

No. 26 of 1885.

An Ordinance relating to the Ceylon Railways.

(See No. 24 of 1865.)

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the Ceylon railways and to the conveyance thereby of passengers and goods: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Ceylon Railways Ordinance, 1885;" and it shall come into operation at such time as the Governor shall by Proclamation,* to be published in the *Government Gazette*, appoint.

Commencement.

Repeal of Ordinances

No. 10 of 1865,
No. 12 of 1871,
No. 5 of 1872,
No. 3 of 1874,
No. 9 of 1877,
No. 10 of 1878,
No. 2 of 1881.

2 The Ordinances specified in schedule A to this Ordinance are hereby repealed; provided that such repeal shall not affect—

- (a) The past operation of any enactment hereby repealed; nor
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; nor
- (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor
- (d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Ordinance had not passed.

Interpretation clause

"Railway."

3 For the purposes of this Ordinance, the expression "railway" shall include all railways already constructed, or in course of construction, or to be hereafter constructed, by or on behalf of the Ceylon Government; and the expression

* Proclaimed the 8th day of January, 1886.

Ceylon Railways.

“railway official” shall include the General Manager, the assistant managers, traffic superintendents, and all such officers, servants, agents, and other persons as shall be from time to time employed to do any act upon the railway.

“Railway official.”

4 The Governor may appoint a fit and proper person to execute the duties and powers hereinafter mentioned, who shall be called “The General Manager,” and one or more persons, as he may deem necessary, to assist the General Manager in the execution of the said duties and powers, who shall be called “assistant managers,” and such clerks and other officers as to him may appear necessary. And all duties and powers hereinafter required to be performed and exercised by the General Manager shall and may be performed and exercised by any assistant manager.

General and assistant managers, clerks, and other officers.

5 The Governor may from time to time, with the advice of the Executive Council, make, and when made, revoke, add to, and alter rules regulating the classification of goods, the goods that are to be charged for at special rates, the charges to be made for the conveyance of passengers and goods by the railway, and regarding all other matters not specially enacted by this Ordinance, and necessary to provide, in every respect, for the management and due and profitable working of the railway. Provided that the charges for the conveyance of passengers and goods at rates other than special shall in no case exceed the rates specified in schedule B hereto annexed. Provided further, that if in any detailed classifications of goods sanctioned by the Governor, with the advice aforesaid, special provision be made for any articles which are deemed exceptional, such provision shall prevail and be of force, anything in the schedule B to the contrary notwithstanding.

Rules.

6 A copy of any rule or rules made under the authority of the 5th section may be hung up and affixed and continued on the front or other conspicuous part of every railway station, and knowledge of the contents of such rule or rules shall be presumed as against any person using the railway, upon proof that such copy was hung up, affixed, and continued as herein required.

Rules to be affixed publicly in railway stations, and persons using the railway legally presumed to be acquainted with them.

7 All rules which are in force at the coming into operation of this Ordinance, and which are not inconsistent with any of its provisions, shall continue to be in force until revoked, added to, or altered in manner hereinbefore provided.

Existing rules to continue in force until superseded.

8 No person shall enter any carriage used on the railway, for the purpose of travelling therein, without having first paid his fare and obtained a ticket. Every person desirous of travelling on the railway shall, upon payment of his fare, be furnished with a ticket specifying the class of carriage for, and the station from, and the station to, which the fare has been paid, and shall, when required, show his ticket to any railway official duly authorized to examine the same, and shall deliver up such ticket upon demand to any of the railway officials duly authorized to collect tickets. Any person not producing or delivering up his ticket as aforesaid shall be liable to pay

Fares to be prepaid

Passenger tickets to be given up on demand.

Ceylon Railways.

the fare from the place whence the train originally started, unless he can prove that he has travelled a less distance only, in which case he shall be liable to pay the fare only from the place whence he has travelled.

Fare and freight to be accepted conditionally.

