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LEGISLATIVE COUNCIL.

ADDRESS OF HIS EXCELLENCY SIR ARTHUR ELIBANK HAVELOCK, K.C.M.G., ON
OPENING THE SESSION OF THE LEGISLATIVE COUNCIL, OCTOBER 18, 1893.

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,

It is with satisfaction that I meet you again, and seek your advice and co-operation.

I feel assured of your sympathy with me in the deep regret I feel at the death of Colonel Clarke. This Council has lost in him a distinguished Member, and the Government a talented and experienced officer.

I am happily able now, as on the three previous occasions on which I have opened the annual Session of the Legislature, to congratulate you on continued prosperity and progress.

There has, during the last year, been an absence of any serious epidemic, and the public health has been generally speaking good.

The efforts made by the Government to abate the prevalence of serious crime among the people of Ceylon, firstly by improving the organisation of the Police, secondly by adopting measures for strengthening and facilitating the administration of justice, and thirdly by making more deterrent than before the punishment of imprisonment, have been steadily persevered in. The returns show that the number of convictions during 1892 before the Superior Courts—that is, convictions for serious offences—and the total number of convicted persons committed to prison during 1892 from all Courts, are below the average corresponding numbers of the previous four years. The daily average of all prisoners, convicted and unconvicted, in the gaols of the Island during 1892 was largely below the daily average of the three previous years. It is probably yet too soon to speak with confidence of the results of the efforts made to reduce crime, but the facts I have stated give reason to hope that some improvement has been effected, and it is fair to assume that to the measures adopted some share of the improvement shown may be ascribed.

I am able to record a continuance of the liberal policy which it has been found possible to adopt within the last few years in the administration of the Postal and Telegraphic services. Further improvements and facilities have been introduced during the past year, the initial weight of an ordinary letter having been raised from half an ounce to an ounce, further reductions having been made in the inland postal tariff and registration fee, and additional post offices having been opened. The system of inland telegraphic communication has been extended, and it is hoped that before long it may be possible to make a further reduction in the inland telegraph tariff. Arrangements have been made with the Indian Government by which, from the 1st May next, there will be daily postal communication between Colombo and Tuticorin. It is satisfactory to be able to say that the expansion of the postal and telegraph business has been such as to justify the grant of these concessions to the public advantage. But as a consequence of that expansion, which promises to continue, it will become necessary to provide for a somewhat increased Postal Establishment.

For some time past the desirability of adding to our educational system the training of artificers in the artistic and mechanical industries, by a combination of mental and manual teaching, has been recognised; and the first steps have been taken towards the organization of a scheme of technical education, intended to supplement the practical instruction in agriculture and in veterinary science which already forms a part of our educational system.

It affords me pleasure once more to bring to your notice the development of the numbers and efficiency of the Volunteer Forces. The annual Camp of Exercise has just been held for the fourth time, and on this occasion a body of Regular Troops has been associated with the Volunteers, the whole force being commanded by the chief of the Headquarter Staff. The General Officer Commanding having inspected the Camp and the Forces assembled there, has reported in high terms of the intelligence, efficiency, and zeal of the Volunteers. A detachment of the Mounted Infantry, enrolled during the last and the present year, was present at the Camp of Exercise.

The success of the representation of Ceylon at the International Exhibition at Chicago has surpassed all expectation. The thanks of the Government and of the Colony are due for the prominent position thus secured by Ceylon, to the courage, tact, and tenacity of the Special Commissioner, our honourable friend, Mr. Grinlinton. I have just received an announcement by telegraph that a Jurors' Award has been given in respect of our Main Court. It behoves us to take care that the advantage thus gained, at a great sacrifice of money and trouble, be turned to profitable account.

