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DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to consolidate and amend the Law relating to the Post Office in Ceylon.

Preamble.	WHEREAS it is expedient to consolidate and amend the law relating to the post office in Ceylon: 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 (1) This Ordinance may be cited for all purposes as "The Ceylon Post Office Ordinance, 1907."
Extent.	(2) It applies to Ceylon and to any dependency of Ceylon to which the Governor in Council may hereafter, by Proclamation in the <i>Government Gazette</i> , extend its application.
Date of operation.	2 This Ordinance shall come into operation on such date as the Governor shall, by Proclamation published in the <i>Government Gazette</i> , appoint.
Repeal.	3 The Ordinances specified in the first column of the schedule hereto shall be severally repealed to the extent mentioned in the third column thereof.

Definitions.

4 In this Ordinance, unless there is anything repugnant in the subject or context,—

- (a) The expression "Postmaster-General" means the Postmaster-General of Ceylon, and includes the Assistant Postmaster-General.
- (b) The expression "inland" used in relation to a postal article means posted in Ceylon or in any dependency of Ceylon to which this Ordinance shall have been extended, and addressed to any place in Ceylon or in such dependency.
- (c) The expression "mail bag" includes a bag, box, parcel, or any other envelope or covering in which postal articles in course of transmission by post are conveyed, whether it does or does not contain any such article.
- (d) The expression "mail ship" means a ship employed for carrying mails, pursuant to contract or continuing arrangements by the Government of Ceylon or His Majesty's Government or the Government of any British possession or foreign country.
- (e) The expression "master of a vessel" means the person for the time being having or taking the charge or command of a vessel, but does not include the pilot.
- (f) The expression "officer of the post office" includes any person employed in any business of the post office or on behalf of the post office.
- (g) The expression "postage" means the duty chargeable for the transmission by post of postal articles.
- (h) The expression "postage stamp" means any stamp provided by the Governor for denoting postage or other fees or sums payable in respect of postal articles under this Ordinance, and includes adhesive postage stamps and envelopes, cards, wrappers, and other articles on which postage stamps are printed, embossed, impressed, or otherwise indicated.
- (i) The expression "post office" includes every house, building, room, carriage, or place used for the purposes of the post office, and every letter-box provided by the post office for the reception of postal articles.
- (j) The expression "postal article" includes a letter, post card, newspaper, parcel, and every article or thing transmissible by post.
- (k) The expression "the post office" means the department presided over by the Postmaster-General.

Presumptions
as to delivery
of postal
articles.

5 For the purposes of this Ordinance—

- (a) A postal article shall be deemed to be in course of transmission by post from the time of its being delivered to a post office to the time of its being delivered to the addressee, or of its being returned to the sender, or otherwise disposed of under section 39.
- (b) The delivery of a postal article of any description to an officer of the post office authorized to receive postal articles of that description for the post shall be deemed to be a delivery to a post office; and
- (c) The delivery of a postal article at the house or office of the addressee, or to the addressee or his servant or agent or other person considered to be authorized to receive the article according to the usual manner of delivering postal articles to the addressee, shall be deemed to be delivery to the addressee.

Privilege and Protection of the Government.

Establishment
of post offices.

6 (1) The Governor may establish post offices at such places as he may deem expedient and discontinue any post office.

(2) Whenever posts or postal communications are established by the Governor the Government shall have the exclusive privilege of conveying by post, from one place to another, all

letters, except in the following cases, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters, except in the following cases ; that is to say :

- (a) Letters sent by a private friend in his way, journey, or travel, to be delivered by him to the person to whom they are directed, without hire, reward, or other profit or advantage for receiving, carrying, or delivering them ;
- (b) Letters solely concerning the affairs of the sender or receiver thereof, sent by a messenger on purpose ; and
- (c) Letters solely concerning goods or property, sent either by sea or by land to be delivered with the goods or property which the letters concern, without hire, reward, or other profit or advantage for receiving, carrying, or delivering them.

Provided that nothing in this section shall authorize any person to make a collection of letters excepted as aforesaid for the purpose of sending them otherwise than by post.

(3) For the purposes of this section and section 7 the expression " letters " includes post cards.

Monopoly of carriage of letters.

7 Wherever posts or postal communications are established by the Governor, the following persons are expressly forbidden to collect, carry, tender, or deliver letters or to receive letters for the purpose of carrying or delivering them, although they obtain no hire, reward, or other profit or advantage for so doing ; that is to say :

- (a) Common carriers of passengers or goods and their servants or agents, except as regards letters solely concerning goods in their carts or carriages ; and
- (b) Owners and masters of vessels sailing or passing on any river or canal in Ceylon or between any ports or places in Ceylon and their servants or agents, except as regards letters solely concerning goods on board, and except as regards postal articles received for conveyance under section 45.

Government protected from liability for losses not caused by wilful act or default.

8 The Government shall not incur any liability by reason of the loss, misdelivery, or delay of, or damage to, any postal article in course of transmission by post, except in so far as such liability may in express terms be undertaken by the Governor in Council as hereinafter provided ; and no officer of the post office shall incur any liability by reason of any such loss, misdelivery, delay, or damage, unless he has caused the same fraudulently or by his wilful act or default.

Postage.

The Governor in Council to fix rates of postage.

9 (1) The Governor in Council may, by notification in the *Government Gazette*, fix the rates of postage and other sums to be charged in respect of postal articles sent by the inland post under this Ordinance.

(2) Unless and until such notification as aforesaid is issued, the rates in force at the date of the passing of this Ordinance shall be the rates chargeable thereunder.

The Governor, with the advice of the Executive Council, to make rules.

10 (1) The Governor in Executive Council may by rule—

- (a) Require the prepayment of postage on inland postal articles or any class of inland postal articles, and prescribe the manner in which prepayment should be made ;
- (b) Prescribe the postage to be charged on inland postal articles when the postage is not prepaid or insufficiently prepaid ;
- (c) Provide for the re-direction of postal articles and the transmission by post of articles so re-directed either free of charge or subject to such further charge as may be specified in the rules ;

- (d) Provide for the franking of postal articles by officers of the public service under such limitations as may from time to time be deemed expedient ; and
- (e) Prescribe the scale of weights, terms, and conditions subject to which the rates fixed for postage shall be charged.

Power to make rules for transmission of registered newspapers.

11 (1) The Governor in Executive Council may make rules providing for the registration of newspapers for transmission by inland post as registered newspapers.

(2) For the purpose of such registration every publication consisting wholly or in great part of political or other news or of articles relating thereto or to other current topics, with or without advertisements, shall be deemed a newspaper, subject to the following conditions, namely :

- (a) That it is published in numbers at intervals of not more than thirty-one days ; and
- (b) That it has a *bona fide* list of subscribers.

(3) An extra or supplement to a newspaper, bearing the same date as the newspaper and transmitted therewith, shall be deemed to be part of the newspaper.

Provided that no such extra or supplement shall be so deemed unless it consists wholly or in great part of matter like that of the newspaper, and has the title and date of publication of the newspaper printed at the top of each page.

Explanation.—Nothing in this section or in the rules made thereunder shall be construed to render it compulsory to send newspapers by post.

Arrangements with Great Britain and other countries for the transmission of mails.

12 (1) The Governor in Executive Council may from time to time authorize the Postmaster-General to make arrangements with the postal authority of the United Kingdom, or of any British possession or foreign country, for all or any of the following purposes, namely :

- (a) For the establishment of mail communication and the transmission of mails between Ceylon and the United Kingdom or any British possession or foreign country, or through Ceylon or the United Kingdom or any British possession or foreign country, to or from any part of the world, as the case may be, and for the payment of the expenses thereof, not exceeding such sums as from time to time are appropriated for the purpose by the Legislative Council.
- (b) For the fixing and collection of postage or other dues upon postal articles transmitted as aforesaid.
- (c) For the prepayment in full, or otherwise, of the postage due on any such postal articles.
- (d) For the transmission of registered, insured, and value-payable postal articles, and the rates to be charged therefor.
- (e) For the interchange of money orders and postal orders ; the manner in which and the conditions subject to which such orders may be issued and paid ; and the rates of commission to be charged thereon.
- (f) For the division and the mutual accounting for and payment of the money collected under any such arrangement.
- (g) For the granting of compensation for the loss of postal articles or their contents or for any damage caused to them in course of transmission by post ; and the conditions and limitations subject to which such compensation may be granted.

(2) The rates and regulations existing under any such arrangement now in force shall continue until altered as herein provided.

(3) Where any arrangement under this section is in force, the Governor in Executive Council may, in conformity with the provisions of such arrangement, make rules for any of the purposes specified in sub-section (1) of this section.

Payment of surcharged postage on insufficiently stamped articles.

13 (1) The addressee of a postal article on which postage or any other sum chargeable under this Ordinance is due shall be bound to pay the postage or sum so chargeable on his accepting delivery of the postal article, unless he forthwith returns it unopened. Provided that, if any such postal article appears to the satisfaction of the Postmaster-General to have been maliciously sent for the purpose of annoying the addressee he may remit the postage.

(2) If any postal article on which postage or any other sum chargeable under this Ordinance is due is refused or returned as aforesaid, or if the addressee is dead or cannot be found, then the sender shall be bound to pay the postage or sum due thereon under this Ordinance.

Enforcement of payment of postage.

14 If any person refuses to pay any postage or other sum due from him under this Ordinance in respect of any postal article, the sum so due may, on application made by an officer of the post office authorized in this behalf by the written order of the Postmaster-General, be recovered for the use of the post office from the person so refusing, as if it were a fine imposed under this Ordinance by any Magistrate having jurisdiction where that person may for the time being be resident; and the Postmaster-General may further direct that any other postal article, not being on His Majesty's service, addressed to that person shall be withheld from him until the sum so due is paid or recovered as aforesaid.

Recovery of customs duty by the post office.

15 When a postal article, on which any duty of customs is payable, has been received by post from any place beyond seas, the amount of the duty shall be recoverable as if it were postage due under this Ordinance.

Certain rules of evidence.