9 The fare or freight paid for the conveyance of passengers or goods respectively shall be deemed to be accepted only upon condition that there be room in the train. In case there shall not be room for all the passengers or goods, those passengers who shall have obtained tickets for the longest distance shall have the preference, and those who shall have obtained tickets for the same distance shall have the preference according to the order in which they shall have received their tickets; and the like order shall be observed as to goods. Provided that all officers and troops of Her Majesty on duty, and all other persons travelling on the business of Government, shall be entitled to be conveyed on the railway in preference to, or in priority over, the public, without reference to the distance for which, or the order in which, they shall have received their tickets.

Penalty for fraud.

10 Any person who shall defraud or attempt to defraud the Government by travelling or attempting to travel upon the railway, without having previously paid his fare; or by riding in or upon a carriage of a higher class than that for which he shall have paid his fare; or by continuing his journey in or upon any of the carriages beyond the station for which he shall have paid his fare, without having previously either paid the fare for the additional distance, or obtained the sanction of the station master or guard of the train; or who shall knowingly and wilfully refuse or neglect, on arriving at the station to which he shall have paid his fare, to quit such carriage and railway premises; or who shall transfer or profit by the transfer of the return half of any ticket obtained by him, or who shall, in any other manner whatever, attempt to evade the payment of his fare, shall be liable to a fine not exceeding fifty rupees for each offence.

Fine for entering carriage in motion, or riding on the steps.

11 Any passenger who shall get into or upon, or attempt to get into or upon, or shall quit or attempt to quit any carriage upon the railway, while such carriage is in motion; or who shall ride or attempt to ride upon the railway on the steps or any other part of a carriage, except on those parts which are intended for the accommodation of passengers, shall be liable to a fine not exceeding twenty rupees for each offence.

Fine for riding on engine, tender, or luggage van.

12 Any person other than the engineman and fireman, and assistant fireman, if any, who, without the special license of the General Manager or Locomotive Engineer, shall ride, or attempt to ride upon any locomotive engine or tender upon the railway; and any person other than the guard or brakeman, who, without special permission of the General Manager or Traffic Superintendent, shall ride or attempt to ride upon the railway in or upon any luggage van or goods wagon, or other vehicle not appropriated to the carriage of passengers, shall be liable to a fine not exceeding fifty rupees for each offence.

Ceylon Railways.

13 If any person shall smoke, or shall chew betel, bhang, tobacco, opium, or other like substance, either on the premises or in or upon any of the carriages belonging to the railway, except in places or carriages which may be specially provided for the purpose, he shall be liable to a fine not exceeding twenty rupees for each offence; and if any person persist in infringing this regulation, after being warned to desist by any of the railway officials or passengers, such person, in addition to incurring the liability above mentioned, may be removed by any such official from any such carriage, and from the premises appertaining to the railway, and shall forfeit his fare.

Smoking, &c.,
and chewing of
betel prohibited.

14 Any person who shall be in a state of intoxication, or be insufficiently or indecently clad, or who shall commit any nuisance or act of indecency in any railway carriage, or upon any part of the premises appertaining to the railway, or who shall wilfully and without lawful excuse interfere with the comfort of any passenger on the railway, shall be liable to a fine not exceeding fifty rupees, or to imprisonment, with or without hard labour, for any term not exceeding three months, or to both; and, in addition to such liability, the offender may be removed by any of the railway officials from any such carriage, and also from the premises appertaining to the railway, and shall forfeit his fare.

Penalty for
intoxication or
nuisance.

15 If any special carriage or portion of a carriage, or any private room or apartment, shall be provided for the exclusive use of females, any male person who, without lawful excuse, shall enter such carriage, or portion of a carriage, or any such room or apartment, knowing the same to be exclusively appropriated as aforesaid, or shall remain therein after having been informed of its exclusive appropriation, or if any passenger of one class shall knowingly and wilfully refuse or neglect to leave rooms or places set apart for passengers of higher classes, shall be liable to a fine not exceeding one hundred rupees, and may be removed therefrom, and also from the premises appertaining to the railway, by any of the railway officials, and shall forfeit his fare.

Penalty for
entering private
room or carriage.

