

Village Communities.

No. 12. — 1880.

J. R. LONGDEN.

Title.

An Ordinance to amend The Laws relating to Village Communities.

Preamble.

WHEREAS "The laws relating to Village Communities" require amendment, BE IT ENACTED BY THE GOVERNOR OF CEYLON, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

Ordinance to be construed as one with Ordinance No. 26 of 1871.

Power to Governor and Executive Council to establish or abolish tribunal in village or group of villages at discretion.

Inhabitants may make further rules.

1. THIS Ordinance may be cited as "The Village Communities Ordinance, 1871, Amendment Ordinance, 1880," and shall be construed as one with "The Village Communities Ordinance, 1871," in this Ordinance referred to as the principal Ordinance.

2. THE authority vested by the 20th clause of the principal Ordinance in the Governor, with the advice of the Executive Council, to establish village tribunals in each village or group of villages, shall be in the discretion of the Governor, and shall be exercised only if the Governor, with the advice aforesaid, shall deem it necessary so to do; and the Governor, with the advice of the Executive Council, may from time to time abolish any village tribunal, or may add to the jurisdiction of any village tribunal any other village or villages or group of villages in the same division.

3. IN addition to the powers of making rules conferred by the principal Ordinance, the inhabitants of any sub-division shall have power to make rules—

1. For regulating the slaughtering of cattle;
2. For the prevention of loitering in thoroughfares or public places;
3. For regulating the killing of game and buffaloes, and all matters connected therewith, provided that such rules are not inconsistent with the provisions of the Ordinance No. 6 of 1872, intitled "An Ordinance to prevent the wasteful destruction of buffaloes and game throughout the Island," which prohibit the killing of game in the close season, or in crown forests specially reserved.
4. For making it an offence for any holder of a license under "The Licensing Ordinance, 1873," or any keeper of a tavern to sell, or allow any person to sell to females any description of spirits, including intoxicating liquor as well as the produce of the cocoanut or other description of palm or sugar cane.

And any rule so made shall be of the same effect as if it had been made under the powers conferred by the principal Ordinance.

Penalty for false or frivolous plaint.

4. IF it shall appear to any village tribunal that any case has been falsely and maliciously or upon frivolous or vexatious grounds instituted therein, it shall be lawful for such village tribunal to sentence the party instituting such case to a fine not exceeding five rupees, and to award such fine or any part thereof to the aggrieved party, and if such aggrieved party shall accept the same, he shall not be entitled to have or maintain any suit for the recovery of damages in respect of injury sustained by him, by reason of such false and malicious or frivolous or vexatious prosecution.

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5. IN any case in which a village tribunal shall have authority to impose a fine, such tribunal shall also have power to sentence the offender, in default of payment of such fine, to imprisonment with or without hard labour for any period not exceeding fourteen days. **Punishment which may be awarded by village tribunal.**

6. The provisions of the 19th clause of the Ordinance No. 4 of 1867 and the 5th, 8th and 81st clauses of "The Prisons Ordinance, 1877," shall extend and apply to warrants of commitment issued by village tribunals under the authority of the hereinbefore last preceding clause. **Imprisonment may be carried out in the common prisons.**

7. THE powers conferred by the 32nd clause of the principal Ordinance on the Government Agent, to take action in any case in which parties may apply to him for relief, shall not be exercised unless application for that purpose shall be made to him within fourteen days from the day on which the decision complained of shall have been given, and no application to the Governor under the said section shall be entertained, unless such application shall be made within fourteen days from the day on which the decision of the Government Agent shall have been communicated to the person who shall have applied to such Government Agent for relief. **Applications for relief to Government Agent and Governor respectively to be made within fourteen days after notification of decision.**

8. THE 1st and 2nd sub-sections *Criminal* of the 21st clause of the principal Ordinance are hereby repealed. **Village Tribunals to exercise jurisdiction in certain criminal matters.**
The criminal jurisdiction of village tribunals under the said 21st clause of the said principal Ordinance shall extend to

- (1.) Petty assaults—that is to say, assaults which are punishable by law or custom by no higher punishment than a fine of twenty rupees or imprisonment for two weeks.
- (2.) Petty thefts—that is to say, thefts where the property stolen does not exceed the value of twenty rupees, or where the theft is not preceded or accompanied with violence to the person, and which are punishable by law or custom by no higher punishment than a fine of twenty rupees or imprisonment for two weeks.

9. THE 9th clause of Ordinance No. 6 of 1872 intituled "An Ordinance to prevent the wasteful destruction of Buffaloes and Game throughout the Island," and the 16th clause of "The Licensing Ordinance, 1873," and so much of the 29th clause of the principal Ordinance as provides for enforcing sentences condemning any person to pay a fine in criminal cases, shall be repealed, provided that this repeal shall not affect— **Repealing clause.**

1. Any rules which have been made.
2. Any penalty or punishment already incurred;
3. Any legal proceeding or remedy in respect thereof.

Passed in Council the First day of December, One thousand Eight hundred and Eighty. **Not retrospective.**

J. A. SWETTENHAM,
Clerk to the Council.

Assented to by His Excellency the Governor this Sixth day of December, One thousand Eight hundred and Eighty.

J. DOUGLAS,
Colonial Secretary.