16 In every proceeding for the recovery of any postage or other sum alleged to be due under this Ordinance in respect of a postal article—

- (a) The production of a postal article, having thereon the official mark of the post office denoting that the article has been refused, or that the addressee is dead or cannot be found, shall be *prima facie* evidence of the fact so denoted; and
- (b) The person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be the sender thereof.

Further rules of evidence.

17 The official mark on a postal article denoting that any postage or other sum is due in respect thereof to the post office of Ceylon or to the post office of the United Kingdom or of any British possession or foreign country shall be *prima facie* evidence that the sum denoted as aforesaid is so due.

Postage Stamps.

Provision of postage stamps, and power to make rules as to them.

18 (1) The Governor shall cause postage stamps to be provided of such kinds and denoting such values as he may think necessary for the purposes of this Ordinance.

(2) The Governor in Executive Council may make rules as to the supply, sale, and use of postage stamps.

(3) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Fix the price at which postage stamps shall be sold;
- (b) Declare the classes of postal articles in respect of which postage stamps shall be used for the payment of postage or other sums chargeable under this Ordinance;
- (c) Prescribe the conditions with regard to perforation, defacement, and all other matters subject to which postage stamps may be accepted or refused in payment of postage or other sums;
- (d) Regulate the custody, supply, and sale of postage stamps;
- (e) Declare the persons by whom, and the terms and conditions subject to which, postage stamps may be sold; and
- (f) Prescribe the duties and remuneration of persons selling postage stamps.

(4) The provisions of "The Stamp Ordinance, 1890," with regard to licensed dealers in stamps, shall not be applicable to persons selling postage stamps in accordance with rules made under this section.

Postage stamps deemed to be revenue stamps.

19 Postage stamps provided under section 18 shall be deemed to be stamps issued by Government for the purpose of revenue within the meaning of the Ceylon Penal Code, and, subject to the other provisions of this Ordinance, shall be used for the prepayment of postage or other sums chargeable under this Ordinance in respect of postal articles, except where the Governor in Executive Council directs that prepayment shall be made in some other way.

Conditions of Transmission and Delivery of Postal Articles.

Re-delivery to sender of postal article in course of transmission by post.

20 (1) The Governor in Executive Council may by rule provide for the re-delivery to the sender, without reference to the consent of the addressee and subject to such conditions (if any) as may be deemed fit, of any postal article in course of transmission by post.

(2) Save as provided by rules made under sub-section (1), the sender shall not be entitled to recall a postal article in course of transmission by post.

Transmission by post of injurious, filthy, and noxious articles prohibited.

21 (1) No person shall send by post any article or thing which is likely to injure postal articles in course of transmission by post or any officer of the post office.

(2) Except as otherwise provided by rule, and subject to such conditions as may be prescribed thereby, no person shall send by post any explosive, dangerous, filthy, noxious, or deleterious substance, any sharp instrument, or any living creature.

Transmission by post of anything indecent, &c., prohibited.

22 No person shall send by post—

(a) Any indecent or obscene printing, painting, photograph, lithograph, engraving, book, or card, or any other indecent or obscene article; or

(b) Any postal article having thereon, or on the cover thereof, any words, marks, or designs of an indecent, obscene, seditious, scurrilous, threatening, or grossly offensive character.

(c) Any proposal, circular, or ticket relating to lotteries whether promoted in Ceylon or elsewhere.

Power to make rules as to transmission by post and delivery of postal articles.

23 (1) The Governor in Executive Council may make rules as to the transmission by post and the delivery of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

(a) Provide for the granting of receipts for, and the granting and obtaining certificates of, posting and delivery of postal articles and the sums to be paid in addition to any other postage for such receipts and certificates;

(b) Regulate covers, form, dimensions, maximum weight, and enclosures, and the use of postal articles other than letters for making communications; and

(c) Prescribe the fees to be charged for locked bags, locked boxes, and postal or tappal books, and the additional postage (if any) to be paid on articles posted in contravention of the provisions of this Ordinance.

(3) Postal articles shall be posted and delivered at such times and in such manner as the Postmaster-General may, by order, from time to time appoint.

Delivery of letters to take precedence over delivery of other postal articles.

24 (1) Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of other postal articles, such postal articles or any of them may, subject to such rules as the Postmaster-General may make in this behalf, be detained so long as may be necessary.

(2) Where separate parcel posts are established, parcels may be forwarded and conveyed by them, being detained, if necessary, for that purpose.

Power to deal with articles posted in contravention of this Ordinance.

25 (1) Any postal article sent by post in contravention of any of the provisions of this Ordinance may be detained and either returned to the sender or forwarded to destination, in each case charged with such additional postage (if any) as the Governor may by rule direct.

(2) Any officer of the post office in charge of a post office or authorized by the Postmaster-General in this behalf may open or unfasten any postal article other than a closed letter or parcel which he suspects to have been sent by post in contravention of any of the provisions of this Ordinance.

(3) Notwithstanding anything in sub-section (1)—

(a) Any postal article sent by post which is suspected to contravene the provisions of section 21 may, under the authority of the Postmaster-General, be detained and opened and if necessary destroyed.

(b) Whenever the Postmaster-General has reason to suspect that any postal article other than a closed letter contains anything in contravention of the provisions of section 22, he may cause such postal article to be detained and opened, and if it is found to contain any such matter he shall cause it to be destroyed.

Examination of foreign postal articles for the purpose of customs duties.

26 (1) Every postal article received from beyond seas shall be liable to examination for the purpose of enforcing the provisions of the Customs Ordinance.

(2) Any such postal article, except a letter, may be opened at any post office by an officer of the post office nominated by the Postmaster-General in the presence of an officer of the customs nominated by the Principal Collector of Customs.

(3) If the value of the contents of the postal article is found to have been truly declared, they shall be re-packed by the officer of the post office in the presence of the officer of the customs and shall be forwarded to their destination in a suitable cover secured with a seal or seals bearing the inscription "Opened by His Majesty's Customs."

(4) If the value of the contents is, in the opinion of the officer of the customs, undervalued, the postal article with its contents shall be delivered to the Principal Collector of Customs to be dealt with as provided by the Customs Ordinance.

(5) If any letter received from beyond seas is suspected to contain dutiable articles, it shall be delivered to the Principal Collector of Customs to be dealt with under the Customs Ordinance, and the Postmaster-General shall cause notice in writing to be forthwith sent to the addressee advising him of the arrival of the letter and of its transmission to the Principal Collector of Customs, and requesting him to clear it personally or by agent.

(6) The procedure hereinbefore prescribed shall be carried out without any avoidable delay, but no person shall have any right to compensation or otherwise, nor shall any liability be imposed on the Government or on the Postmaster-General by reason of the opening or detention of any postal article dealt with under the provisions of this section.

In public emergencies the Governor may direct the interception of any postal article.

27 (1) On the occurrence of any public emergency, or in the interest of the public safety or tranquillity, the Governor, or any officer specially authorized in this behalf by the Governor, may by order in writing direct that any postal article or class or description of postal articles in course of transmission by post shall be intercepted or detained, or shall be delivered to the Government or to an officer thereof mentioned in the order, to be disposed of in such manner as the Governor may direct.

(2) If any doubt arises as to the existence of a public emergency, or as to whether any act done under sub-section (1) was in the interest of the public safety or tranquillity, a certificate signed by the Colonial Secretary shall be conclusive proof on the point.

Use of fictitious and previously used stamps prohibited.

28 (1) Where a postal article is received by post at any post office—

- (a) Bearing a fictitious postage stamp, that is to say, any facsimile or imitation or representation of a postage stamp ; or
- (b) Purporting to be prepaid with any postage stamp which has been previously used to prepay any other postal article—

the officer in charge of such post office shall send a notice to the addressee inviting him to attend, either in person or by agent, within a specified time, at the post office to receive delivery of the postal article.

(2) If the addressee or his agent attends at the post office within the time specified in the notice and consents to make known to the officer in charge of the post office the name and address of the sender of the postal article and to re-deliver to the officer aforesaid the portion of the postal article which bears the address and the fictitious or previously used postage stamp, or the entire postal article if it is inseparable from the stamp, then the postal article shall be delivered to the addressee or his agent.

(3) If the addressee or his agent fails to attend at the post office within the time specified in the notice, or, having attended within that time, refuses to make known the name and address of the sender or to re-deliver the postal article or portion thereof as required by sub-section (2) the postal article shall not be delivered to him, but shall be disposed of in such manner as the Governor may direct.

(4) For the purposes of this section the expression “ postage stamp ” includes any postage stamp for denoting any rate or duty of postage of any part of His Majesty’s dominions, or of the territory of any native prince or chief in India, or of any foreign country.

Registration, Insurance, and Value-Payable Post.

Of the registration of postal articles.

29 The sender of a postal article may, subject to the other provisions of this Ordinance, have such article registered at the post office at which it is posted, and require a receipt therefor ; and the Governor may, by notification in the *Government Gazette*, direct that, in addition to any postage chargeable under this Ordinance, such further fee as may be fixed by the notification shall be paid on account of the registration of postal articles.

Power to make rules as to registration.

30 (1) The Governor in Executive Council may make rules as to the registration of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare in what cases registration shall be required ;
- (b) Prescribe the manner in which the fees for registration shall be paid ; and
- (c) Direct that twice the fee for registration shall be levied on the delivery of a postal article required to be registered on which the fee for registration has not been prepaid.

(3) Postal articles made over to the post office for the purpose of being registered shall be delivered, when registered, at such times and in such manner as the Postmaster-General may by order from time to time appoint.

Of the insurance of postal articles.

31 The Governor in Executive Council may, by notification in the *Government Gazette*, direct—

- (a) That any postal article may, subject to the other provisions of this Ordinance, be insured at the post office at which it is posted against the risk of loss or damage in course of transmission by post, and that a receipt therefor shall be granted to the person posting it ; and

(b) That, in addition to any postage and fees for registration chargeable under this Ordinance, such further fee as may be fixed by the notification shall be paid on account of the insurance of postal articles.

Insurance when to be compulsory.

32 The Governor in Executive Council may, by notification in the *Government Gazette*, declare in what cases insurance shall be required, and direct that any postal article containing anything required to be insured, which has been posted without being insured, shall be returned to the sender or shall be delivered to the addressee, subject to the payment of such special fee as may be fixed by the notification. Provided that the levy of such special fee as aforesaid shall not impose any liability upon the Government in respect of the postal article.