The total Revenue of the year 1892 amounted to Rs. 18,509,186, as against Rs. 17,962,710 collected in 1891, showing an increase of Rs. 546,476. I omitted, when addressing you last year, to call your attention to the fact that the Revenue of 1891 had exceeded the largest Revenue ever before collected in Ceylon, namely that of 1877, which amounted to Rs. 17,026,190. If for the purposes of more just comparison there are deducted from these totals the sums received in each year on account of the sale of Crown Lands and of the Pearl Fishery, neither of which items are Revenue proper, it will be found that the Revenue of 1892 stands at Rs. 18,071,289, exceeding that of 1891 (Rs. 16,742,382) by more than one million of rupees, and surpassing by nearly three millions of rupees the Revenue of the year 1877, which for so long a time held the position of the most prosperous year in the history of Ceylon.

The Railway receipts of 1892 continued to show a satisfactory increase, having in 1892 reached the sum of Rs. 4,698,094, an excess over the receipts of 1891 of Rs. 267,560. This increase was mainly due to an expansion of the passenger traffic. During 1892 the Railway carried 1,200,000 more passengers than in 1889, an increase of 50 per cent. in three years,—an unmistakable indication of growing prosperity.

Turning now to the Customs receipts, there has been, in the same items, an increase on the receipts of 1891 of Rs. 458,216, the receipts of 1891, amounting to Rs. 4,137,542, having been until 1892 the largest Customs Revenue raised in any one year. This sum does not include Colombo Harbour Dues and Pilotage, which amounted in 1892 to no less a sum than Rs. 713,305. Among Imports, food articles, grain, kerosine oil, malt liquors, and wines show the largest increase. Under Exports, the most remarkable increase was in the products of the cocoanut palm, the total value of these products exported having been Rs. 11,524,735, as compared with Rs. 8,275,272 in 1891. The increase in the quantity of tea exported was $4\frac{1}{2}$ millions of pounds, and in the quantity of plumbago, over 30,000 cwt. The receipts under the head of Post and Telegraphs also show a marked increase, amounting to Rs. 204,014 over the corresponding receipts of 1891,—and this notwithstanding a considerable reduction in postal and inland telegraph rates. A satisfactory expansion of the trade of the Colony is evinced by the increased value of the Imports and Exports, which, amounting in 1892 to Rs. 123,857,835, exceeded the value shown by the returns of the previous year by six and a half millions of rupees. This does not include the value of specie imported and exported, which amounted to nine millions of rupees. The shipping returns are also satisfactory. The Harbour Dues collected at the Port of Colombo alone reached the sum of Rs. 667,640, showing an increase of Rs. 43,678 over the receipts of 1891,—whilst the number of vessels entered and cleared at all ports of the Island (six-sevenths of the total being at Colombo) was 7,494, with a tonnage of 5,790,706 tons, showing an increase over 1891 of 583 vessels and of 93,766 tons.

The assets of the Government on the 1st January, 1893, exceeded its liabilities by Rs. 2,065,408.

The returns of the Revenue for the first eight months of this year show a small deficiency of Rs. 12,000 on the whole of the corresponding two-thirds of the estimate of the year's Revenue. They are disappointing under the head of Government Railways. The failure of the receipts from the Government Railways to attain the estimated proportion for the first eight months of the year is in a measure due to insufficient allowance having been made for the effect of the reduction recently conceded in the rate for the carriage of tea. I fear that unless there is a considerable recovery before the close of the year the proceeds from the Railways may fall short by about Rs. 350,000 of the estimated yield. But although the Revenue receipts for the first eight months of the year are slightly below the estimate, they are about Rs. 50,000 in excess of the actual receipts of the corresponding period of 1892. I am thus induced to hope that I may be able to announce to you next year that the Revenue of 1893 has not fallen much, if at all, short of that of 1892, notwithstanding the loss for the first time, during the present year, of the proceeds of the paddy tax, and notwithstanding also the fact that the additional import duties imposed during the last Session have not yet had time to produce their full effect. Satisfactory as the financial condition of the Colony is at the present moment, I am inclined to think that there is some slight indication of a possible slackening—temporary, I believe—of the rapid rate of increase in trade and revenue which has so happily marked the history of the last few years; and therefore, although convinced that there is no cause for anxiety or discouragement, I should consider it imprudent to propose to you any measure having for its object the diminution of any of the sources of Revenue.