16 The Government shall in no case be liable for loss or injury to any articles or goods to be carried by the railway, unless such loss or injury shall have been caused by negligence or misconduct on the part of their agents or servants, and unless the articles or goods in respect of which compensation is claimed shall have been booked and paid for in conformity with this Ordinance or the rules and regulations in that behalf provided.

Liability for
goods lost,
destroyed, or
injured.

17 If any person shall fail to pay on demand any sum due for the conveyance of any goods, it shall be lawful for the General Manager to detain all or any part of such goods, or, if the same shall have been removed from the premises appertaining to the railway, any other goods of such person which shall then be on their premises, or shall thereafter come into their possession; and also, after reasonable notice to such person, to sell by public auction sufficient of such

Remedy for non-
payment of the
carriage of goods.

Ceylon Railways.

Remedy for non-payment of freight and fare.

goods to realize the sum payable as aforesaid, and all charges and expenses of such detention and sale, and out of the proceeds of the sale to retain the sum so payable, together with the charges and expenses aforesaid, rendering the overplus, if any, of the money arising by such sale, and such of the goods as shall remain unsold, to the person entitled thereto; or the General Manager may recover any such sum by action at law. The goods of passengers may also be detained, sold, and the proceeds disposed of as above provided for non-payment of the fare due by them.

Written account of goods to be given on demand.

18 The owner or person having the care of any goods which shall have been carried upon the railway, or shall be brought to the premises appertaining to the railway for the purpose of being carried on the railway, shall, on demand by any railway official, deliver to such official an exact account in writing, signed by him, of the number or quantity and description of such goods. This provision shall not apply to passengers' luggage.

Penalty for giving no account, or false account.

19 If any such owner or person as aforesaid shall, on demand by any such railway official as aforesaid, fail to give such account to such railway official, or if he shall wilfully give a false account thereof, he shall, for every such offence, be liable to a fine not exceeding fifty rupees for every ton of goods, and to a fine not exceeding twenty rupees for any quantity of goods less than a ton.

Carriage of goods of a dangerous nature.

20 No person shall carry upon the railway any dangerous article, or be entitled to require any railway official to carry upon the railway any article which, in the judgment of any of the railway officials, shall be of a dangerous nature, or so bulky that it would be unsafe for the railway to convey the same; and if any person shall carry upon the railway any dangerous article, or shall deliver to such railway official any such article for the purpose of being carried upon the railway, without distinctly marking their nature on the outside of the package containing the same, and likewise giving notice in writing of the nature thereof to the station master or other railway official to whom the same shall be delivered for the purpose of being so carried, he shall be liable to a fine not exceeding two hundred rupees for every such offence; and it shall be lawful for the railway officials to refuse to carry any luggage or parcel that they may suspect to contain articles of a dangerous nature, and to require the same to be opened to ascertain the fact previously to carrying the same; and in case any such luggage or parcel shall be received by the railway officials for the purpose of being carried on the railway, it shall be lawful for any railway official to stop the transit thereof until he shall be satisfied as to the nature of the contents of the luggage or parcel.

Persons afflicted with smallpox, &c., not allowed to travel.

21 If any person afflicted with smallpox or other contagious disease shall travel by the railway, he shall be guilty of an offence, and liable to a fine not exceeding fifty rupees;

Ceylon Railways.

and if any person, whilst travelling, be discovered to be so afflicted, it shall be lawful for any railway official to remove him from the carriage and from the railway premises at the first opportunity.

22 Any person who shall remove any stakes, or pegs, or other marks placed by any railway official or by any surveyor or his servants or agents along the line of any railway already constructed, or any other line which may be hereafter undertaken with the sanction of the Government, or contiguous thereto, for the purpose of setting out, tracing, or showing such line, shall be liable to a fine not exceeding fifty rupees.

Penalty for removing stakes, or pegs, or defacing marks.

23 Any person who shall trespass upon the railway, or upon any of the lands, stations, or other premises appertaining to the railway, shall be liable to a fine not exceeding twenty rupees; and if any such person shall refuse to leave the railway or premises on being requested to do so by any railway official, or by any other person on his behalf, he shall be liable to a fine not exceeding fifty rupees, and may be immediately removed from the railway or premises by such officer or other person as aforesaid.

