



Ceylon Government Gazette

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Part II.—Legal and Judicial.

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PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 9 of 1908.

An Ordinance to amend "The Land Acquisition Ordinance, 1876," in certain particulars.

HENRY McCALLUM.

Preamble.
[No. 3 of 1876.]

WHEREAS it is expedient to amend "The Land Acquisition Ordinance, 1876," hereinafter referred to as "the principal Ordinance," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Land Acquisition Ordinance (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

2 For sections 29 and 30 of the principal Ordinance there shall be substituted the following sections, namely:

Form of award.

29 Every award made by the court shall be in writing signed by the District Judge and assessors concurring therein, and shall specify the amount awarded under the first clause of section 21, and also the amounts (if any) respectively awarded under each of the other clauses of the same section, together with the grounds of awarding each of the said amounts.

Costs.

30. (1) Every such award shall also state by what persons and in what proportions the costs of the proceedings are to be paid.

(2) When the amount awarded exceeds the amount tendered by the Government Agent or the sum which the Government Agent has offered to give under section 13, such costs shall ordinarily be paid by the Government Agent, unless the court shall be of opinion that the claim of the person who has contested the award was so extravagant, or that he was so negligent in putting his case before the Government Agent, that some deduction from his costs should be made, or that he should pay a part of the Government Agent's costs.

(3) The costs in all legal proceedings, when there has been a reference to the court, shall be taxed by the court.

(4) All costs (not deducted as hereinafter provided by section 38) may be recovered as if they were costs incurred in an ordinary suit and as if the award were the decree therein.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 10 of 1908.

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

HENRY MCCALLUM.

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 1908."

Substitution of new section 8.

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

Cancellation or suspension of surveyors' licenses.

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 or suspend for such period as the court thinks proper the registration and the license, if any, of such surveyor and award costs as it thinks fit. Every order under this section shall be subject to an appeal by either party to the Supreme Court, in like manner as any other order of such District Court.

(2) Every such order of cancellation or suspension, 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 or suspended, the licensee shall forthwith return such license to the Surveyor-General. Where any license has been suspended, the Surveyor-General shall return the same to the licensee after the period of suspension has expired.

(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 9.

3 In section 9 of the principal Ordinance for the words "order of cancellation" there shall be substituted the words "order of cancellation or suspension."

Amendment of section 10.

4 In section 10 of the principal Ordinance there shall be inserted after the words "in manner aforesaid" the words "or during any period for which his license has been suspended."

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 11 of 1908.

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

HENRY MCCALLUM.

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, 1908."

Extent.

(2) It applies to Ceylon, but the Governor in Executive Council may hereafter, by Proclamation in the *Government Gazette*, extend its application or the application of any specified part thereof to any dependency of Ceylon.

Date of operation.

2 This Ordinance shall come into operation on such date as the Governor shall, by Proclamation published in the *Government Gazette*, 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) Whenever posts or postal communications are established, 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.

(2) 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, 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 Executive 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 Executive Council to fix rates of postage.

9 (1) The Governor in Executive 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 in Executive Council to make rules.

10 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 and the commission, if any, to be allowed to persons selling them;
- (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," shall not be applicable to postage stamps.

Postage stamps protected by Penal Code.

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 and description 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, or the description of the contents incorrect, 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, or to authorize the Principal Collector of Customs in writing to open the letter and assess the contents for duty.

(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 that 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 remain current.
- (c) Prescribe the rates of commission or the 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 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 and discontinue 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.

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

Offences by persons in employ of 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 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 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 article 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.

Manufacture and unlawful possession of fictitious postage stamps.

83 (1) It shall not be lawful for any person to—

- (a) Make, knowingly alter, deal in, or sell any fictitious stamp, or knowingly use for any purpose any fictitious stamp; or
- (b) Have in his possession, unless he shows a lawful excuse any fictitious stamp; or

(c) Make, or, unless he shows a lawful excuse, have in his possession any die, plate, instrument, or materials for making any fictitious stamp.

(2) Any person who acts in contravention of the preceding sub-section shall be guilty of an offence, and liable on conviction to a fine not exceeding two hundred rupees, or to simple or rigorous imprisonment for a term not exceeding two years, or to both.