Power to make rules as to insurance.

33 (1) The Governor in Executive Council may make rules as to the insurance of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare what classes of postal articles may be insured under section 31 ;
- (b) Fix the limit of the amount for which postal articles may be insured ; and
- (c) Prescribe the manner in which the fees for insurance shall be paid.

(3) Postal articles made over to the post office for the purpose of being insured shall be delivered, when insured, at such places and times and in such manner as the Postmaster-General may by order from time to time appoint.

Government to be liable for the amount insured.

34 Subject to such conditions and restrictions as may be by rule prescribed, the Government shall be liable to pay compensation, not exceeding the amount for which a postal article has been insured, to the sender thereof for the loss of the postal article or its contents, or for any damage caused to it in course of transmission by post. Provided that the compensation so payable shall in no case exceed the value of the article lost or the amount of the damage caused.

Compensation may be paid on uninsured articles.

35 The Governor may, by notification in the *Government Gazette*, permit of the payment of compensation for loss or damage to uninsured registered postal articles, and may prescribe the conditions under which such compensation may be paid, and the limit of the amount of such compensation.

Combined rates for postage, registration, and insurance.

36 The Governor may, by notification in the *Government Gazette*, prescribe combined rates for postage, registration, and insurance.

Value-payable postal articles.

37 The Governor may, by notification in the *Government Gazette*, direct that, subject to the other provisions of this Ordinance and to the payment of fees at such rates as may be fixed by the notification, a sum of money specified in writing at the time of posting by the sender of a postal article shall be recoverable on the delivery thereof from the addressee, and that the sum so recovered shall be paid to the sender. Provided that the Government shall not incur any liability in respect of the sum specified for recovery, unless and until at sum has been received from the addressee.

Explanation.—Postal articles sent in accordance with the provisions of this section may be described as “value-payable” postal articles.

Power to make rules as to registered, insured, and value-payable postal articles.

38 (1) The Governor in Executive Council may make rules as to the transmission by post of value-payable postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare what classes of postal articles may be sent as value-payable postal articles ;
- (b) Limit the value to be recovered on the delivery of any value-payable postal article ; and

(c) Prescribe the form of declaration to be made by the senders of value-payable postal articles and the time and manner of the payment of fees.

(3) Postal articles made over to the post office for the purpose of being sent as "value-payable," shall be delivered, when so sent, at such times and in such manner as the Postmaster-General may by order from time to time appoint.

Undelivered Postal Articles.

Power to make rules as to undelivered postal articles.

39 (1) The Governor in Executive Council may make rules as to the disposal of postal articles which for any reason cannot be delivered (hereinafter referred to as "undelivered postal articles").

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

(a) Prescribe the period during which undelivered postal articles at a post office shall remain in that office.

(b) Provide for the publication of lists of undelivered postal articles, or of any class of undelivered postal articles.

(c) Provide for the manner in which undelivered postal articles shall be finally dealt with or disposed of.

The Postmaster-General to have control of letters directed to shipping offices and lodging-houses.

40 Every postal article addressed to any person at any premises licensed under "The Licensing Ordinance, 1891," or at any shipping office or public or private lodging-house, and delivered to or received by the licensee of such premises, or the person apparently in charge of such office or lodging-house, or any one acting as the servant or agent of such licensee or person, shall be deemed to be under the control of the Postmaster-General until delivered to the person to whom the same is addressed.

Such letters if not delivered to addressees to be returned to nearest post office.

41 (1) If the postal article is not so delivered within one month after the receipt thereof by or on behalf of such licensee or other person as aforesaid, and if instructions to the contrary have not been received from the addressee, the licensee or other person as aforesaid shall return the postal article to the nearest post office with his reasons for doing so.

(2) Every such postal article shall on return to the nearest post office be dealt with as provided by rules made under section 39.

Ship Letters.

Master to deliver mail bags to post office of the port.

42 (1) The master of a ship arriving at any port in Ceylon shall without delay cause every postal article or mail bag on board which is directed to that port and is within the exclusive privilege conferred on the Government by section 6 to be delivered either at the post office at that port, or to some officer of the post office authorized in this behalf by the Postmaster-General.

(2) If there is on board any postal article or mail bag which is directed to any other place within Ceylon and is within the exclusive privilege aforesaid, the master shall without delay report the fact to the officer in charge of the post office at the port of arrival and act according to the directions he may receive from such officer, and the receipt of such officer shall discharge him from all further responsibility in respect of the postal article or mail bag.

Customs officer may seize mail bags in respect of which the law has been infringed.

43 It shall be lawful for any officer of customs at any port or place in Ceylon, who in the due execution of his duty as a revenue officer shall discover on board any vessel in any port or place whatever any mail bags or postal articles in respect of which any of the provisions of this Ordinance have been infringed, to seize and forward the same to the nearest post office with a report of the circumstances of such seizure.

Master to give notice of his intended departure.

44 The master or agent of every vessel which is about to proceed from the port of Colombo to any port beyond seas—

- (a) Shall give at the General Post Office at least twenty-four hours' previous notice in writing of the intended departure of such vessel ; and
- (b) Shall give timely written notice at the General Post Office of any alteration in the time of such departure.

Of the shipping of mails.

45 The master of a ship, not being a mail ship, about to depart from any port in Ceylon to any port within or any port or place beyond Ceylon shall receive on board any mail bag tendered to him by any officer of the post office for conveyance, granting a receipt therefor in such form as the Governor in Executive Council shall prescribe, and shall without delay deliver the same at the port or place of destination.

Gratuities to be given for the conveyance of mails.

46 The Governor in Executive Council may, by notification in the *Government Gazette*, declare what gratuities shall be allowed to masters of ships, not being mail ships, in respect of postal articles received by them for conveyance on behalf of the post office ; and the master of a ship, not being a mail ship, about to leave any port in Ceylon as aforesaid shall, if he receives on board a mail bag for conveyance, be entitled to demand and obtain immediately the amount of the gratuity payable under this section in respect of the mail bag and its contents.

Money and Postal Orders.

Of the issue of money orders.

47 (1) The Governor in Executive Council may provide for the remitting of money through the post office by means of money orders, and may make rules as to the issue and payment of such money orders.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Prescribe the limit of amount for which money orders may be issued.
- (b) Prescribe the period during which money orders shall be made current.
- (c) Prescribe the rates of commission of fees to be charged on money orders or in respect thereof.
- (d) Prohibit the issue and payment of money and postal orders in connection with lotteries whether promoted in Ceylon or elsewhere.

Power for remitter to recall money order or alter name of payee.

48 (1) Subject to such conditions as the Governor in Executive Council may by rules made under section 47 prescribe in respect of the levy of additional rates of commission or fees or any other matters, a person remitting money through the post office by means of a money order may require that the amount of the order, if not paid to the payee, be repaid to him, or be paid to such person other than the original payee as he may direct.

(2) If neither the payee nor the remitter of a money order can be found, and if within the period of one year from the date of the issue of the order no claim is made by such payee or remitter, the amount of such order shall not be claimable from the Government.

Of the issue of postal orders.

49 The Governor in Executive Council may authorize the issue, in such form as may be suitable, of money orders, to be called postal orders, or by such other designation as may be deemed appropriate, for certain fixed amounts, and may make rules as to the rates of commission to be charged thereon, and the manner in which and conditions subject to which they may be issued, paid, and cancelled ; provided that no such order shall be issued for an amount in excess of twenty rupees.

Moneys paid
in error may
be recovered.

50 If any person, without reasonable excuse, the burden of proving which shall lie on him, neglects or refuses to refund—

- (a) Any amount paid to him in respect of a money or postal order by an officer of the post office in excess of what ought to have been paid to him in respect thereof; or
- (b) The amount of a money or postal order paid by an officer of the post office to him instead of to some other person to whom it ought to have been paid—

such amount may on application made by an officer of the post office authorized in this behalf by the written order of the Postmaster-General be recovered for the use of the post office from the person so refusing as if it were a fine imposed under this Ordinance by any police magistrate having jurisdiction where that person may for the time being be resident; and such amount may be so recovered notwithstanding it may exceed the amount of fine which a police magistrate may in his ordinary jurisdiction impose.

Liability of
Government
and post office
as regards
money and
postal orders.

51^m No suit or other legal proceeding shall be instituted against the Government or any officer of the post office in respect of—

- (a) Anything done under any rule made under the provisions of sections 47 and 49.
- (b) The wrong payment of a money or postal order.
- (c) Any loss or injury occasioned by delay in payment of a money or postal order.
- (d) Any other irregularity in connection with a money or postal order.

Money and
postal orders to
be deemed
valuable
securities.

52 A money order or postal order shall be deemed to be a document and a valuable security within the meaning of the Ceylon Penal Code.

Post Office Savings Banks.

Of the
appointment
of post office
savings banks.

53 (1) The post office savings bank and all offices thereof subsisting at the time when this Ordinance comes into operation shall be deemed to be constituted and appointed under this Ordinance.

(2) The Governor in Executive Council may make rules for the management and regulation of the post office savings bank.

(3) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Prescribe the limit of the amount which may be deposited in the post office savings bank and the rate of interest to be allowed on such deposits.
- (b) Prescribe the conditions of sale or disposal of securities or investments.
- (c) Regulate deposits by minors and trustees.
- (d) Prescribe conditions for the withdrawal of moneys by minors and trustees.
- (e) Prescribe the conditions of payment from the post office savings bank.

The Postmaster-
General may
appoint post office
savings banks.

54 The Postmaster-General may from time to time appoint post offices to be offices of the post office savings bank.

Investment of
moneys
deposited in
savings bank.

55 The several sums which shall have been or shall from time to time be deposited in the said savings bank shall be invested at interest in securities of the Government of the United Kingdom or of the Government of India or of this island, or of such other British colony or protectorate as may be approved of by the Governor in Council, and all sums so invested and the securities thereof may be called up, sold, or otherwise disposed of from time to time under such rules as shall be made under section 53 of this Ordinance.

Moneys in name of married women.