The extension of the Railway to Haputalé was opened for traffic in June last. It is hoped that the short prolongation of that section to Bandarawela may be finished about September next. The last section of the line to Galle will probably be opened to the public in May next, and the section to Kurunégala in February. The survey of the line to Jaffna will be completed early next year. When all the facts are placed before you, I am inclined to think you will consider that the extension of the southern line from Galle to Mátara is a work that should, on the grounds of public usefulness and probable profit, be taken in hand at an early date.

In Ceylon the construction of works of public utility falls almost entirely on the Government, partly for the reason that the Government can best command the capital required for carrying out

such works, and partly because, in our social condition, a combination on a large scale of means and energy for the execution of any purpose of common advantage is difficult to secure. As a consequence of these conditions, the construction of irrigation works of magnitude has devolved upon the Government instead of upon those directly interested in them, in the same way as do the opening and construction of roads designed for the special advantage of a group of proprietors inhabiting a limited area. As in the case of roads of the class referred to, so in the case of irrigation works, it seems equitable that those who profit should bear the cost, or at any rate a share of it. In the past this principle has not perhaps, as regards irrigation works, been fully acted upon, although it forms the basis of our legislation respecting such works. But it is now the fixed policy of the Central Irrigation Board to make every effort either to recover the capital expended, or to secure a direct return equal to a fair amount of interest on that capital, and also to refrain from recommending to the Government the undertaking of any work which cannot be shown to be fairly remunerative. The Deduru-oya minor scheme is the only work of magnitude now in course of construction. You will be asked to grant in the Supply Bill of 1894 a sufficient sum to complete it.

I hope to be in the position to ask your consideration of a new work having for its object a partial restoration of the Giant's Tank, in the Mannár District. During the early part of the present year I visited that district, and it was strongly impressed upon me that it had become the duty of the Government to undertake this work. An industrious population exists and the soil is fertile, but a short and capricious rainfall renders the crops, and consequently the health and even the life of the people, precarious. Careful estimates, amounting to Rs. 440,109, of the cost of the work will be placed before you, and it will be shown to you that the inhabitants of the district to be benefited have, in the terms of the Irrigation Ordinance, bound themselves either to repay the cost of the work or to pay interest on the capital expended. I commend the scheme now designed (a far less costly one than that formerly brought to your notice), and I propose to ask you to vote on account of estimated expenditure the sum of Rs. 40,000.

A scheme for a complete and comprehensive improvement of the Harbour of Colombo will be placed before you for your consideration. This scheme, which is based on the recommendations of a local Committee composed of gentlemen of great experience and ability, and possessing, I feel sure, the confidence of the public, is designed to secure the largest attainable extent of harbour accommodation. It provides for a harbour, which among artificial harbours will be unsurpassed both as regards size and convenience. Every information respecting the scheme will be communicated to you at the earliest possible date. If you have as firm a faith as I have in the future of Colombo, it will, I anticipate, meet with your warm approval.

The Estimates of 1894 are in course of preparation and will be soon placed before you. You will be asked to make as liberal an appropriation as the means at your disposal will permit for the continuance of the generous policy which has always guided your action in providing for the improvement and extension of the roads, and for the construction, enlargement, and repair of public institutions and buildings. But until the large works already begun shall have been brought nearer completion, it will be impossible to propose to you the undertaking of others on the same scale.

In the work of Legislation I do not contemplate proposing any radical change or any new principle of Government, but Bills have been prepared, and will be laid before you, having for their object the abatement of evils which are believed to exist, and the amendment of existing enactments for the protection of the health and interests of the public.