Penalty for trespass.

24 Any person who shall wilfully ride, lead, or drive upon or across the railway any animal, except in directly crossing the railway at any road or place appointed for that purpose, at a time at which he shall be lawfully authorized so to do, shall be liable to a fine not exceeding fifty rupees for each offence.

Penalty for driving an animal upon or across the railway.

25 If the railway cross any public carriage road (not defined to be an occupation crossing as hereinafter provided) on a level, the General Manager shall, when the line is open for traffic, cause to be erected and maintained good and efficient gates, either across the railway or across the road on each side of the railway where the same shall communicate with the road, and shall employ proper persons to open and shut such gates. If such gates be across the road, they shall be kept constantly closed, except during the time when horses, cattle, carts, or carriages passing along the same shall have to cross the railway; and the gates shall be of such dimensions and so constructed as when closed to fence in the railway, and prevent persons, cattle, or horses passing along the road from entering upon the railway. If the gates be across the railway, they shall be kept closed, except when engines or carriages passing along the railway shall have occasion to cross the road, and shall be of such dimensions, and so constructed as when open to fence in the railway, and prevent persons, cattle, or carriages from entering upon the railway: Provided that it shall be lawful for the Governor, in any case, to order that the gates shall be across the road or across the railway, as the Governor may think fit, and in such case the gates shall be erected, maintained, and closed accordingly. If the General Manager shall wilfully fail to comply with the provisions of this section, he shall be liable to a fine not exceeding two hundred rupees for each offence:

Precaution if railway cross road.

Proviso.

Ceylon Railways.

and any police magistrate may, in case any such gates be not erected or maintained, order the General Manager to cause the same to be erected and maintained within a time to be specified in the order; and in case of wilful failure on his part to comply with such order, he shall be liable to a fine not exceeding two hundred rupees for every day that he shall wilfully fail so to do.

Occupation
crossings.

26 It shall be lawful for the Governor from time to time to declare by Proclamation any road or path which the railway may cross to be an "occupation crossing," and such Proclamation to alter, vary, or repeal. The gates of occupation crossings are not to close across the railway, and are to be kept locked by means of padlocks, the keys of which shall be kept by railway officials or others authorized thereto by the General Manager. Any person desiring to use the same must give such notice of his intention to do so, as the Governor shall from time to time require, to the station master of the nearest station, or such other person as the General Manager may from time to time appoint, to allow of arrangements being made for the opening of the gates with safety to the public. The General Manager will define from time to time the hours suitable for such openings, and the gates can only be opened at the hours so defined by him. Cattle passing over the occupation crossing must not be driven, but led by a suitable and properly secured halter. Any person using or attempting to use an occupation crossing without such notice as aforesaid, or at hours other than those defined as aforesaid, and any person causing cattle to cross without such halter as aforesaid, and the owner of any cattle so crossing, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees, or to imprisonment, with or without hard labour, not exceeding three months.

Liability of
owner of animal
trespassing.

27 The owner of any animal which shall trespass or stray upon the railway or upon any lands appertaining to the railway, shall be liable to a fine not exceeding ten rupees for each animal; and it shall be lawful for any railway official, or his servants or agents, to take or drive every animal which shall be found so trespassing to the nearest police station, there to be detained until the highest amount of fine incurred by such trespass, and the expense of feeding and keeping the animal, be paid, or until a police magistrate shall otherwise order. A police magistrate may, upon proof of the trespass, cause such animal to be sold by public auction, and the proceeds of the sale—after deducting therefrom such fine or such a sum not exceeding ten rupees for each animal, as the magistrate shall award, to be paid in lieu of the fine to which the owner is hereby made liable, and such further sum as the magistrate shall order to be paid for the expenses of detaining, feeding, and selling such animal—shall be returned to the owner of the animal on demand.

Penalty for
injury
to carriage, &c.

28 Any person who shall unlawfully and wilfully remove or deface the number-plates, or remove or extinguish any lamp on any carriage or signal-post belonging to the railway; or shall wilfully imitate any railway signal; or shall

Ceylon Railways.

wilfully or negligently damage or injure any carriage, engine, wagon, truck, station, warehouse, bridge, building, machine, rail-points, fence, or any other matter or thing belonging to the railway, shall be liable to a fine not exceeding two hundred rupees.