56 Any deposit made in the name of a married woman, or in the name of a woman who shall marry after such deposit, shall be deemed to be the separate property of such woman, and shall be accounted for and paid to her as if she were an unmarried woman. Provided that nothing herein contained shall, as against the creditors of a husband, give protection to any deposit made by him in fraud of such creditors, and that any moneys so deposited may be followed as if this Ordinance had not passed.

Of the payment of deposits by deceased persons.

57 If any depositor in the post office savings bank shall die leaving a sum of money to his credit in the bank, it shall be lawful for the person or persons authorized to make payments by rules made under this Ordinance, if he or they shall be satisfied that the depositor died intestate and that letters of administration are not required by law, to pay the said sum of money according to the aforesaid rules, or if no rule has been made in that behalf, to pay the said sum of money to the person or persons who appear to be legally entitled thereto.

Payment of deposits of deceased persons.

58 Whenever any sum of money standing to the credit of a deceased depositor shall have been paid to any person or persons who at the time of such payment appeared to be entitled to the same according to the rules of the post office savings bank or according to law, the payment of such sum of money shall be valid and effectual with respect to any demand of any other person or persons whatsoever against the said bank and its officers or against the Government.

Offences by persons in employ of post office.

Penalties and Procedure; Offences by Officers of the Post Office.

59 Whoever, being employed to carry or deliver any mail bag or any postal article in course of transmission by post—

- (a) Is in a state of intoxication while so employed ; or
- (b) Is guilty of carelessness or other misconduct, whereby the safety of any such mail bag or postal article as aforesaid is endangered ; or
- (c) Loiters or makes delay in the conveyance or delivery of any such mail bag or postal article as aforesaid ; or
- (d) Does not use due care and diligence safely to convey or deliver any such mail bag or postal article as aforesaid—

shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description not exceeding three months.

Employé not to withdraw from his duties.

60 Whoever, being employed to carry or deliver any mail bag or any postal article in course of transmission by post, voluntarily withdraws from the duties of his office without permission or without having given one month's previous notice in writing, shall be punishable with imprisonment of either description which may extend to one month, or with fine which may extend to fifty rupees, or with both.

Postmen prohibited from making false entries.

61 Whoever, being employed to carry or deliver any postal article in course of transmission by post and required while so employed to keep any register, makes or causes or suffers to be made any false entry in the register with intent to induce the belief that he has visited a place, or delivered a postal article, which he has not visited or delivered, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

Of thefts by post officers.

62 Whoever, being an officer of the post office, commits theft in respect of, or dishonestly misappropriates, or for any purpose whatsoever secretes, destroys, or throws away, any postal article in course of transmission by post or anything contained therein, shall be punishable with imprisonment of either description for a term which may extend to seven years, and shall also be punishable with fine.

Unlawful opening and detention of postal articles by post officers.

63 Whoever, being an officer of the post office, contrary to his duty, opens or causes or suffers to be opened any postal article in course of transmission by post, or wilfully detains or delays, or causes or suffers to be detained or delayed, any such postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Provided that nothing in this section shall extend to the opening, detaining, or delaying of any postal article under the authority of this Ordinance, or in obedience to the order in writing of the Governor, or the direction of a competent court.

Postal marks may not be removed or altered.

64 Whoever, being an officer of the post office—

- (a) Fraudulently puts any wrong official mark on a postal article ; or
- (b) Fraudulently alters, removes, or causes to disappear any official mark which is on a postal article ; or
- (c) Being entrusted with the delivery of any postal article, knowingly demands or receives any sum of money in respect of the postage thereof which is not chargeable under this Ordinance—

shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Fraudulently altering or destroying a document.

65 Whoever, being an officer of the post office, entrusted with the preparing or keeping of any document, fraudulently prepares the document incorrectly, or alters or secretes or destroys the document, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Issuing a postal order previously paid.

66 Whoever, being an officer of the post office, reissues a postal order previously paid shall be deemed to have issued such order with intent to defraud, and shall be punishable with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Defrauding Government of postage.

67 Whoever, being an officer of the post office, sends by post or puts into any mail bag any postal article upon which postage has not been paid or charged in the manner prescribed by this Ordinance, intending thereby to defraud the Government of the postage on such postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Other Offences.

Other offences.

68 (1) Whoever—

- (a) Conveys, otherwise than by post, a letter within the exclusive privilege conferred on the Government by section 6 ; or
- (b) Performs any service incidental to conveying otherwise than by post any letter within the exclusive privilege aforesaid ; or
- (c) Sends or tenders or delivers in order to be sent, otherwise than by post, a letter within the exclusive privilege aforesaid ; or
- (d) Makes a collection of letters excepted from the exclusive privilege aforesaid for the purpose of sending them otherwise than by post—

shall be punishable with fine which may extend to fifty rupees for every such letter, and in default of payment with imprisonment of either description not exceeding three months.

Enhanced punishment on person previously convicted.

69 Whoever, having already been convicted of an offence under the preceding section, is again convicted thereunder, shall, on every such subsequent conviction, be punishable with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description not exceeding six months.

Offences by unauthorized persons conveying or delivering postal articles.

70 (1) Whoever, in contravention of the provisions of section 7, carries, receives, tenders, or delivers letters or collects letters, shall be punishable with fine which may extend to fifty rupees for every such letter, and in default of payment with imprisonment of either description which may extend to three months.

(2) Whoever, having already been convicted of an offence under this section, is again convicted thereunder shall, on every such subsequent conviction, be punishable with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Offences by vendors of postage stamps and for breaches of rules.

71 Whoever, being appointed to sell postage stamps—

(a) Takes from any purchaser for any postage stamp or quantity of postage stamps a price higher than that fixed by any rule made under section 18 (3) (a) shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both; or

(b) Commits a breach of any other rule made under section 18 shall be punishable with fine which may extend to one hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Punishment for offences in contravention of sections 21 and 22.

72 (1) Whoever, in contravention of the provisions of section 21 or section 22, sends or tenders or makes over in order to be sent by post any postal article or anything, shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

(2) The detention in the post office of any postal article on the ground of its having been sent in contravention of the provisions of section 21 or section 22 shall not exempt the sender from any proceedings which might have been taken if the postal article had been delivered in due course of post. Provided that no prosecution for a contravention of section 22 (c) shall be instituted without the previous sanction of the Attorney-General.

Offences relating to letter-boxes.

73 Whoever places in or against any letter-box provided by the post office for the reception of postal articles any fire, match, or light, any explosive, dangerous, filthy, noxious, or deleterious substance, or any fluid, or commits a nuisance in or against any such letter-box, or does anything likely to injure any such letter-box or its appurtenances or contents, shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Punishment for disfiguring of a post-office or letter-box.

74 Whoever, without due authority, affixes any placard, advertisement, notice, list, document, board, or other thing in or on, or paints, tars, or in any way disfigures, any post office or any letter-box provided by the post office for the reception of postal articles, shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description which may extend to three months.

Punishment for making of false declarations.

75 Whoever, being required by this Ordinance to make a declaration in respect of any postal article to be sent by post or the contents or value thereof, makes in his declaration any statement which he knows or has reason to believe to be false, or does not believe to be true, shall be punishable with fine which may extend to two hundred rupees, and in default of payment with imprisonment of either description which may extend to three months, and if the false declaration is made for the purpose of defrauding the Government, with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Offences by
masters of
ships.

76 Whoever, being the master of a ship—

- (a) Fails to comply with the provisions of section 45; or
(b) Without reasonable excuse, the burden of proving which shall lie on him, fails to deliver any postal article or mail bag, or to make a report to, or to comply with the directions of, the officer in charge of the post office at a port of arrival as required by section 42—

shall be punishable with fine which may extend to five hundred rupees.

Punishment of
master for
retaining postal
articles.

77 (1) Whoever, being either the master of a ship arriving at any port in Ceylon or any one on board, knowingly has in his baggage or in his possession or custody, after the postal articles on board or any of them have been sent to the post office at the port of arrival, any postal articles within the exclusive privilege conferred on the Government by section 6, shall be punishable with fine which may extend to fifty rupees for every such postal article as aforesaid.

(2) Whoever, being such master or other person as aforesaid, detains any such postal article as aforesaid after demand made for it by an officer of the post office, shall be punishable with fine which may extend to one hundred rupees for every such postal article.

Punishment for
wrongful
detention of
mails.

78 Whoever, except under the authority of this Ordinance or in obedience to the order in writing of the Governor or the direction of a competent court, detains the mails or any postal article in course of transmission by post, or on any pretence opens a mail bag in course of transmission by post, shall be punishable with fine which may extend to two hundred rupees, and in default of payment with imprisonment of either description which may extend to three months. Provided that nothing in this section shall prevent the detention of an officer of the post office carrying the mails or any postal article in course of transmission by post on a charge of having committed an offence declared to be cognizable by the Code of Criminal Procedure, or any other law for the time being in force. Provided further that any mail bag may be detained or opened under the written authority of the Postmaster-General.

Punishment for
fraudulent
retention or
refusal to
deliver postal
articles.

79 Whoever fraudulently retains, or wilfully secretes or makes away with, or keeps or detains, or when required by an officer of the post office neglects or refuses to deliver up, any postal article in course of transmission by post which ought to have been delivered to any other person, or a mail bag containing a postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Offences by
licensees or
hotel-keepers.

80 Any licensee or other person referred to in section 40 who omits or fails to return any postal article as required by section 41 shall be liable to a penalty not exceeding fifty rupees, and in default of payment to imprisonment of either description which may extend to three months.

Punishment
for unlawfully
opening letters.

81 Whoever, not being an officer of the post office, wilfully and maliciously, with intent to injure any person, either opens or causes to be opened any letter which ought to have been delivered, or does any act whereby the due delivery of a letter to any person is prevented or impeded, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both. Provided that nothing in this section shall apply to a person who does any act to which the section applies, if he is a parent, or in the position of a parent or guardian, of the addressee, and the addressee is a minor or a ward.