The "Municipal Councils Ordinance, 1887," has been in operation for a period of nearly six years, and the Municipal Councils have now suggested the desirability of amending that Ordinance in certain particulars. A draft Bill has been prepared containing such of the suggested amendments as have met with the approval of Government and are likely to add to the usefulness of the original Ordinance. In addition to such amendments the Bill provides, on the lines of the New South Wales "Dairies Supervision Act," for establishing sanitary regulations respecting the supervision and control of dairies and supply of milk within Municipal limits. To adulterated milk and the milk of diseased cows has frequently been traced the origin of infectious and other maladies, and I am sure this Council will welcome a measure which will place dairy premises and milk stores under the effective supervision and control of Municipal Councils, and thereby improve the sanitary conditions of our larger towns.

The Municipal Council of Galle having applied to Government for the extension to the Municipality of the provisions of the Ordinance No. 9 of 1889, relating to the sale by retail of opium and bhang within the Colombo Municipality, it has been considered desirable to extend the provisions of that Ordinance to all Municipal and Local Board towns, and a Bill will be laid before you for that purpose. The extension of the provisions of that Ordinance to all Municipal and Local Board towns will lead to an increase of revenue from this source, without increasing the opportunities and temptations to indulge in the use of opium and bhang, as the probability is that the number of licensed shops will be reduced thereby.

The sepulture of the dead, and the decent and orderly keeping of cemeteries attached to towns, being peculiarly a duty devolving on representative bodies such as Municipalities, I shall ask you to consider an Ordinance which has been prepared for the purpose of vesting in Municipal Councils the management and control of existing cemeteries situated within Municipal limits, and of casting on them the duty of providing new cemeteries whenever they may become necessary; conserving, however, to religious denominations all rights, privileges, and fees to which they are entitled, under the provisions of the Ordinances Nos. 2 of 1885 and 17 of 1886, in respect of any portion of a General Cemetery set apart for their special use.

The Planters' Association having expressed a desire for the re-enactment of the Ordinance No. 5 of 1885, which enables the Governor, with the advice of the Executive Council, by Proclamation, to authorise the levy of a fee, not exceeding fifty cents, at any place on any road, river, or canal, for the purpose of defraying the expense of the protection and supervision of goods, produce, and merchandise conveyed in carts or boats along such road, river, or canal, I have consented to re-introduce the provisions of that Ordinance, and a Bill for that purpose will be submitted to you.

During the Sessions of 1891 and 1892 a Commission was appointed, at the instance of the Hon. Member representing the Mercantile Interests, to consider the provisions of "The Joint Stock

Companies Ordinance, 1861," and to report if any amendment of the same was desirable. On receiving the report of that Commission I caused a Bill to be prepared, embodying the most important of the amendments suggested therein. Should this Bill meet with your approval, a local company will, in future, be able to alter its memorandum of association in the same manner, and subject to the same conditions and restrictions, as a company incorporated under the Imperial Statutes is authorised to do under the provisions of the Imperial Statutes 53 and 54 Victoria, Cap. 62.

The expediency of regulating the business of small pawnbrokers in the Colony has been pressed on the attention of the Government, not only as a check upon the disposal of stolen goods, but also as a preventive against dishonest misappropriation of the articles pawned. A Bill on the subject has been prepared after careful consideration. It applies only where the sum lent by a pawnbroker at any one time does not exceed Rs. 100. Such a pawnbroker must take out a license and have his place of business registered. Any officer of police not below the rank of an Inspector may enter the shop or residence of such pawnbroker, and examine and take note of any article pledged with him, or any books and papers kept by him. Pledges pawned for five rupees or under are redeemable within a year, and seven days of grace added to the year; but pledges pawned for over five rupees continue to be redeemable until they are sold by public auction. The modes of pawning and redeeming are prescribed, and the liability of the pawnbroker for depreciation of pledge through his neglect, or its supposed destruction by fire, is defined. The pawning, without lawful excuse, of goods not belonging to the pawner is declared an offence, and provision has been made to meet the case of persons offering articles in pawn without being able to give a satisfactory account of how they became possessed of them. It is intended to introduce this Ordinance only within such limits as the Governor shall by Proclamation ordain.