(3) Any stamp, die, plate, instrument, or materials found in the possession of any person in contravention of this section may be seized and shall be forfeited to His Majesty.

(4) The Postmaster-General or any postmaster may detain (if necessary) any postal packet found in the post containing or bearing any fictitious stamp. Any postal packet so detained may be either returned or given up to the sender thereof, or dealt with or disposed of in such other manner as may be authorized by the Postmaster-General.

(5) Nothing in this section shall affect the enactments contained in sections 248 to 256 of the Ceylon Penal Code.

(6) For the purposes of this section "fictitious stamp" means any facsimile or imitation or representation, whether on paper or otherwise, of any stamp for denoting any rate of postage, including any stamp for denoting a rate or duty of postage of the United Kingdom, India, or any of His Majesty's Colonies, or of any foreign country.

Power of
Postmaster-
General to
compound
certain offences.

84 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.

85 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.

86 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.

87 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.

88 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.

89 (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, 83, and 88 of this Ordinance, unless upon complaint made by order of, or under authority from, the Postmaster-General.

General.

Officers of post office to be exempt from serving on juries.

90 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.

91 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.

92 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.

Further power of Governor in Executive Council to make rules.

93 In addition to the powers in this order mentioned, the Governor in Executive Council may make rules to carry out any of the purposes and objects of this Ordinance.

Saving of existing rules, &c.

94 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.

No. and Date of Enactment.	SCHEDULE. 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.
14 of 1886 ..	" An Ordinance relating to British and Foreign Postage Stamps "	The whole.
6 of 1894 ..	" An Ordinance to enable the Postmaster-General to detain any Postal Packet containing or bearing any fictitious Postage Stamp "	The whole.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice
and consent of the Legislative Council thereof.

No. 12 of 1908.

An Ordinance relating to Copyright.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to secure the right of property in literary and artistic works: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

PART I.—PRELIMINARY.

Short title.

1 (1) This Ordinance may be cited as "The Copyright Ordinance, 1908," and shall come into operation at such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Commencement.

Division into parts.

(2) This Ordinance is divided as follows:—

Part I.—Preliminary.

Part II.—Administration.

Part III.—Literary Copyright.

Part IV.—Artistic Copyright.

Part V.—Infringement of Copyright.

Part VI.—Registration of Copyright.

Part VII.—Miscellaneous.

Interpretation.

2 In this Ordinance, unless the contrary intention appears—

"Artistic work" includes—

(a) Any painting, drawing, or sculpture; and

(b) Any engraving, etching, print, lithograph, wood-cut, photograph, or other work of art produced by any process, mechanical or otherwise, by which impressions or representations of works of art can be taken or multiplied.

"Author" includes the personal representatives of an author.

"Book" includes any book or volume, and any part or division of a book or volume, and any article in a book or volume, and any pamphlet, periodical, sheet of letterpress, map, chart, diagram, or plan separately published, and any illustration therein.

"Lecture" includes a sermon.

"Periodical" means a review, magazine, newspaper, or other periodical work of a like nature.

"Pirated artistic work" means a reproduction of an artistic work made in any manner without the authority of the owner of the copyright in the artistic work.

"Pirated book" means a reproduction of a book made in any manner without the authority of the owner of the copyright in the book.

"Portrait" includes any work, the principal object of which is the representation of a person by painting, drawing, engraving, photography, sculpture, or any form of art.

"Publish" and "publication" in relation to a book refer to offer for sale or distribution in each case with the privity of the author so as to make the book accessible to the public.

"The Registrar" means the Registrar of Copyrights.

What is simultaneous publication.

3 For the purposes of this Ordinance, publication or delivery in Ceylon shall be deemed to be simultaneous with publication or delivery elsewhere, if the period between the publications or deliveries does not exceed fourteen days.

Blasphemous, &c., matter not protected. 4 No copyright or lecturing right shall subsist under this Ordinance in any blasphemous, indecent, seditious, or libellous work or matter.

Application of the Common Law. 5 Subject to this Ordinance, the Common Law of England relating to proprietary rights in unpublished literary compositions shall, after the commencement of this Ordinance, apply in Ceylon.