- Punishment for unlawfully disclosing contents of a postal article. **82** Whoever reveals, discloses, or in any way makes known the contents of any postal article opened under the authority of this Ordinance, except so far as may be necessary for the purpose of returning the same or so far as may be authorized by the Postmaster-General in writing, shall be liable to a fine not exceeding two hundred rupees, or to imprisonment of either description not exceeding twelve months, or to both.
- Power of Postmaster-General to compound certain offences. **83** Whenever any person shall be guilty of an offence under this Ordinance, the punishment of which is a fine not exceeding two hundred rupees, it shall be lawful for the Postmaster-General to accept payment on behalf of His Majesty from such offender of such sum of money as may to the Postmaster-General seem fit not exceeding the highest amount of fine to which such offender would have been liable on conviction, and no person having made such payment shall be thereafter prosecuted for the same offence.
- Reward to informer. **84** It shall be lawful for any court before which an offender is convicted under this Ordinance to direct that any share, not exceeding one-half, of any fine actually recovered shall be paid to the informer.
- Punishment of abetment of offences. **85** Whoever abets the commission of any offence punishable under this Ordinance, or attempts to commit any offence so punishable, shall be punishable with the punishment provided for that offence.
- Description of postal articles in criminal charges. **86** In every prosecution for an offence in respect of a mail bag or of any postal article sent by post it shall be sufficient for the purpose of the charge to describe the mail bag or postal article as being the property of the post office, and it shall not be necessary to prove that the mail bag or postal article was of any value.
- Penalty for breach of rules. **87** Whoever does any act in contravention of, or fails to comply with, any rule made under this Ordinance, for the breach of which no penalty is specially provided, shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description which may extend to one month.
- Trial of offences. **88** (1) Offences under this Ordinance which, by reason of the amount of the penalties with which they are punishable, are not within the summary jurisdiction of a Police Court, may be tried in a District Court, and such courts, in cases where the punishment assigned to such offences exceeds the ordinary jurisdiction of a District Court, may award in respect of such offences so much of the punishment assigned thereto as District Courts are by law empowered to award.
 Provided that if the Attorney-General certifies that any such offence may be prosecuted before a Police Court, it shall be competent for such court to take cognizance of the offence and to award in respect thereof so much of the punishment assigned thereto as Police Courts are empowered by law to award.
 (2) No court shall take cognizance of an offence punishable under any of the provisions of sections 61, 63, 64, clauses (a) and (b), 65, 66, 67, 68, 69, 70, 72, 75, 76, 77, 78, and 87 of this Ordinance, unless upon complaint made by order of, or under authority from, the Postmaster-General.
- Officers of post office to be exempt from serving on juries. *General.*
89 No officer of the post office in receipt of any salary from the revenues of the colony shall be liable to serve on any jury or as an assessor in any criminal or civil proceedings.
- Post officers prohibited from taking postal contracts and from collecting postage stamps. **90** No officer of the post office in receipt of any salary from the revenues of the colony shall be a contractor, or have any interest in any contract for carrying mails, or act as agent, with or without remuneration, for any contractor or person offering to become a contractor to the post office ;

and no such officer shall collect postage stamps, or have any interest whatever in the collection of postage stamps. Any person acting contrary to the provisions of this section shall be liable to be forthwith dismissed, and to pay to the Postmaster-General on account of the Government all such money as such person may have directly or indirectly realized by means of such contract or agency, or by means of any collection of postage stamps, and any postage stamps collected by such officer shall be forfeited to the Government.

The Governor in Executive Council may delegate certain powers to the Postmaster-General.

91 The Governor in Executive Council may, by notification in the *Government Gazette*, authorize, either absolutely or subject to conditions, the Postmaster-General to exercise any of the powers conferred upon the Governor in Executive Council by this Ordinance other than a power to make rules.

Saving of existing rules, &c.

92 All rules, regulations, and rates or charges made under any of the Ordinances hereby repealed which are in force at the commencement of this Ordinance shall continue in force as if made under this Ordinance, until the same are revoked, varied, or superseded by rules made under this Ordinance.

SCHEDULE.

No. and Date of Enactment.	Title.	Extent of Repeal.
13 of 1892 ..	" An Ordinance to amend and consolidate the law relating to Postal and Telegraphic Communications "	The whole, so far as it relates to postal communications.
10 of 1899 ..	" An Ordinance to amend 'The Ceylon Postal and Telegraph Ordinance, 1892' "	The whole of sections 1 and 2 and so much of section 3 as relates to postal communications.

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, August 19, 1907.

Statement of Objects and Reasons.

THE object of the Draft Ordinance is to recast our postal legislation into a more practical form and to bring it into line with modern postal developments.

2. The Draft Ordinance is based upon the Indian Post Office Act of 1898, but some of the provisions are borrowed from the legislation of other colonies.

3. The Ordinance deals only with matters connected with the Post Office, so that the law with regard to the Post Office, which was previously comprised in the same Ordinance as the law relating to telegraphs, is now separated from telegraph legislation.

4. The Draft Ordinance empowers the Governor to introduce, by means of regulation, several important modifications of the existing system. Amongst these may be noticed the payment of compensation for uninsured registered articles, and the extension of the limit up to which postal orders are issued.

5. Provisions have also been inserted with the view of preventing the post office from being used for the circulation of proposals relating to lotteries.

Colombo, May 6, 1907.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to amend Ordinance No. 15 of 1889, intituled
“ An Ordinance relating to Land Surveyors, Auctioneers,
and Brokers.”

Preamble.

WHEREAS it is expedient to amend in certain respects Ordinance No. 15 of 1889, intituled “ An Ordinance relating to Land Surveyors, Auctioneers, and Brokers ”: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Construction and title.

1 This Ordinance shall be read and construed as one with Ordinance No. 15 of 1889, hereinafter referred to as “ the principal Ordinance,” and the principal Ordinance and this Ordinance may be cited together as “ The Surveyors, Auctioneers, and Brokers Ordinances, 1889 and 1907.”

Substitution of new section 8 as to cancellation of registration and license.

2 For section 8 of the principal Ordinance there shall be substituted the following section, namely :

8. (1) Whenever it shall be made to appear to any district court within whose jurisdiction any registered or licensed surveyor resides or carries on business that such surveyor has been guilty of gross misconduct in the discharge of his duties as a surveyor, or that he has shown such incompetence or carelessness in the discharge of the said duties that he ought not in the interests of the public to be entrusted therewith, such court may, after a summary investigation of the matter of complaint, which may be preferred by the Surveyor-General or by any aggrieved person, cancel the registration and the license, if any, of such surveyor and award costs as it thinks fit. Every such order of cancellation shall be in the form of an order, which shall be subject to an appeal to the Supreme Court, in like manner as any other order of such district court.

(2) Every such order of cancellation, unless the same be set aside on appeal, shall be communicated by the district court to the Surveyor-General, who shall give effect thereto; and where any license has been cancelled, the licensee shall forthwith return such license to the Surveyor-General.

(3) The Surveyor-General, whenever he considers that there are reasonable grounds for holding an investigation into the conduct of any such surveyor as aforesaid with reference to any survey, may by notice in writing require such surveyor to produce for the inspection of the Surveyor-General, at a time and place named in the notice, any plans, field books, papers, or writings relating to the survey which the Surveyor-General may consider necessary for carrying out such investigation. Any surveyor who having received such notice fails, without reasonable excuse, proof whereof shall lie on him, to comply with the terms of the notice, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees.

Amendment of section 10 as to penalty for practising without license.

3 In section 10 of the principal Ordinance there shall be inserted after the words “ shall practise or attempt or profess to practise as a surveyor ” the words “ either on his own account or on account of any other surveyor.”

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, August 22, 1907.

Statement of Objects and Reasons.

THE object of this Ordinance is to increase the efficiency of the means provided by Ordinance No. 15 of 1889 for protecting the public from dishonest or incompetent surveyors.

2. The Ordinance enables the Surveyor-General to take proceedings of his own initiative for the cancellation of a license, and the wording of section 8 has been amended with the object of making it clear that a license may be cancelled when the surveyor has shown such carelessness or incompetence that he ought not to be entrusted with the duties of his office.

3. The Surveyor-General is also empowered, when there are grounds for inquiry into the conduct of any surveyor, to call for plans, field books, &c.

4. An amendment is also introduced in section 10 of the Ordinance with the object of preventing unlicensed surveyors from practising under shelter of a licensed surveyor.

Attorney-General's Chambers,
Colombo, April 18, 1907.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to amend "The Joint Stock Companies' Ordinance, 1861."

Preamble.	WHEREAS it is expedient to amend "The Joint Stock Companies' Ordinance, 1861," hereinafter referred to as "the principal Ordinance": 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 for all purposes as "The Joint Stock Companies' (Amendment) Ordinance, 190 ."
Construction.	2 The principal Ordinance, "The Joint Stock Companies' Ordinance, 1888," "The Joint Stock Companies' Ordinance, 1893," and this Ordinance shall be read and construed as one Ordinance, and may be cited for all purposes as "The Joint Stock Companies' Ordinances, 1861 to 190 ."
Commencement of Ordinance.	3 This Ordinance shall come into force on the day of
Section 35 amended.	4 After section 35 of the principal Ordinance the following section shall be added and numbered 35 A, namely:
Change of registered office.	35 A (1) Any company registered under this Ordinance may by special resolution so far modify the conditions contained in its memorandum of association as to remove its registered office from the town mentioned in its memorandum of association as being the town in which its registered office is to be established and establish it within the town of Colombo or the town of Kandy. (2) The statement of the town in which the registered office of the company is to be established contained in every copy of the memorandum of association issued after the passing of any such special resolution shall be in accordance with such resolution; and any company which makes default in complying with the provisions of this section shall incur a penalty not exceeding ten rupees for each copy in respect of which such default is made, and every director and manager of the company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

Subdivision and consolidation of existing shares.

5 After section 13 of the principal Ordinance the following section shall be inserted and numbered 13 A :

13 A (1) Any company registered under this Ordinance may by special resolution so far modify the conditions contained in its memorandum of association if authorized so to do by its regulations as originally framed, or as altered by special resolution, as—

- (a) By subdivision of its existing shares or any of them to divide its capital or any part thereof into shares of smaller amount than is fixed by its memorandum of association.
- (b) By consolidation of its existing shares or any of them to divide its capital or any part thereof into shares of larger amount than is fixed by its memorandum of association.

