prohibiting the cutting and destroying of Trees planted along the roads within the Town and Fort, on pain of pecuniary amends. *July 25, 1757, p. 161*

**Advertisement.**—Prohibiting persons returning to Europe selling permitted Chests, on pain of confiscation. *Sep. 26, 1757, p. 162*

**Proclamation.**—Prohibiting the throwing of dirt, &c. on the Streets on pain of paying fines. *April 15, 1758, p. 163*

„ Containing Regulation for paying fines to the poor funds for the ceremonies on the occasion of the marriages of natives. *Sep. 15, 1758, p. 175*

**Advertisement.**—For regulating Funeral solemnities. *p. 185*

**Proclamation.**—Respecting the mode in which the natives are to prefer their complaints. *Oct. 20, 1758, p. 199*

**Notification.**—Requiring all Moormen, Chetties, and Parawas to be registered in the Oelian List. *Nov. 15, 1758, p. 211*

**Advertisement.**—Requiring persons intending to leave this for Europe, to appear previously before the Council. *Nov. 2, 1758, p. 212*

**Notification.**—Requiring the owners of small Vessels to provide themselves with Licenses to sail from one place to another. *May 14, 1758, p. 216*

**Proclamation.**—Containing the privileges allowed to Washermen and their wives professing the Reformed Religion. *July 4, 1759, p. 229*

„ Prohibiting the trading in Wax Candles. *July 14, 1752, p. 228*

**VOL. VI.**

**Proclamation.**—Prohibiting the admittance of Passengers or seafaring men into the houses or gardens of any individuals, except privileged Tavern keepers; and of selling to them Liquors, &c., in bottles, on pain of confiscation, and paying a fine of *Rds. 25* for granting lodging; *Rds. 5* for selling Europe Liquors in bottles, or by any other small measure. *March 21, 1760, p. 1*

„ Prohibiting the retail of Arrack to sailors and other strangers, except by the licensed Tavern keepers of the Fort; and giving lodging to such persons on pain of punishment. *March 24, 1760, p. 2*

**Instruction.**—To Constables. *May 2, 1761, p. 10*

**Proclamation.**—Prohibiting the Gentoos or Mahometans living in concubinage with Christian women on pain of being whipped, branded, and put in chains. *Sep. 15, 1761, p. 12*

**Notification.**—Fixing the time for persons wishing to marry; and establishing certain fees for the benefit of the Church. *p. 30*

**Proclamation.**—Prohibiting the trading in Opium. *Oct. 1, 1761, p. 35*

**Instruction.**—To the Assayer in Gold and Silver works. *Nov. 5, 1761, p. 37*

**Notification.**—Amplifying the instruction to the Assayers. *May 27, 1761, p. 39*

**Instruction.**—To the Assizer. *p. 69*

„ To the Surveyor of Colombo. *Dec. 5, 1760, p. 71*

**Proclamation.**—Respecting the deserting to the enemy, and strange nations. *Oct. 13, 1760, p. 77*

„ Prohibiting the least injury to Cinnamon Plantations, and clearing Chenas, on pain of being put in chains, and punished. *June 30, 1773, p. 104*

„ Warning all Deserters from the service of the Dutch East India Company to return back, on pain of being punished when apprehended. *Oct. 9, 1764, p. 106*

„ Prohibiting the destroying of Cinnamon trees. *June 13, 1773, p. 108*

„ Prohibiting the destroying of Cinnamon trees, and clearing of Chenas, or injuring the same. *Feb. 1, 1778, p. 110*

„ Fixing the rate of interest to be paid by the Debtors to their Creditors in the District of Jaffna and Manaar. *April 19, 1777, p. 112*

„ Allowing Roman Catholics who do not wish to be married in the Reformed Church, to solemnize their marriage before the Court of Justice. *Dec. 24, 1776, p. 140*

„ By the Governor General of India, prohibiting correspondence with any Native Kings, Princes or Ministers, on pain of punishment. *Aug. 9, 1764, p. 184*