PART II.—ADMINISTRATION.

Registrar. 6 The Registrar-General shall be the Registrar of Copyrights, unless the Governor shall by Proclamation appoint some other person to be the Registrar of Copyrights, which appointment the Governor is hereby empowered to make from time to time as occasion may require.

Copyright office. 7 For the purposes of this Ordinance, an office shall be established, which shall be called the "copyright office." The office of the Registrar-General shall be the copyright office, unless and until the Governor otherwise directs.

Seal of copyright office. 8 There shall be a seal of the copyright office, and impressions thereof shall be judicially noticed.

PART III.—LITERARY COPYRIGHT.

Copyright in books. 9 (1) The copyright in a book means the exclusive right to do, or authorize another person to do, all or any of the following things in respect of it :

- (a) To make copies of it ;
- (b) To abridge it ; and
- (c) To translate it.

(2) Copyright shall subsist in every book, whether the author is a British subject or not, which has been printed from type set up in Ceylon or plates made therefrom, or from plates or negatives made in Ceylon in cases where type is not necessarily used, and has, after the commencement of this Ordinance, been published in Ceylon before or simultaneously with its first publication elsewhere.

Lecturing right in lectures. 10 (1) The lecturing right in a lecture means the exclusive right to deliver it, or authorize its delivery, in public, and, except as hereinafter provided, to report it.

(2) Lecturing right shall subsist in every lecture, whether the author is a British subject or not, which has, after the commencement of this Ordinance, been delivered in public in Ceylon before or simultaneously with its first delivery in public elsewhere.

Commencing of copyright and lecturing right. 11 (1) The copyright in a book shall begin with its first publication in Ceylon.

(2) The lecturing right in a lecture shall begin with its first delivery in public in Ceylon.

Term of copyright and lecturing right. 12 (1) The copyright in a book and the lecturing right in a lecture shall subsist for the term of forty-two years or for the author's life and seven years, whichever shall last the longer.

(2) Where the first publication of a book, or the first delivery in public of a lecture, takes place after the death of the author, the copyright shall subsist for the term of forty-two years.

(3) Where a book is written by joint authors the copyright shall subsist for the term of forty-two years or their joint lives and the life of the survivor of them and seven years, whichever shall last the longer.

(4) If a lecture is published as a book with the consent in writing of the owner of the lecturing right, the lecturing right shall cease.

Ownership in copyright and lecturing right. 13 (1) The author of a book shall be the first owner of the copyright in the book.

(2) The author of a lecture shall be the first owner of the lecturing right in the lecture.

- Ownership in the case of joint authors.** **14** Where there are joint authors of a book, or of a lecture, the copyright, or the lecturing right, as the case may be, shall be the property of the authors.
- Separate authors.** **15** Where a book is written in distinct parts by separate authors and the name of each author is attached to the portion written by him, each author shall be entitled to copyright in the portion written by him in the same manner as it were a separate book.
- Encyclopædia and similar works.** **16** The proprietor or projector of an encyclopædia or other similar permanent work of reference who employs some other person for valuable consideration in the composition of the whole or any part of the work shall be entitled to the copyright in the work in the same manner as if he were the author thereof.
- Copyright in articles published in periodicals.** **17** (1) The author of any article contributed for valuable consideration to, and first published in, a periodical shall be entitled to copyright in the article as a separate work, but so that—
- (a) He shall not be entitled to publish the article or authorize its publication until one year after the end of the year in which the article was first published; and
- (b) His right shall not exclude the right of the proprietor of the periodical under this section.
- (2) The proprietor of a periodical in which an article which has been contributed for valuable consideration is first published shall be entitled to copyright in the article, but so that—
- (a) He shall not be entitled to publish the article or authorize its publication except in the periodical in its original form of publication; and
- (b) His right shall not exclude the right of the author of the article under this section.
- Copyright in articles published in periodicals without valuable consideration.** **18** The author of any article contributed without valuable consideration to, and first published in, a periodical shall be entitled to copyright in the article as a separate work.
- Copyright, &c., to be assignable.** **19** The copyright in a book and the lecturing right in a lecture shall be capable of assignment and of transmission by operation of law.
- Copyright and other rights to be separate properties.** **20** The copyright in a book and the lecturing right in a lecture shall be deemed to be distinct properties for the purposes of ownership, assignment, license, transmission, and all other purposes.
- Assignment of copyright.** **21** The owner of the copyright in a book or of the lecturing right in a lecture may assign his right either wholly or partially and either generally or limited to any particular place or period, and may grant any interest therein by license; but an assignment or grant shall not be valid unless it is in writing signed by the owner of the right in respect of which it is made or granted.
- New editions.** **22** Any second or subsequent edition of a book containing material or substantial alterations or additions shall be deemed to be a new book, but so as not to prejudice the right of any person to reproduce a former edition of the book or any part thereof after the expiration of the copyright in the former edition.
- Provided that, while the copyright in a book subsists, no person, other than the owner of the copyright in the book or a person authorized by him, shall be entitled to publish a second or subsequent edition thereof.
- Making of abridgment, &c., for private use.** **23** Copyright in a book shall not be infringed by a person making an abridgment or translation of the book for his private use (unless he uses it publicly or allows it to be used publicly by some other person), or by a person making fair extracts from or otherwise fairly dealing with the contents of