Provided that in the subdivision or consolidation of the existing shares the proportion between the amount which is paid and the amount, if any, which is unpaid on each share of reduced or increased amount shall be the same as it was in the case of the existing share or shares from which the share of reduced or increased amount is derived.

Special resolution to be embodied in the memorandum of association.

(2) The statement of the number and amount of the shares into which the capital of the company is divided contained in every copy of the memorandum of association issued after the passing of any such special resolution shall be in accordance with such resolution ; and any company which makes default in complying with the provisions of this sub-section shall incur a penalty not exceeding ten rupees for each copy in respect of which such default is made, and every director and manager of the company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

By His Excellency's command,

HUGH CLIFFORD,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, August 27, 1907.

Statement of Objects and Reasons.

THE Draft Ordinance introduces certain amendments in the law relating to joint stock companies.

2. In view of the inconvenience which has been experienced in some cases owing to the registered office named in the memorandum of association not being situated at a business centre, the Draft Ordinance, by section 4, enables the conditions of the memorandum of association to be so modified as to remove the registered office to Kandy or Colombo.

3. Companies are further empowered, by section 5, by a similar modification of the memorandum of association, to divide their capital into shares of larger or smaller amount than was originally fixed by the memorandum of association. This provision is subject to the provision that the proportion between the paid and the unpaid amount shall be maintained.

ALFRED G. LASCELLES,
Attorney-General.

Attorney-General's Chambers,
Colombo, July 22, 1907.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Sesma Lebbe Madar
No. 2,778C. Lebbe of Dematagoda and of
No. 16, Kayman's Gate, in
Colombo, deceased.

NOTICE is hereby given that all creditors and other persons having any claims or demands against the testator, late of Colombo, deceased, who died on the 16th day of March, 1907, and whose will was proved in District Court, Colombo, No. 2,778 (Testamentary) by me, the executor therein named, are hereby required to send particulars in writing of their claims or demands to me on or before the 30th day of September, 1907, at the under-mentioned address; after which date I, as executor, will proceed to distribute the assets of the said deceased amongst the parties entitled thereto, having regard only to the claims and demands of which I shall then have had notice, and I, the said executor, will not be liable for the assets of the said deceased or any part thereof so distributed to any person or persons, of whose claims and demands I shall not then have had notice.

M. L. M. SHAREEF,
Executor.

No. 36, Main street, Pettah,
Colombo, August 26, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Ganepalle Korala'agey Rat-
No. 2,873. nayake Kumari Hamy of Boreles-
gamuwa in the Palle pattu of
Salpiti korale, deceased.

John Daniel Rubaroe Samaraweera
Goonesekere of Borelesgamuwa.....Petitioner.

And

- 1, Richard Rubaroe Samaraweera Goonesekere; 2, Somawathy Rubaroe Samaraweera Goonesekere; 3, David Rubaroe Samaraweera Goonesekere, the 1st, 2nd, and 3rd respondents by their guardian *ad litem* 4, Ganepalle Korala'agey Mathias Bandara of No. 15, Jail road, Colombo....Respondents

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 1st day of August, 1907, in the presence of Mr. A. C. Abeyewardene, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated the 30th day of July, 1907, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the deceased above-named, to administer the estate of the said deceased, and that the letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 1st day of August, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Samarasekere Okandapola
No. 2,876. Muhandirangey Naris Pieris, late
of Dompe, in the Gangaboda pattu
of Siyane korale, deceased.

Samarasekere Okandapola Muhandiran-
gey Pedrick Pieris of Dompe aforesaid. Petitioner.

And

- 1, Ollagey Sincho Hamy of Dompe; 2, Samarasekere Okandapola Muhandirangey Engeltina Pieris and her husband 3, Singancutti Atukoralagey Podi Singho, both of Dompe; 4, Samarasekere Okandapola Muhandirangey Punchi Banda Pieris of Dompe; 5, Samarasekere Okandapola Muhandirangey Amis Pieris of Dompe; 6, Samarasekere Okandapola Muhandirangey Cornelia Pieris and her husband 7, Hetti Arachchigey William Perera, both of Siyambalape, in the Adikari pattu of Siyane korale; 8, Samarasekere Okandapola Muhandirangey Mendis Pieris, lately of Dompe, now a prisoner in jail..... Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 9th day of August, 1907, in the presence of Mr. A. C. Abeyewardene, Proctor, on the part of the petitioner above-named, and the affidavit of the said petitioner, dated 6th August, 1907, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a son and heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
The 9th day of August, 1907. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Emily Elizabeth de
No. 2,882 C. Silva, late of Wellawatta in
Colombo, deceased.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 16th day of August, 1907, in the presence of Mr. W. A. S. de Vos, Proctor, on the part of the petitioner John Samuel de Silva of Wellawatta; and the affidavits (1) of the said petitioner, dated 9th August, 1907, and (2) of William Francis Landsberger of Colpetty, a subscribing witness, dated 14th August, 1907, having been read:

It is ordered that the will of Emily Elizabeth de Silva, deceased, dated 16th November, 1896, now deposited in this court be and the same is hereby declared proved, unless any person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said John Samuel de Silva is the sole executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 16th day of August, 1907.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Joint Last Will
Jurisdiction. and Testament of Christian
No. 2,884. Edward Albrecht and Sarah Caro-
line Albrecht, both late of Hill
street in Colombo, deceased.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 20th day of August, 1907, in the presence of Mr. Hector Van Cuylenberg, Proctor, on the part of the petitioner Christian Edward Albrecht of Mutwal in Colombo; and the affidavits of (1) the said petitioner, dated 3rd August, 1907, and (2) John James de Fry, Notary Public of Colombo, also dated the 3rd August, 1907, having been read: It is ordered that the will of Christian Edward Albrecht and Sarah Caroline Albrecht, the above-named deceased, dated 24th day of January, 1907, be and the same is hereby declared proved, unless Ernest Lewellyn Albrecht of Hill street, in Colombo, (2) Rose Caroline Schokman of Biyagama via Kelany, (3) Ethel Alexandra Keegel of Hatton, (4) Mabel Henrietta Koch of Dehiwala, (5) Frances Cecilia Vanderstraaten of Kurunegala, presently in Hill street, Colombo, (6) Randolph Nedinson Albrecht of Hill street in Colombo, (7) Lillian Eva Albrecht of Hill street in Colombo, (8) Jessie Albrecht of Jaffna or any other person shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Christian Edward Albrecht is the sole executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 20th day of August, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estates
Jurisdiction. of (1) Sinna Wappu Ibrahim
No. 2,885. Lebbe and his wife (2) Packier
Tamby Ahamadu Natchia, both
late of No. 127, Second Division,
Maradana, in Colombo, deceased.

Ibrahim Lebbe Abdul Rahiman of
No. 127, Second Division, Maradana,
in Colombo Petitioner.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 21st day of August, 1907, in the presence of Mr. E. G. Jayawardene, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated the 8th August, 1907, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as the son and sole heir of the deceased above-named, to administer the estate of

the said deceased, and that letters of administration do issue to him accordingly, unless any person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 21st day of August, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate
Jurisdiction. Estate of Alfred Henry de Livera,
No. 2,886 C. late of Dematagoda in Colombo,
deceased.

(1) John Ernest de Livera and (2) Em-
ma Cornelia de Livera, both of Castle
street in Cinnamon Gardens in
Colombo Petitioners.

And

James Henry de Livera of Owittegala in
Pasdun korale Respondent.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 22nd day of August, 1907, in the presence of Mr. W. A. S. de Vos, Proctor, on the part of the petitioners above-named; and the affidavit of the said first petitioner, dated the 16th day of August, 1907, having been read:

It is ordered that the Secretary of the District Court of Colombo be and he is hereby declared entitled to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondent above-named or any other person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 22nd day of August, 1907.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Kawanna Kana Kana Nana
No. 1,018. Kannappa Chetty, deceased, of
Negombo, and of Allakitchipatti
Nallur Talug in Southern India.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., on the 9th day of August, 1907, in the presence of Mr. W. M. Rajepakse, Proctor, on the part of the petitioner Kawanna Kana Kana Nana Suppramaniam Chetty of Negombo; and the affidavit of the said petitioner, dated 7th August, 1907, having been read: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Kawanna Kana Kana Nana Kannappa Chetty issued to him, unless (1) Kawanna Kana Kana Nana Meenachehi of Sokkalingampuram, (2) Kawanna Kana Kana Nana Karuppai, (3) Kawanna Kana Kana Nana Kanaathal, both of Sokkalingampuram, (4) Awanna Veena Suna Pana Sona Kannamme of Paganeri, (5) Ana Lana Pena Reena Sowanna Mana Meenachehi of Sokkalingampuram in Sivaganga shall, on or before the 11th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,
District Judge.

The 9th day of August, 1907.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jonathan Benjamin Blaze, de-
No. 2,579. ceased, of Kandy.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 21st day of August, 1907, in the presence of Mr. C. N. D. Jonklaas, Proctor, on the part of the petitioner Sarah Marshall *nee* Blaze of Saint Clair's College, Turret road, Colombo; and the affidavit of the said petitioner, dated 20th August, 1907, having been read:

It is ordered that the petitioner Sarah Marshall *nee* Blaze of Saint Clair's College, Turret road, Colombo, be and she is hereby declared entitled to letters of administration to the estate of Jonathan Benjamin Blaze of Kandy, deceased, as the sister of the said deceased, unless Daniel Samuel Blaze of Perak in the Straits Settlements, (2) John Thomas Blaze of Colombo, (3) Louis Edmund Blaze of Kandy, (4) Robert Ezekiel Blaze of Badulla, (5) Mrs. Charlotte Horan *nee* Blaze of Colombo shall, on or before the 13th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

21st August, 1907.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Dahanayaka Daluwattege
No. 3,744. Alexander de Silva Appuhamy of
Magedara, deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on the 2nd day of August, 1907, in the presence of Mr. A. D. Abeyesingha, Proctor, on the part of the petitioner Dahanayaka Daluwattege Carolis of Magedara; and the affidavit of the petitioner, dated the 12th March, 1907, having been read:

It is ordered and declared that the said Dahanayaka Daluwattege Carolis is the son of the deceased, and that he is as such entitled to have letters of

administration issued to him accordingly, unless the respondents—(1) Howpe Lianage Meiyandara, (2) Dahanayaka Daluwattege Davith, (3) Dahanayaka Daluwattege Dingiappuhamy, (4) Dahanayaka Daluwattege Emaris, (5) Dahanayaka Daluwattege Warnis *alias* N. Dammananda, (6) Dahanayaka Daluwattege Pieris, (7) Dahanayaka Daluwattege Somawati, (8) Dahanayaka Daluwattege Migoris, all of Magedara, the 3rd to 8th by their guardian *ad litem* the 1st respondent—shall, on or before the 2nd day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,
District Judge.

