

*Protection of Produce.***No. 22 of 1886.**

An Ordinance to amend the Ordinance No. 9 of 1885, relating to the Protection of certain descriptions of Produce.

(See No. 9 of 1885.)

WHEREAS it is expedient to amend the Ordinance No. 9 of 1885, intituled "An Ordinance to further provide for the Protection of certain descriptions of Produce:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

1 This Ordinance shall be read and construed as one with Ordinance No. 9 of 1885, herein referred to as the principal Ordinance.

To be read with Ordinance No. 9 of 1885.

2 From and after the coming into operation of this Ordinance, section 3 of the principal Ordinance shall be repealed, and in lieu thereof the following enactment shall have effect :

Repeal of section 3 of principal Ordinance.

Whenever the unripe fruit of the coffee or cacao tree or of the tea or cardamom plant or of the arecanut palm, or the bark, whether of the branch, root, or stem, of the cinchona tree, shall be found in the possession of any person who is unable to give a satisfactory account of his possession hereof, such person shall be deemed and adjudged guilty of an offence, and shall on conviction be liable to the punishments provided for the theft of prædial products under section 368 of "The Ceylon Penal Code." Provided that should the offence be one for which a person may be convicted before a police magistrate, such police magistrate may, in addition to any term of imprisonment to which the offender may be sentenced by him for such offence, order such offender to be whipped in the manner prescribed by sections 55 and 56 of "The Ceylon Penal Code," anything in such Code or in "The Criminal Procedure Code, 1883," to the contrary notwithstanding. Provided that the number of lashes or strokes to be inflicted shall in no case exceed twenty.

Proviso.

3 The repeal of section 3 of the principal Ordinance shall not affect—

Repeal not to affect past operation of section 3 of principal Ordinance.

- (a) The past operation of the said section ; nor
- (b) Any right, obligation, or liability acquired, accrued, or incurred thereunder ; nor
- (c) Any penalty or punishment incurred in respect of any offence prescribed by the said section ; nor
- (d) Any investigation, legal proceeding, or remedy in respect of any such right, obligation, liability, penalty, or punishment as aforesaid ; and every such investigation, legal proceeding, and remedy may be carried on as if this Ordinance had not passed.

31st December, 1886.