29 If any person for whose use or accommodation any gate shall have been set up by any railway official, on either side of the railway, or any other person shall open such gate, or pass, or attempt to pass, or drive, or attempt to drive any cattle, carriage, or other animal or thing across the railway, at a time when any engine or train approaching along the same shall be in sight; or shall at any time omit to shut and fasten such gate as soon as he and any cattle, carriage, or other animal or thing under his charge, shall have passed through the same, he shall be liable to a fine not exceeding one hundred rupees.

Penalty for opening or not properly shutting gates.

30 If any person shall wilfully and maliciously put, place, cast, or throw upon or across the railway any wood, stone, or matter, or thing, or shall wilfully and maliciously take up, remove, or displace any rail, sleeper, or matter, or thing belonging to the railway, or shall wilfully and maliciously turn, move, or divert any points or other machinery belonging to the railway, or shall wilfully and maliciously make or show, hide or remove, any signal or light upon or near the railway, or shall wilfully or maliciously do or cause to be done any other matter or thing with intent, in any of the cases aforesaid, to upset, obstruct, overthrow, injure, or destroy any engine, tender, carriage, or truck used upon the railway, or to endanger the safety of any persons travelling or being upon the railway, or cast, throw, or cause to fall or strike against, into, or upon any engine, tender, carriage, or truck used upon the railway, any wood, stone, or other matter or thing, with intent to endanger the safety of any person being in or upon such engine, tender, carriage, or truck, every such offender shall be guilty of an offence, and, being convicted thereof, shall be liable, at the discretion of the court, to corporal punishment not exceeding fifty lashes, or fine not exceeding one thousand rupees, or imprisonment, with or without hard labour, for any period not exceeding twenty years, or to any two or more of those punishments.

Obstructing engine or carriages, or endangering safety of passengers.

31 Whoever shall wilfully do any act, or shall wilfully omit to do what he is legally bound to do, intending by such act or omission to cause, or knowing that he is thereby likely to cause, the safety of any person travelling or being upon the railway to be endangered, shall be liable to corporal punishment not exceeding twenty lashes, or to fine not exceeding two hundred rupees, or to imprisonment, with or without hard labour, for any term not exceeding seven years, or to any two or more of those punishments.

Penalty for wilful act or omission endangering a passenger.

32 Any railway official who shall be in a state of intoxication whilst actually employed upon the railway, or any of the works connected therewith, in the discharge of any duty, and any railway official who negligently shall omit to perform his duty, or shall perform the same in an improper manner,

Penalty for drunkenness or breach of duty by railway official.

Ceylon Railways.

shall be liable to a fine not exceeding fifty rupees; and if the duty in any of the cases in this section above mentioned be such, that the omission or negligent performance thereof would be likely to endanger the safety of any person travelling or being upon the railway, such official shall, on conviction, be liable to imprisonment, with or without hard labour, for a term not exceeding one year, or to fine not exceeding two hundred rupees, or to both.

Penalty for an act not wilful.

33 If any person shall rashly or negligently, and without lawful excuse, do any act which shall be likely to endanger his own safety or that of any person travelling or being upon the railway, he shall, upon conviction, be liable to imprisonment, with or without hard labour, for a term not exceeding six months, or to fine not exceeding one hundred rupees, or to both.

Breach of rules.

34 If any person shall wilfully do any act, or wilfully omit to do any act, contrary to the provisions of the rules sanctioned by the Governor, with the advice of the Executive Council, as already provided, he shall be guilty of an offence, and be liable on conviction to a fine not exceeding twenty rupees.

Penalty for false certificate.

35 Every person who shall give a false or untrue certificate as to coolies forming gangs with intent to defraud or to entitle them to the low rate of fare allowed to gangs of coolies by the schedule A, shall be guilty of an offence, and be liable on conviction to a fine not exceeding one hundred rupees.

Apprehension of offenders.