the book for the purpose of a new work, or for the purposes of criticism, review, or refutation, or in the ordinary course of reporting scientific information.

Translations or abridgments.

24 Where the author has parted with the copyright in his book and a translation or abridgment of the book is made with the consent of the owner of the copyright by some person other than the author, notice shall be given in the title page of every copy of the translation or abridgment that it has been made by some person other than the author.

Failure of author to make or cause translation of book.

25 Where a translation of a book into a particular language is not made within ten years from the date of the publication of the book by the owner of the copyright or by some person by his authority—

- (a) Any person desirous of translating the book into that language may make an application in writing to the Governor for permission so to do.
- (b) The Governor may thereupon by notice in writing under the hand of the Colonial Secretary inform the owner of the copyright of such application and request him to make or cause to be made a translation of the book into that language within such time as the Governor deems reasonable, or to show cause why such application should not be granted.
- (c) If the owner of the copyright fails to comply with such notice, the Governor may grant such application.

Copyright in translations.

26 Copyright shall subsist in a lawfully produced translation or abridgment of a book in like manner as if it were an original work.

Report of lecture in a newspaper.

27 (1) Unless the reporting of a lecture is prohibited by a notice as in this section mentioned, the lecturing right in a lecture shall not be infringed by a report of the lecture in a newspaper.

(2) The notice prohibiting the reporting of a lecture may be given—

- (a) Orally at the beginning of the lecture ; or
- (b) By a conspicuous written notice affixed, before the lecture is given, on the entrance doors of the building in which it is given or in a place in the room in which it is given.

(3) When a series of lectures is intended to be given by the same lecturer on the same subject, one notice only need be given in respect of the whole series.

PART IV.—ARTISTIC COPYRIGHT.

Meaning of copyright.

28 The copyright in an artistic work means the exclusive right of the owner of the copyright to reproduce or authorize another person to reproduce the artistic work, or any material part of it, in any manner, form, or size, in any material, or by any process, or for any purpose.

Copyright in artistic works.

29 Copyright shall subsist in every artistic work, whether the author is a British subject or not, which is made in Ceylon after the commencement of this Ordinance.

Commencement and term of artistic copyright.

30 The copyright in an artistic work shall begin with the making of the work, and shall subsist for the term of forty-two years or for the author's life and seven years, whichever shall last the longer.

Ownership of copyright in artistic work.

31 The author of an artistic work shall be the first owner of the copyright in the work.

Copyright in portraits.

32 When an artistic work, being a portrait, is made to order for valuable consideration, the person to whose order it is made shall be entitled to the copyright therein as if he were the author thereof.

