

## No. 9 of 1872.

An Ordinance to empower Commissioners, appointed by the Governor to inquire into any matter referred to them for inquiry, to hear evidence thereon.

**W**HEREAS it is frequently necessary for the Governor to issue commissions appointing one or more persons named therein to inquire into and report upon any matter upon which information, in the opinion of the Governor, is necessary, and it is expedient that commissioners so appointed should have the power to hear evidence with a view to such inquiry and report: It is hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

1 Whenever the Governor, with the advice of the Executive Council, shall issue a commission under the seal of this island, appointing one or more persons to inquire into and report upon any matter stated in such commission upon which information is, in his opinion, necessary, it shall be lawful for the commissioners so appointed, by a summons under the hand of their chairman, or if there be only one commissioner, of such commissioner, to require the attendance before them, at a time and place to be mentioned in the summons, of any person whose evidence shall, in the judgment of the commissioners, be material to the subject-matter of the inquiry referred to them, and to

Preamble.

Commissioners so appointed may issue summons to any person named therein to appear before them and to produce documents.

*Commissioners of Inquiry.*

require all persons to bring before them such books, papers, deeds, and writings as to the said commissioners shall appear necessary for arriving at the truth touching such subject-matter.

Commissioners to have all the powers of district courts as respects persons failing to appear, or to be sworn, or to answer questions, or to produce documents.

**2** If any person upon whom any such summons shall be served by the delivery thereof or by the same being left at his usual place of abode, shall, without reasonable cause, of which the commissioners shall be the judges, fail to appear before them at the time and place mentioned in the summons, or shall refuse to be sworn, or shall not make answer to such questions as shall be put to him touching the matters which the commissioners are directed to inquire into, and which he is legally bound to make, or shall refuse or fail without reasonable cause, of which the commissioners shall be the judges, to produce and show to the said commissioners any such papers, books, deeds, or writings, being in his possession or under his control, as to the said commissioners shall appear necessary for arriving at the truth of the things which they are directed to inquire into, the commissioners shall have the same powers touching any such person so failing to appear, or refusing to be sworn, or not answering such questions as shall be put to him, or refusing to produce any such papers, books, deeds, or writings as aforesaid, as any district court may by law exercise against any person for making default of appearance, or for refusing to be sworn, or to give evidence, or to produce documents at the trial of any action depending in such court. Provided, however, that it shall not be lawful for such commissioners to exercise any of the said powers without first reporting to the Governor the case which renders, in their opinion, the exercise of them, or any of them, necessary, with full particulars, and obtaining the sanction of the Governor, with the advice of the Executive Council.

Commissioners empowered to administer oath. False swearing before them made perjury.

**3** The commissioners so appointed are hereby empowered to administer oaths to all persons who shall be examined before them, and every person who, upon examination upon oath before the said commissioners, shall wilfully give false evidence, shall be liable to the pains and penalties of perjury.

Processes issued by commissioners exempt from stamp and schedule duty. Fiscals bound to execute processes and commands of commissioners.

**4** No stamp duty shall attach to or be payable for any process issued by the commissioners under the provisions of this Ordinance; nor shall it be necessary to attach schedules to processes issued to the fiscal under such provisions. Fiscals shall be bound to serve and execute all lawful processes and commands issued by the said commissioners.

20th December, 1872.