36 Every person who shall be guilty of any offence mentioned in this Ordinance may be lawfully apprehended, without any warrant or written authority, by any railway official or by any other person whom such railway official shall call to his aid, or by any police officer, anything in "The Criminal Procedure Code, 1883," to the contrary notwithstanding; and every person so apprehended shall, with all convenient despatch, be carried and conveyed before a police magistrate to be dealt with according to law.

Rules for the construction of the Ordinance.

37 In the construction of this Ordinance, every railway official shall be deemed to be legally bound to do everything necessary for, or conducive to, the safety of the public, which he shall be required to do by this Ordinance, or by any rule which shall be made by the Governor, with the advice of the Executive Council, and of which rule such official shall have notice; and every such official shall be deemed to be legally prohibited from doing every act which shall be likely to cause danger, and which by any such rule he shall be prohibited from doing.

Jurisdiction of magistrates.

38 For the purposes of this Ordinance, the police magistrates of Colombo, Kandy, Kalutara, Pánaduré, Mátalé, Gampola, Hatton, Nuwara Eliya, and also any other police magistrate who may hereafter be specially authorized thereto by Proclamation issued by the Governor, with the advice of the Executive Council, shall respectively have jurisdiction

Ceylon Railways.

over all offences, acts, matters, and things hereby made cognizable by police courts, although such magistrates may otherwise have no jurisdiction in the place where the offence was committed, or where the act, matter, or thing took place.

39 And whereas the punishments assigned to certain offences under this Ordinance are beyond the jurisdiction of police courts, but it would be frequently more advantageous that such offences should be brought for trial before such courts in order that the punishment of offenders may be more prompt, even though it should be less severe: It is therefore enacted that in case of any person committing an offence under this Ordinance, and which offence would not otherwise be cognizable by a police court by reason of the punishment to which the same is subject, and a certificate shall be presented to any police court signed by the Attorney-General or Solicitor-General, or by any Crown counsel, to the effect that such officer is content that such offence or act shall be prosecuted before such court, it shall be competent to such court to take cognizance of such offence or act, and to award in respect thereof so much of the punishment assigned thereto as police courts are empowered by law to award.

Case may be tried before police courts, though otherwise out of their jurisdiction.

40 And whereas many of the offences declared punishable by this Ordinance may be committed by children whom it would not be expedient to punish in manner herein provided: It is therefore enacted that it shall be competent to any police magistrate before whom any person under the age of sixteen years shall be convicted of any offence, to order the moderate chastisement of such person instead of subjecting him to the punishment prescribed by this Ordinance, and such chastisement shall be inflicted immediately if the magistrate shall so direct.

Punishment of children for breach of Ordinance.

41 The payment of any fare to which any passenger not producing or delivering up his ticket shall be liable under section 7 of this Ordinance, may be enforced in the same manner as any fine imposed by this Ordinance.

Enforcing payment of fare by passenger not producing ticket.

42 A copy of this Ordinance and of the rules, time-tables, and tariff of charges, which shall from time to time be duly made and published, shall be exhibited in some conspicuous place at each station of the railway, so that they may be easily seen and read; and all such documents shall be so exhibited in English and in the vernacular languages of the district in which the station is situate, and in such other language, if any, as shall be required by order of the Governor.

A copy and translation of Act to be shown at railway stations.

43 Any person who shall remove, deface, or in any way injure any document exhibited by the railway authorities as required by section 42, or any notice or document posted by them at the station or anywhere upon the railway, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees, or to imprisonment, with or without hard labour, for three months.

Penalty for removing documents or notices.

Ceylon Railways.

Rebate to be
granted on
freight.

44 It shall be lawful for the Governor, with the advice of the Executive Council, to grant to any company or person conveying by railway goods the freight on which shall exceed an average amount to be fixed from time to time by the Governor, with the advice aforesaid, such rebate as to him shall appear reasonable.