The 2nd day of August, 1907.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Gardiye Hewawassen Wann
No. 3,746. Achchi William de Silva, late of
Poddala, deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on the 9th day of August, 1907, in the presence of Mr. N. Dias Abeyesinghe, Proctor, on the part of the petitioner Gardiye Hewawassen Wann Achchige Jayanoris Appu; and the affidavit of the petitioner, dated 1st May, 1907, having been read: It is ordered and declared that the said Gardiye Hewawassen Wann Achchige Jayanoris Appu is a son of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Gardiye Hewawassen Wann Achchige Anadahami, (2) Gardiye Hewawassen Wann Achchige Lucinahami, (3) Gardiye Hewawassen Wann Achchige Jane Hami, (4) Gardiye Hewawassen Wann Achchige Nonno Hami, all of Poddala, by their guardian *ad litem* the 5th respondent, and (5) Bopege Gunendarahami of Poddala—shall, on or before the 11th day of September, 1907, show sufficient cause to the satisfaction of this court to contrary.

K. MACLEOD,
District Judge.

The 9th day of August, 1907.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

(1) Puwakdandawe Loku Acharige Dón Juwanis de Silva Wijayakularatne, Mudaliyar, (2) Wijesurendera Abayanaryana Polaris de Silva, carrying on business as D. F. de Silva & Company Plaintiffs.

No. 4,260. Vs.

Miss Annie Goonewardene of No. 3, "Florence Villa," Bambalapitiya in Colombo Defendant.

NOTICE is hereby given that on Tuesday, September 24, 1907, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 241.26,

with interest thereon at the rate of 9 per cent. per annum from March 19, 1907, till payment in full, and Rs. 32.15 for costs of suit, viz. :—

All that allotment of land being the southern half of the garden called Appuhamygewatta with the house and buildings standing thereon called and known as Alban Villa (now called Florence Villa), situated at Bambalapitiya within the Municipality of Colombo, Western Province, bearing assessment Nos. 3 and 3a, Wellawatta; bounded on the north by the other half part of the same garden, the property of Sembuge Don Bastian Fonseka, on the east by the high road from Colombo to Galle, on the south by the garden of Madalena Silva, now the property of P. D. A. Mack, and on the west by the seashore, now the railway line; containing in extent 3 acres and 22.20 square perches and registered under title A 43/266.

H. TIRUVILANGAM,
Deputy Fiscal.
Fiscal's Office,
Colombo, August 28, 1907.

In the District Court of Colombo.

A. R. M. A. M. Muttu Caruppen Chetty
of Sea street, Colombo.....Plaintiff.

No. 22,906. Vs.

(1) Mana Abdulla and (2) Mana Abdul
Rahaman, both of Main street, Pettah,
ColomboDefendants.

NOTICE is hereby given that on Monday, September 23, 1907, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, for the recovery of the sum of Rs. 1,811.25, with interest at 9 per cent. per annum on Rs. 500 from March 10, 1904, and on Rs. 1,310 from January 26, 1906, till payment in full, viz. :—

All that part of a garden with the building constructed thereon bearing assessment Nos. 77, 78, and 79, situated at Ferry street, New Bazaar, within the Municipality of Colombo; bounded on the north by the garden of Isabella, now the property of Muttu Caruppen Chetty, bearing assessment No. 21; on the east by the garden of Samsudeen Constable, now the property of John Vincent Gomes Jayawardene, bearing No. 76; on the south by the road now called Ferry street; and on the west by the garden of Dona Bastian, now the property of George Hamer, bearing assessment No. 8; containing in extent 16 perches more or less.

H. TIRUVILANGAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, August 28, 1907.

In the District Court of Colombo.

James Malcolm Drysdale Stevenson of
Mattakkuliya in Colombo.....Plaintiff.

No. 24,639. Vs.

(1) Mohottirallage Augustinu Curayra
and (2) Warnakulasuriya Wanneku-
wattewaduge Cathrina Fernando (hus-
band and wife of Modara in Colombo..Defendants.

NOTICE is hereby given that on Wednesday September 25, 1907, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, ordered to be sold by the order of court, dated July 30, 1907, for the recovery of the sum of Rs. 1,033.12½, with interest thereon at 9 per cent. per annum from February 27, 1907, till payment in full, and costs of suit, viz. :—

All that part of a garden called Maragahawatta with the buildings standing thereon, bearing assessment No. 129, situated at Mutwal street, within the Municipality of Colombo; and bounded on the south-east by the garden of Assena Lebbe Ummanie Umma, on the north-east by the high road, on the south-west by the garden of Randeniage Mathes Fernando, now belonging to Marasinhage Siman Dias, and on the north-west by the garden of Paranapatabendige Phillippu Fernando; containing in extent 12 and 18/100 square perches.

H. TIRUVILANGAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, August 28, 1907.

In the District Court of Negombo.

Muttu Kana Awanna Veena Siambaram
Chetty, by his attorney Muttu Kana
Awanna Veena Sewugan Chetty of Ne-
gomboPlaintiff.

No. 5,986. Vs.

Ranawala Arachchige Don Anthony Appu-
hamy of OtherawadiyaDefendant.

NOTICE is hereby given that on September 27, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specifically ordered to be sold by the decree entered in the said action, viz. :—

1. The land called Daminnagahawatta, situate at Otherawadiya in Dunagaha pattu of Alutkuru korale; and bounded on the north by the garden belonging to Savari Fernando and others, on the east by the land belonging to Paulu Fernando, on the south by the land belonging to Anthony and Carlina Hamy, and on the west by the land belonging to Sawari Fernando; containing in extent 2 acres more or less.

2. The land called Murutagahawatta, situate at ditto; and bounded on the north by the land formerly of Migel Gurunanse and now belonging to Mana Pena Reena Awanna Arumugam Pulle and by the land belonging to others, on the east by the land belonging to Ranawala Arachchige Juse Appu and others, on the south by land belonging to Hettiarachchige Juse Appu, and on the west by the Halpewilakumbura belonging to Mr. Lintottage Siman Fernando; containing in extent 3 roods more or less.

3. The undivided half share of Kosgahalanda, situate at ditto; the said land being bounded on the north by a cart road, on the east by the land belonging to the heirs of Punchappu and others, on the south also by a cart road, and on the west by the land belonging to Migel Gurunanse; containing in extent 12 acres more or less.

4. The undivided half share of Kahatagahawatta, situate at ditto; the said land being bounded on the north by lands belonging to Elias Fernando and others, on the east by land belonging to Don Migel Gurunanse, on the south by land belonging to Gabriel Silva, and on the west by land belonging to Nonahami and others; containing in extent 4 acres more or less.

And on September 28, 1907, commencing at 10 o'clock in the forenoon.

5. The undivided half share of the field called Ambagahakumbura *alias* Paragahakumbura, situate at Madampella in ditto; the said field being bounded on the north by the field belonging to Juse Appu, on the east by the field belonging to Gabriel Appu and others, on the south by the field belonging to Beran Vidane and others, and on the west by the Depawella forming a water-course; containing in extent 7 parras of paddy sowing more or less.

6. The portion of about 4 parras of paddy sowing extent out of Borupanekumbura, situate at Godigomuwa in ditto; the said field being bounded on the north by the land belonging to Attapattu-unnahe, on the east by the field called Nikagommanakumbura, on the south by the land belonging to Daniel Vel-Vidane, and on the west by the land belonging to Attapattu-unnahe and others; containing in extent 10 parras of paddy sowing more or less.

Amount to be levied Rs. 3,503.75, with interest on Rs. 2,500 at 18 per cent. per annum from April 18 to June 8, 1905, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 27, 1907.

In the District Court of Negombo.

Vitarnage Marsal Rudrigo of Bandara-watta Plaintiff.

No. 6,807. Vs.

Maharage Anthony Perera of Dandugama, now a civil prisoner in the Negomba jail..Defendant.

NOTICE is hereby given that on September 23, 1907, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 10,365, dated January 5, 1904, and declared liable to be sold by the decree entered in the above case, viz. :—

1. The land called Thimbirigahawattakotasa, situate at Dandugama in the Ragam pattu of Alutkuru korale; bounded on the north by a portion of this land of Kurugamage Carolis and others, on the east by the land of Anthony Perera Arasakularatna Vel-Vidane and others, on the south by the land of Gabriel Costa and others, and on the west by the land of D. P. Jayatileka, Vidane Arachchi, and others; containing in extent 2 roods more or less, inclusive of the buildings thereon.

2. The portion of land called Dawatagahawatta alias Madangahawatta, situate at ditto; bounded on the north by a portion of this land of Dehiwattege Mariano and others, on the east by a portion of this land of Dehiwattege Anthony and others, on the south by land which is in the name of the late Gabriel Perera Vel Headman, and on the west by a portion of this land belonging to the said Dehiwattege Mariano and others; containing in extent 1 rood more or less, inclusive of the buildings.

3. The western undivided half share (inclusive of the appurtenant buildings) from and out of the land consisting of several contiguous portions of land called Kadurugahaowita, Kadipukunekumbura, and the adjoining owita land, situate at ditto; bounded on the north by the land of Yakdehige Santiago Fernando and others, on the east by the land of the said Yakdehige Santiago Fernando and others and by the high road, on the south by the limit of the field of Maharage Santiago Perera, Maharage Samel Perera, and others, and on the west by the land of Yakdehige Santiago Fernando; containing in extent 3 acres more or less.