- Copyright in photographs. 33 (1) When a photograph is made to order for valuable consideration, the person to whose order it is made shall be entitled to the copyright therein as if he were the author thereof.
- (2) Subject to sub-section (1) of this section, when a photograph is made by an employé on behalf of his employer the employer shall be deemed to be the author of the photograph.
- Engravings and prints. 34 (1) Subject to section 28 of this Ordinance, the engraver or other person who makes the plate or other instrument by which copies of an artistic work are multiplied shall be deemed to be the author of the copies produced by means of the plate or instrument.
- (2) When the plate or other instrument mentioned in this section is made by an employé on behalf of his employer, the employer shall be deemed to be the author of the copies produced by means of the plate or instrument.
- Copyright in case of sale of painting, statue, or bust. 35 (1) When the owner of the copyright in any artistic work being a painting, or a statue, bust, or other like work, disposes of such work for valuable consideration, but does not assign the copyright therein, the owner of the copyright (except as in this section mentioned) may, in the absence of any agreement in writing to the contrary, make a replica of such work.
- (2) When a statue, bust, or other like work, whether made to order or not, is placed or is intended to be placed in a street or other like public place, the author may, in the absence of any agreement to the contrary, make replicas thereof.
- Right of author to make replicas of statues, &c., in public places.
- Artistic copyright to be assignable. 36 The copyright in an artistic work shall be capable of assignment and of transmission by operation of law.
- Copyright and ownership in artistic works. 37 The copyright in an artistic work and the ownership of the artistic work shall be deemed to be distinct properties for the purposes of ownership, assignment, license, transmission, and all other purposes.
- Assignment of copyright. 38 The owner of the copyright in an artistic work may assign his right wholly or partially and either generally or limited to any particular place or period and may grant any interest therein by license; but an assignment or grant shall not be valid unless it is in writing signed by the owner of the copyright.

PART V.—INFRINGEMENT OF COPYRIGHT.

- Infringement of rights under Ordinance. 39 If any person infringes any right conferred by this Ordinance in respect of the copyright in a book, the lecturing right in a lecture, or the copyright in an artistic work, the owner of the right infringed may maintain an action for damages or penalties or profits and for an injunction, or for any of these remedies.
- Damages in case of lecturing right. 40 In assessing the damages in respect of the infringement of the lecturing right in a lecture regard shall be had to the amount of profit made by the infringer by reason of the infringement, and to the amount of actual damage incurred by the owner of the lecturing right.
- Notice of objection to title. 41 The plaintiff in an action for the infringement of a right conferred by this Ordinance shall be presumed to be the owner of the right which he claims, unless the defendant in his pleadings in defence pleads that the defendant disputes the title of the plaintiff, and states the grounds on which the plea is founded, and the name of the person, if any, whom the defendant alleges to be the owner of the right.
- Limitation of actions. 42 No action for any infringement of copyright or lecturing right under this Ordinance shall be maintainable unless it is commenced within two years next after the infringement is committed.

Property in
pirated books
or artistic
work.

43 All pirated books and all pirated artistic works shall be deemed to be the property of the owner of the copyright in the book or work, and may, together with the plates, blocks, stone, matrix, negative, or thing, if any, from which they are printed or made, be recovered by him by action or other lawful method.

Penalties for
dealing with
pirated books.

44 If any person—

- (a) Sells, or lets for hire, or exposes, offers, or keeps for sale or hire, any pirated book or any pirated artistic work; or
- (b) Distributes, or exhibits in public, any pirated book or any pirated artistic work; or
- (c) Imports into Ceylon any pirated book or any pirated artistic work;

he shall be guilty of an offence against this Ordinance, and shall be liable to a penalty not exceeding fifty rupees for each copy of such pirated book or pirated artistic work dealt with in contravention of this section, and also to forfeit to the owner of the copyright every such copy so dealt with, and also to forfeit the plates, blocks, stone, matrix, negative, or thing, if any, from which the pirated book or pirated artistic work was printed or made.

Provided that the whole penalties inflicted on any one offender in respect of the same transaction shall not exceed five hundred rupees.

Provided also that no person shall be convicted of an offence under this section if he proves to the satisfaction of the court at the hearing that he did not know, and could not, with reasonable care, have ascertained that the book was a pirated book or the work was a pirated artistic work.

Search warrant
and seizure of
pirated copies.