**Advertisement.**—Declaring the new Silver Ducatoons current. *Jan. 8, 1763, p. 98*

**Proclamation.**—Prohibiting Roman Catholic Priests from marrying any persons, or registering their marriage, on pain of punishment. *Dec. 19, 1763, p. 92*

„ Respecting desertion to the enemy, or to the Sovereigns. *June 30, 1763, p. 210*

„ Containing the offer of a payment of *Rds. 100* one parrah of rice per mensem to each Moormen Chetty, or Parawa, who shall assist the Company in the war against the Kamlians; and of commuting half of their Oelian money during their life. *June 30, 1763, p. 210*

„ Respecting the Bazaar in the Army. *Dec. 22, 1764, p. 219*

„ Declaring that Government debts are to be paid in preference to all other debts. *Sep. 20, 1765, p. 261*

**Notification.**—Declaring that the Portonovo Pagodas will not be accepted at the Government Treasury. *Feb. 22, 1766, p. 271*

**Advertisement.**—Establishing a Table of Fees for the Thombholder. *Oct. 25, 1766, p. 299*

„ Fixing the price of Coffins; and respecting Slaves who have saved their master from danger of life, &c.; and declaring that children of female Slaves, procreated by their Christian masters, may not be sold with the mothers of such children. *p. 305-7*

„ Prohibiting the exportation of any Cinnamon plants, or other spices to India or Europe, on pain of fines and punishments; fine 1000 Guilders for each plant.

**Proclamation.**—Prohibiting the receiving in person, or purchasing any goods from Slaves, or other suspected persons; and taking in pawn or buying from Military men their uniform. *Nov. 13, 1770, p. 324*

„ Prohibiting corresponding with the Kandians under certain provisions, on pain of being banished for ten years. *June 15, 1769, p. 362*

**Ordinance.**—For the apprehension of Vagrants. *p. 366*

**Proclamation.**—Renewing the Proclamation of the 12th March, 1760, containing prohibition against admitting and lodging passengers by others but by authorized Tavern keepers. *Aug. 15, 1768, p. 368*

**Advertisement.**—Requiring petitions to the Governor, or to the Council to be drawn by the Assistants in the Chief Secretary's Office. *p. 376*

**Notification.**—Prohibiting the sale of gardens and fields without permission of the Landraad. *May 9, 1768, p. 328*

**Proclamation.**—Prohibiting the Tavern keepers selling any Liquors to Slaves, or having any dealings with them. *May 9, 1768, p. 392*



**Advertisement.**—Respecting children of the Chalias, whose marriages were registered before the school masters, being considered legitimate, though their banns were not proclaimed in the Church, under the provision, that the parents shall get their marriage solemnized within one year and six months from the date of this Regulation.

March 13, 1768, p. 396

**Notification.**—Repealing the 16th Article of the Statutes of Batavia, prohibiting the sale of Slaves to Hindoos, and others who are not Christians, for debt.

p. 408

**Proclamation.**—Prohibiting the opening of shops on Sundays and Holydays, on pain of punishment.

Nov. 1, 1770, p. 415

**Advertisement.**—Concerning claims against insolvent estates administered by the sequestrors, to be given in within six months by the claimants, resident in Ceylon; and within one year by those at Batavia.

Oct. 9, 1770, p. 417

**Proclamation.**—Authorizing the proprietors of Slaves whose certificates are not executed in due form, to get the same made out within six months, on pain of their being declared free; subject nevertheless to Government service, according to the exigence of the case, until their slavery be proved.

Aug. 1, 1771, p. 419

**Notification.**—For extending the time of six months proprietors of Slaves, under Proclamation of August, 1771, to the 15th February, 1773.

Aug. 15, 1772, p. 443

**Advertisement.**—Containing the degrees within which sale is prohibited.

May 28, 1773, p. 457

VOL. VII.

**Proclamation.**—Prohibiting the importation and sale of any kind of Woollen or Silk of European manufactures, except those of the United Provinces, and of the Districts of the States General; also Gold and Silver Laces, Buttons, Hats, Saddles, Instruments, Shoes, Boots, Beer, Wines, Brandy, or other Liquor not imported in ships belonging to the Dutch East India Company, on pain of confiscation.