The absence of legislation with regard to the disease known as *rabies* has been prominently brought to my notice, and I shall consequently ask you to consider an Ordinance for its suppression. The Ordinance is drafted upon the lines of the orders recently passed by the Board of Agriculture in the United Kingdom, and embraces the main provisions of Ordinance No. 9 of 1842, which it repeals. It provides for the destruction of stray dogs and for the issue of regulations for the suppression of hydrophobia. The measure has met with the approval of the Government Agents for the several Provinces, and in it the valuable suggestions of the Principal Civil Medical Officer and Inspector-General of Police have, so far as possible, been embodied. I feel confident that the Ordinance will commend itself to you.

The absence of any provision for the protection of birds, beasts, and fish not indigenous to the Colony, it is alleged, has caused the main difficulty in introducing new fauna. A Bill to prevent the wanton destruction of birds, beasts, and fish not indigenous to the Colony will be laid before you, in the hope that the passing of such a measure will lead to the formation of an Acclimatisation Society, and to the introduction into the Colony of animals, birds, and fish of great value.

It is desirable that there should be one law dealing with butchers and slaughter-houses for the whole Island, and I shall ask you to consider a Bill amending the law relating to butchers and the slaughter of cattle. The Chairmen of Municipal Councils and Local Boards will be thereby constituted the proper authorities for working the Ordinance within the limits of their respective towns, and the Government Agents outside such limits. The duty of issuing licenses to persons desirous of carrying on the trade of butchers, and special licenses to persons (not licensed butchers) to slaughter cattle, will devolve on the proper authority. Provision is made for the erection of buildings for the purposes of a public slaughter-house in any town, and power is given to the Governor, with the advice of the Executive Council, to declare and proclaim such buildings to be slaughter-houses, when the same have been duly certified by the proper authority as sufficient for that purpose. Licensed butchers are permitted to slaughter cattle at such slaughter-houses only, or at such other place as shall be appointed for that purpose by the proper authority. The rules and regulations to be made under the Ordinance, in reference to slaughter-houses, are to be made by the proper authority, but will not come into force until confirmed by the Governor in Executive Council, and published in the *Government Gazette*.

My attention having been invited to the restriction imposed by sub-section (a) of section 19 of "The Petroleum Ordinance, 1887," on the quantity of petroleum to be conveyed at one time in any carriage—a restriction which practically prohibits the use of tank carts by the bulk petroleum trade—I have directed a Bill to be framed, excepting from the operation of that sub-section carts which have been specially constructed for the purpose, and which have been duly licensed for the conveyance of petroleum. This amendment of the law, together with certain modifications and amendments of the existing rules regulating the importation of petroleum, will, I trust, facilitate the introduction of petroleum in bulk into the Colony, and ensure a reduction of the price of that commodity.

A portion of the land belonging to St. Paul's Church being required by the Municipal Council of Colombo for widening the junction between Kayman's gate and Wolfendahl street, a draft Ordinance will be submitted to you enabling the trustees of that church to transfer to the Council sufficient land for the purpose of carrying out this useful improvement.

Twenty years have elapsed since the passing of the Ordinance No. 12 of 1873, which provides for the prevention of accidents by gunpowder, and it is now considered necessary to amend it on the lines of the English Explosives Act. It is proposed that any quantity of "explosives" in excess of ten pounds should not be kept at any place other than a licensed store or public magazine. The regulations for storing, removing, and selling the explosives appear in the Bill, and the Governor, with the advice of the Executive Council, is empowered to make rules on the subject of constructing stores, and prescribing the conditions under which explosives may be kept in them.

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,

In full assurance that you will continue to extend to me that cordial co-operation and that sympathetic support to which the success of my administration has hitherto been so largely due, I, now, in the Queen's name, declare the Session of the Legislative Council to be duly opened.