SCHEDULE A

(1) The Ordinance No. 10 of 1865, intituled "An Ordinance relating to the Ceylon Railway," save and except sections 19 and 31 thereof, which have already been repealed by "The Criminal Procedure Code, 1883 ;"

(2) The Ordinance No. 12 of 1871, intituled "An Ordinance to reduce the Minimum Rates fixed by Ordinance No. 10 of 1865 for Railway Passenger Fares ;"

(3) The Ordinance No. 5 of 1872, intituled "An Ordinance to extend the provisions of the Ordinance No. 10 of 1865 to the Railway from Peradeniya to Návalapitiya ;"

(4) The Ordinance No. 3 of 1874, intituled "An Ordinance further to extend the provisions of the Ordinance No. 10 of 1865 ;"

(5) The Ordinance No. 9 of 1877, intituled "An Ordinance to reduce the Minimum Rates for Railway Passenger Fares on the Railway between Colombo and Pánaduré, and on the Railway now in course of construction between Pánaduré and Kalutara ;"

(6) The Ordinance No. 10 of 1878, intituled "An Ordinance to make provision for the Traffic Rates to be charged in respect of Goods upon the proposed Line of Railway between Návalapitiya and Nánu-oya ;"

(7) The Ordinance No. 2 of 1881, intituled "An Ordinance to amend the Ordinance No. 10 of 1865, intituled 'An Ordinance relating to the Ceylon Railway.'"

SCHEDULE B.

Rate of Railway Fares.

Passengers.

- 1st class, not exceeding 17 cents per mile.
- 2nd class, not exceeding 8 cents per mile.
- 3rd class, not exceeding 3 cents per mile.

Detachments of pioneers of any nationality, or gangs of coolies of not less than six in number, each pioneer or cooly $1\frac{1}{4}$ cent per mile. Provided that no detachment or gang shall be conveyed at the rate aforesaid unless upon the production of a certificate from the importer of such coolies, or from the manager of the estate or work from or to which they are going, that such pioneers or coolies have been employed, or are about to be employed, on the said estate or work. Children of pioneers or coolies in gangs to be charged as adults. The minimum fare of pioneers and coolies' gangs shall be twenty-five cents each.

Reductions to be made for children and for return or periodical tickets. The right of reduction in the case of children must be determinable either by age or height, as shall from time to time be provided for by the rules.

Goods.

1st class from 16 cents to 59 cents per ton per mile.

2nd class from 12 cents to 44 cents per ton per mile.

3rd class from 4 cents to 25 cents per ton per mile.

Special rates to be charged for live stock, corpses, specie, plate, carriages, firearms, machinery, and for articles exceeding three tons in weight or measuring more than 200 cubic feet, or 20 ft. in length, and gunpowder, vitriol, lucifer matches, and other articles which, in the judgment of any of the railway officials, may be of a dangerous nature.

As respects goods, the fractional part of half a hundredweight shall be reckoned as half a hundredweight.

Articles not herein enumerated to be charged according to any of the above classes, or at special rates, according to the provisions to be made from time to time in the rules and regulations.

The minimum distance on which a mileage charge shall be made is ten miles.

Special trains or reserved accommodation shall be charged for at special rates.

Goods of the third class in quantities less than four tons, to be charged at second class rates, or as four tons.

Demurrage, insurance on valuable articles, warehouse, loading, and like charges, shall be made in addition to the above rates, which apply only to the carriage of goods.

As respects goods and passengers, the fractional part of a cent will be charged as a cent, and the fractional part of a mile will be charged as a mile.

Definitions of Classes.

CLASS 1.—Furniture, pianos or other musical instruments, wine or other liquors in bottle, groceries, oilmanstores, millinery, textile fabrics, glassware, crockery, meat, fish, and game.

CLASS 2.—Coffee, rice, grain of all kinds in bags or packages or in bulk, oil, wine or other liquid in cask, jute, horns, jaggery, sugar, cocoanuts, tobacco, cinnamon, vegetables, plants, seed and agricultural produce generally, refined salt and saltpetre, bales of cotton cordage, machinery not included in special rates, manufactured metals, coir matting, castings, soap, hardware, tools, and agricultural implements.

CLASS 3.—Coke, coal, minerals, building materials, unworked metals, manure, and firewood.

8th January, 1886.