45 (1) A Police Magistrate may, upon the application of the owner of the copyright in any book or in any artistic work or of the agent of such owner appointed in writing—

- (a) If satisfied by evidence that there is reasonable ground for believing that pirated books or pirated artistic works are being sold or offered for sale, issue a warrant, in accordance with the form prescribed, authorizing any police officer to seize the pirated books or pirated artistic works and to bring them before the court.
- (b) If satisfied by evidence that there is reasonable ground for believing that pirated books or pirated artistic works are to be found in any house, shop, or other place, issue a warrant, in accordance with the form prescribed, authorizing any police officer to search between sunrise and sunset the place, where the pirated books or pirated artistic works are supposed to be, and to seize and bring them or any books or artistic works reasonably suspected to be pirated books or pirated artistic works before the court.

(2) The court may, on proof that any books or artistic work brought before it in pursuance of this section are pirated books or pirated artistic works, order them to be destroyed or to be delivered up, subject to such conditions, if any, as the court thinks fit, to the owner of the copyright in the book or artistic work.

Power of owner
of copyright to
require delivery
to him of
pirated books
and works.

46 (1) The owner of the copyright in any book or artistic work, or the agent of such owner appointed in writing, may by notice, in accordance with the prescribed form, require any person to deliver up to him any pirated production of the book or work, and every person to whom such notice has been given, and who has any pirated reproduction of the book or work in his possession or power, shall deliver up the pirated reproduction of the book or work in accordance with the notice; and in default of doing so shall be liable to a fine of one hundred rupees.

(2) A person shall not give any notice in accordance with this section without just cause, and any person so giving notice shall be liable to a fine of two hundred rupees.

(3) In any prosecution under sub-section (2) of this section the defendant shall be deemed to have given the notice without just cause, unless he proves to the satisfaction of the court at the hearing that at the time of giving the notice he was the owner of the copyright in the book or artistic work or was the agent of such owner appointed in writing, and had reasonable ground to believe that the person to whom the notice was given had pirated reproductions of the book or work in his possession or power.

Penalty for false representations in notices.

47. Any person who in any notice given in pursuance of this Ordinance makes a representation which is false in fact, and which he knows to be false or does not believe to be true that he is—

(a) The owner of the copyright in any book or artistic work; or

(b) The agent of any such owner;

shall be guilty of an offence against this Ordinance, and shall be liable to imprisonment, which may extend to three months, or to a fine not exceeding one hundred rupees.

Request to police to seize pirated books and works.

48 (1) The owner of the copyright in any book or artistic work or the agent of such owner appointed in writing may, in accordance with the prescribed form, request that any pirated reproductions of the book or work be seized by the police, and may lodge the request at any police station.

(2) Any police officer in the town or district in which the police station is situated may, at any time in the daytime within seven days after the request was so lodged, seize all pirated reproductions of the book or work mentioned in the notice, and all reproductions of the book or work which he has reasonable ground to believe are pirated reproductions, found by him in the possession of any person other than the owner of the copyright in the book or work.

(3) Every police officer who seizes any books or works in pursuance of this section shall forthwith bring all such books or works before a Police Court.

(4) A Police Court may, on the application of any person interested, make such order for the disposal of the books or works as it thinks just.

(5) Any person who shall lodge any request at any police station in accordance with this section without just cause shall be guilty of an offence, and liable to a fine of two hundred rupees.

(6) In any prosecution under sub-section (5) of this section the defendant shall be deemed to have lodged the request without just cause, unless he proves to the satisfaction of the court at the hearing that at the time of lodging the request he was the owner of the copyright in the book or artistic work, or was the agent of such owner appointed in writing, and had reasonable ground to believe that pirated reproductions of the book or work were being unlawfully sold, or let for hire, or exposed, or offered, or kept for sale or hire, or distributed, or exhibited in public, in the town or district in which the police station is situated.

Application of penalties.

49 Where proceedings for any penalty under this Ordinance are instituted by the owner of the copyright in any book or in any artistic work or by the owner of the artistic work, the penalty shall be paid to him by way of compensation for the injury he has sustained.

Aiders and abettors.