4. One hundred and one undivided one hundred and second parts (101/102) inclusive of the appurtenant buildings from and out of the land called Beligahawatta alias Palliyabodawatta, situate at ditto; and bounded on the north by the land belonging to the heirs of the late Liyanage Amaris Perera, on the east by the land of Maharage Juse Perera, Peace Officer, and by the Palliyawatta, on the south by the land of Mutuwadige Lorensu Fernando, and on the west by the land belonging to the heirs of the late Polwattage Christobu Fernando and others; containing in extent 1 acre and 2 roods more or less.

5. An undivided half share of the eastern half part from and out of the land called Migahawattakotasa, situate at ditto; bounded on the north by the lands formerly of Korlagamage Juwanis Fernando and others, and now in the name of the late Gabriel Perera Vel Headman and others, on the east by the land formerly of Kiripetige Juwan Fernando and others, and now of Samel Perera, on the south by the land formerly of Kurugamage Migel Fernando and others, and now of Kurugamage Juse Perera and others, and on the west by the land formerly of Kuthandige Abraham Fernando and others, and now of Dehiwattage Domiciano Fernando; containing in extent 1 acre and 25 perches and 76/100 part of a perch, inclusive of the buildings standing thereon, and all the right, title, interest, and claim whatsoever of the defendant, in, to, upon, or out of the said several premises mortgaged by the defendant.

Amount to be levied Rs. 989.95, with interest thereon at 9 per cent. per annum from June 20, 1907, till payment in full.

FRED. G. HEPPONSTALL.
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 27, 1907.

In the District Court of Kalutara.

Kahatapitiyage Appu Sinno Perera Appuhamy of Galpata Plaintiff.

No. 3,024. Vs.

Camburawalakankanange Don Davith de Alvis, Vidane Arachchi of Dodangoda Defendant.

NOTICE is hereby given that on Monday, September 23, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, for the recovery of Rs. 3,664.58½, with further interest on Rs. 2,890 at 16 per cent. per annum from November 8, 1904, to November 30, 1904, and thereafter at 9 per cent. per annum till payment in full, viz. :—

1. The entire soil in extent of about 10 acres and all the trees of the garden Sarakkuwekurunduwatta, with all the buildings standing thereon, situate at Dodangoda; and bounded on the north by low land, the high road, and Potuwilagewatta, on the east by Batadombagahawatta and Pelawatta, on the south by Radawatta, in the name of John William Kriekenbeek, and Potuwilagewatta, and on the west by deniya and Polaelhena.

2. The entire soil in extent of about 6 acres of the garden called Galgodawatta and the remaining trees (excluding the planter's half-share of the second plantation) and the house standing thereon, situate at Dodangoda; and bounded on the north by Crown land, on the east by Jasingewatta, on the south by Achariyaowita, and on the west by Camburawalakankanangewatta.

3. The entire land called Pettigalalandedeniya of the extent of about 7 acres, situate at Dodangoda; and bounded on the north and north-east by Wellewalakumbura belonging to the Crown, on the east by Crown land, Wellewalakumbura, and cart road, on the south-east, south, and south-west by Crown land called Wellawalaudumulla, on the north-west by Crown land called Muttettuwekele.

4. Undivided ½ part of the land Kandabodadeniya, situate at Dodangoda; and bounded on the south by land described in plan No. 77,066, on the west by land described in plan No. 77,270 and Crown land, and on all other sides by Crown land; and is of the extent of 3 acres and 34 perches.

5. Entire land Dawatagahawatta of the extent of 2 acres, situate at Dodangoda; and bounded on the north by Batadombagahawatta, on the east by Manana, on the south by Ambalangodaowita, and on the west by Liyanagewatta and duwa.

6. ¼ part of the soil and of the trees of the garden Dombagahawatta and the houses thereon, situate at Dodangoda; and bounded on the north by forest land, on the east by Lindamullawatta, on the south by forest land; and on the west by Kahatagahawatta; and is of the extent of 2 acres and 2 roods.

7. ¾ part of the soil and of the trees of the garden called Halgahawatta and the houses standing thereon, situate at Dodangoda; and bounded on the north by Ilukpotaowita, on the east by Kandadadeniya, on the south by Manana, and on the west by Wattabodaowita; and is of the extent of about 6 acres.

8. Entire soil in extent of about $1\frac{1}{2}$ acre and all the trees of the garden called Mandandeniawatta *alias* Kekillapitiyawatta and the houses standing thereon, situate at Dodangoda; and bounded on the north by Ratnapitiyawatta, on the east by Kekillapitiyamanana, on the south by cart road, and on the west by Kekillapitiyamanana.

9. Entire soil in extent of 6 acres 2 roods and all the trees of the garden Delgodalandewatta, situate at Dodangoda; and bounded on the north by Wattabodaowita *alias* Dikelaowita, on the east by Palliyewatta, on the south by Delgahawatta, and on the west by Kumbukgahaowita.

10. An undivided $\frac{1}{4}$ part of the land called Sarakuwewelbima, situate at Dodangoda; and bounded on the north by cart road, on the east by the cart road and cinnamon garden, on the south by cinnamon garden, and on the west by Polelhenawatta; and is of the extent of 4 acres 3 roods and 24 perches.

11. Undivided $\frac{1}{4}$ part of the field called Sarakkuwemananakumbura, situate at Dodangoda; and bounded on the north by cart road, on the east by Polelhenawatta, on the south and west by forest land; and is of the extent of 4 acres 28 perches.

12. Undivided $\frac{1}{4}$ part of the soil and of the trees of the garden called Delkandurewatta and the houses thereon, situate at Dodangoda; and bounded on the north by land purchased from Government by K. K. Hamy Appu and others, on the north-east and east by land described in plan No. 113,021 and Crown land, on the south-east by Crown land, on the south-west by land claimed by K. K. Hamy Appu and others from Government; and is of the extent of 5 acres 3 roods and 11 perches.

13. Undivided $\frac{1}{4}$ part of the soil and of the trees of the land called Pattarapanduralanda, situate at Dodangoda; and bounded on the north by Crown land, on the east by Crown land, on the south by Crown land, and on the west by Crown land; and is of the extent of 1 acre 2 roods and 34 perches, mortgaged with the plaintiff and declared bound and executable for the decree in the said case.

B. P. J. GOMES,
Deputy Fiscal.

Deputy Fiscal's Office,
Kalutara, August 27, 1907.

Northern Province.

In the District Court of Jaffna.

Sinnatamby Suppar of Karativu West. . . . Plaintiff.
No. 4,760. Vs.

(1) Ramalingar Arumugam and his wife
(2) Valliammai of Analative. . . . Defendants.

NOTICE is hereby given that on Friday, September 27, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property, hypothecated to the plaintiff and decreed to be sold by decree entered in the above action, for the recovery of Rs. 1,444.30, with interest on Rs. 1,300 at the rate of 12 per cent. per annum from May 31, 1906, until payment in full, and costs of suit being Rs. 143.73, and charges, viz. :—

1. A piece of land situated at Analative called Pulyadiyitpulam, containing or reputed to contain in extent 9 lachams of varagu culture with well; bounded or reputed to be bounded on the east by the property of Theiranippillai, wife of Suppiramanian, and others, north by the property of Sitahmparappillai Arunasalam and others, west by the property of Kanapathy Palany and others, and south by the property of Katpagam, wife of Karty.

2. A piece of land situated at Analative called Ponnampulam, containing or reputed to contain in extent 10 lachams of varagu culture with its appurtenances including well; bounded or reputed to be bounded on the east by the property of Sethuppillai, wife of Sithamparappillai, north and west by lane, and south by the property of Kanapathy Murugappan and others.

3. An undivided $\frac{3}{4}$ share of a piece of land situated at Analative called Changattarpulam, containing or reputed to contain in extent $12\frac{1}{2}$ lachams of varagu culture with well; bounded or reputed to be bounded on the east and north by lane, west by the property of Vaitianathan Kanagasabai and others, and south by the property of Valliammaippillai, wife of Sabapathyppillai.

4. An undivided $\frac{3}{4}$ share of a piece of land situated at Analative called Kaladdy, containing or reputed to contain in extent $20\frac{1}{2}$ lachams of varagu culture with palmyras and well; bounded or reputed to be bounded on the east by the property of Ayampillai Arumugam and others, north by the property of Savuntharamma, wife of Erampaiyar, west by the property of Kumarasamy Sabapathyppillai and by the property belonging to the temple of Muruga Moorthy, and south by the property belonging to the temple of Muruga Moorthy.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, August 23, 1907.

In the District Court of Jaffna.

Kantar Kartigesu of Vannarponnai East. . . Plaintiff.

No. 4,883. Vs.

(1) Thayalmuttu, widow of Murugesar Arumugam of Vannarponnai East, (2) Arumugam Rajendram of Vannarponnai East, (3) Arumugam Mathiaparanam of Vannarponnai East, (4) Arumugam Sivapiragasam of Vannarponnai East, the 2nd, 3rd, and 4th defendants are minors and appear by their guardian *ad litem* the 1st defendant, legal representatives of the estate of the late Murugesar Arumugam. . . . Defendants.

NOTICE is hereby given that on Monday, September 30, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property of the late Murugesar Arumugam, now in possession of the defendants, hypothecated to the plaintiff and decreed to be sold in the above action, for the recovery of Rs. 318.30, with interest on Rs. 250 at the rate of 12 per cent. per annum from August 31, 1906, until payment in full, and costs of suit being Rs. 93.69, and charges, viz. :—

A piece of land situated at Vannarponnai East called Naralady and Pulyady, containing or reputed to contain in extent $2\frac{1}{2}$ lachams of varagu culture with its appurtenances including house and share of well standing on the western boundary; bounded or reputed to be bounded on the east by the property of Nagalingapattar Muttu Krishnapattar and brother, north by road, west by the property of Ponnamma, wife of Tambyah, and south by the property of Sokkalingapattar Nadesapattar.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, August 27, 1907.

NOTICES OF INSOLVENCY.

In the District Court of Galle.

No. 365.

In the matter of Kunjy Wappu Uduma Lebbe Markar of Dangedara, an insolvent.

NOTICE is hereby given that the second sittings in the above case have been adjourned for September 24, 1907, for examination of insolvent.

By order,

D. M. JANSZ,
Secretary.

Galle, August 23, 1907.