Nov. 30, 1779, p. 8

” Prohibiting Government servants receiving any present, under the denomination of *Parsee*, from the native Headmen.

Nov. 26, 1784, p. 72

” Prohibiting the imposing of fines in any other cases, except those laid down in the Proclamations, Regulations, Orders, &c., heretofore issued.

Oct. 24, 1785, p. 96

” Prohibiting Government servants receiving (*Parsees*) presents from the Native Headmen.

Oct. 24, 1785, p. 107

” Prohibiting the purchase or sale of *Arakanuts* to private persons, on pain of forfeiting the same, and being corporally punished.

Nov. 25, 1785, p. 121

” Prohibiting the purchase of uniform from Military men; and interdicting animals straying in in the Fort.

Dec. 28, 1786, p. 128

” Containing renovation of a Proclamation of the 28th December 1786, respecting Military men.

April 11, 1787, p. 156

**Advertisement.**—Prohibiting hunting, or firing off Guns in the Cinnamon Gardens, on pain of punishment.

p. 176

” Regulating the rates of postage.

July 22, 1789, p. 189

**Proclamation.**—Prohibiting the counterfeiting of Coins, on pain of punishment.

June 29, 1790, p. 223

” Renewing the Proclamation of the 24th August, 1769, for prohibiting the sale of Firelocks and Ammunition.

April 21, 1792, p. 271

**Plan.**—Regulating the rates of postage.

Oct. 16, 1789, p. 217

**Proclamation.**—Establishing a Tax on collateral succession.

April 30, 1792, p. 280

” Establishing a Tax on liberal gifts.

June 28, 1792, p. 282

” Prohibiting loans of money to the Malay prisoners of State.

Dec. 15, 1792, p. 287

” Respecting the war of France with the United States of the Netherlands.

April 17, 1793, p. 295

” Regulating the payment of office money.

Jan. 30, 1792, p. 284

VOL. VIII.

**Proclamation.**—Renewing the Proclamation of the 1st August, 1771, containing order to the proprietors of Slaves, whereof no regular certificates were made out, to prove their title to their Slaves within six months, and have proper certificates made out for them, on pain, that after the expiration of said six months, those Slaves shall be considered free. Reserving nevertheless the power to Government of keeping them to its service, until the title to those Slaves be verified.

July 23, 1787, Lt. A

” Prohibiting the peeling, selling, purchasing, giving away as presents, transporting, or receiving of Cinnamon, and the distilling of Camphor from the roots thereof, by private persons, on pain of death; likewise the destroying of Cinnamon trees, clearing of Chenas and bushes without the permission of Government, on pain of incurring corporal punishment.

Jan. 8, 1714, p. 1

” Prohibiting the cutting of firewood, or any other woods in the Marandahn; and destroying Cinnamon plants, on pain of death.

Nov. 3, 1714, p. 2

” Renewing preceding acts enacted for maintaining regularity and order in the Fort and District of Colombo, for establishing rules to the Constables,

April 10, 1787, p. 3

” Abolishing the Tax on the delivery of *Arakanuts*.

Sep. 12, 1790, p. 4

**Notification.**—Prohibiting the deportation of free persons from this Island.

Oct. 28, 1790, p. 5

**Advertisement.**—Providing for the inoculation of persons with the Small Pox.

p. 6

**Proclamation.**—Levying the Tax of 40 penning or 2 per cent. upon all legal properties, on the footing of the liberal gift.

June 20, 1790, p. 8

**Notification.**—For paying off the debts negotiated by Government from individuals.

Jan. 17, 1793, p. 9

**Advertisement.**—To prevent receiving forged cash notes, or *Crediet brieven*.

1793, p. 10

” Renewing several enactments by the Governor, and the Council.

July 21, 1794, p. 11

**Proclamation.**—Declaring cash notes of *Rds. 1, 2, 3, 4, 5, 12* current.

Dec. 18, 1795, p. 12

” Levying a Tax on all Legacies, and Collateral succession.

May 31, 1792, p. 7

Ex. R. L. P.  
1/21/05.



3  
2  
1

1

1



66



87















