

## No. 42.—1884.

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

ARTHUR GORDON.

Preamble.

**W**HEREAS "The Paddy Cultivation Ordinance, 1867," provided amongst other things for the recovery of the cost of the construction, repair, and improvement of Irrigation Works, but omits to provide for the recovery of the cost of the maintenance of such works when once constructed: And whereas it is expedient to amend the said Ordinance in this respect, and to provide for the recovery of the cost of the maintenance of works constructed under the provisions of Ordinance No. 21 of 1867 and of Ordinance No. 2 of 1873: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

This Ordinance and Ordinances Nos. 21 of 1867 and 2 of 1873 to be read as one Ordinance.

1. This Ordinance, the Ordinance No. 21 of 1867, hereinafter called "the principal Ordinance," and Ordinance No. 2 of 1873, shall be construed and read as one Ordinance.

Means to provide for the upkeep and maintenance of irrigation works.

2. Whenever any irrigation work has been, or shall hereafter be constructed under the principal Ordinance, and the cost thereof has been or shall hereafter be repaid by ten annual instalments either in money or in kind, under the provisions of the principal Ordinance, or under the provisions of Ordinance No. 2 of 1873, the lands benefited by such irrigation work and the proprietors thereof shall forthwith, upon the expiration of such period of ten

*Paddy Cultivation.*

years as aforesaid, become and be severally bound and liable to an annual charge or rate not exceeding seventy-five cents per acre for the annual upkeep and maintenance of such constructed irrigation work. The said rate shall be assessed in the manner hereinafter provided, and shall be a first charge upon the several lands benefited as aforesaid, and shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

3. The Government Agent of the Province in which any such irrigation work has been constructed shall, within one year from the expiry of the period of ten years in the previous section mentioned, assess the rate which each land (including Crown lands) benefited by such work shall contribute annually for the maintenance of such work, and shall revise such assessment once at least in every five years, and a copy of every such assessment and revised assessment shall be served on each of the proprietors, and every such assessment and revised assessment shall be published in the village in the manner prescribed by section 81 of the principal Ordinance.

Government Agent to assess rate to be contributed by lands benefited by irrigation works for maintenance of same.

4. The rate so assessed shall be due and payable in respect of each land on the 1st day of April in every year; and the recovery of the rate shall be made under and be subject to the provisions contained in Part VI., sections 35 to 39, both inclusive, of the principal Ordinance.

Recovery of rates imposed under this Ordinance.

5. The moneys received from all rates levied under the provisions of this Ordinance shall be applied to the maintenance of the irrigation work in respect of which such rate has been levied, and to no other purpose whatsoever.

Moneys levied under the provisions of this Ordinance to be applied to the maintenance of irrigation works.

6. Whenever any land is being sold under the provisions of the 4th section of this Ordinance or the 35th section of the principal Ordinance, it shall be lawful for the Government Agent or any person authorized by him under his hand to bid for and purchase such land on behalf of the Crown, and the certificate of the Government Agent, substantially in the form given in the schedule hereto, shall vest the land so purchased absolutely in the Crown; and such certificate shall not require any stamp.

Government Agent may purchase on behalf of the Crown land sold under this Ordinance.

## SCHEDULE.

WHEREAS the sum of Rs. — was due to Our Sovereign Lady the Queen for the Irrigation rate in respect of the land — hereinafter more fully mentioned and described, and a further sum of Rs. — was likewise due for costs, which said sums have not been paid by the owner or proprietor thereof; and whereas the said land was seized in conformity with the Ordinance No. — of —, and sold also in conformity therewith on the — day of —, and the same was purchased for and on behalf of Our Sovereign Lady the Queen by [the Government Agent] for the sum of Rs. —, which has been duly credited to our said Lady the Queen in part satisfaction [or full, as the case may be] of the sum due for irrigation rate as aforesaid and Rs. — for costs:

Now know Ye that I, the said [Government Agent], by virtue and in exercise of the power in me vested in this behalf by the said Ordinance, do hereby certify that the following property, to wit, [here describe the property with special accuracy by metes and bounds] has been sold and purchased by the said — for and on behalf of Our

said Lady the Queen for the sum of Rs. — , and that the said premises are and shall henceforward be absolutely vested in Our said Lady the Queen, her heirs and successors.

Given under my hand this — day of — .

(Signed)

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*Government Agent.*

Passed in Council the Twenty-second day of December, One thousand Eight hundred and Eighty-four.

R. H. SINCLAIR,  
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-third day of December, One thousand Eight hundred and Eighty-four.

JOHN F. DICKSON,  
Acting Colonial Secretary.

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