50 Whoever aids, abets, counsels, or procures, or by act or omission is in any way, directly or indirectly, knowingly concerned in the commission of any offence against this Ordinance shall be deemed to have committed that offence, and shall be punishable accordingly.

- Limitation of actions.** 51 Proceedings may be instituted in any Police Court for the recovery of any penalty under this Ordinance, but no such proceedings shall be instituted after the expiration of six months from the date of the offence in respect of which the penalty is imposed.
- Appeal.** 52 An appeal shall lie to the Supreme Court from any conviction or order (including any dismissal of any information, complaint, or application) of a Police Court, exercising jurisdiction with respect to any offence or matter under this Ordinance to the court and in the manner and time provided by chapter XXX. of "The Criminal Procedure Code, 1898."
- Importation of pirated works.** 53 (1) The following goods are prohibited to be imported:
- (a) All pirated books in which copyright is subsisting in Ceylon; and
 - (b) All pirated artistic works in which copyright is subsisting in Ceylon.
- (2) All pirated books and pirated artistic works imported into Ceylon contrary to this section shall be forfeited and may be seized by any officer of customs.
- (3) Subject to this Ordinance, the provisions of the Ordinance No. 17 of 1869 shall apply to the seizure and forfeiture of pirated books and artistic works under this section to the same extent as if they were prohibited imports under that Ordinance.
- (4) The provisions of this section shall not apply to any book or artistic work unless the owner of the copyright therein or his agent has given written notice to the Colonial Secretary of the existence of the copyright and of his term.
- PART VI.—REGISTRATION OF COPYRIGHTS.**
- Copyright registers.** 54 The following registers of copyrights shall be kept by the Registrar at the copyright office:—
- The Register of Literary Copyrights.
The Register of Fine Arts Copyrights.
- Method of registration.** 55 The owner of any copyright or lecturing right under this Ordinance may obtain registration of his right in the manner prescribed.
- Registration of assignments and transmissions.** 56 When any person becomes entitled to any copyright or lecturing right under this Ordinance by virtue of any assignment or transmission, or to any interest therein by license, he may obtain registration of the assignment, transmission, or license in the manner prescribed.
- How registration effected.** 57 The registration of any copyright or lecturing right under this Ordinance, or of any assignment or transmission thereof or of any interest therein by license, shall be effected by entering in the proper register the prescribed particulars relating to the right, assignment, transmission, or license.
- Trusts not registered.** 58 (1) No notice of any trust expressed, implied, or constructive shall be entered in any register of copyrights under this Ordinance or be receivable by the Registrar.
- (2) Subject to this section, equities in respect of any copyright or lecturing right under this Ordinance may be enforced in the same manner as equities in respect of other property.
- Register to be evidence.** 59 Every register of copyrights under this Ordinance shall be *prima facie* evidence of the particulars entered therein, and documents purporting to be copies of any entry therein or extracts therefrom certified by the Registrar and sealed with the seal of the copyrights office shall be admissible in evidence in all courts without further proof or production of the originals.
- Certified copies.** 60 Certified copies of entries in any register under this Ordinance or of extracts therefrom shall, on payment of the prescribed fee, be given to any person applying for them.

- Inspection of register.** 61 Each register under this Ordinance shall be open to public inspection at all convenient times on payment of the prescribed fee.
- Correction of register.** 62 The Registrar may, in prescribed cases and subject to the prescribed conditions, amend or alter any register under this Ordinance by—
- (a) Correcting any error in any name, address, or particular; and
 - (b) Entering any prescribed memorandum or particular relating to copyright or other right under this Ordinance
- Rectification of register by the court.** 63 (1) Subject to this Ordinance, the District Court of Colombo may, on the application of the Registrar or of any person aggrieved, order the rectification of any register under this Ordinance by—
- (a) The making of any entry wrongly omitted to be made in the register; or
 - (b) The expunging of any entry wrongly made in or remaining on the register; or
 - (c) The correction of any error or defect in the register.
- (2) An appeal shall lie to the Supreme Court from any order for the rectification of any register made by the District Court under this section.
- Owner cannot sue before registration.** 64 (1) The owner of any copyright under this Ordinance or of any interest therein by the license shall not be entitled to bring any action or suit or institute any proceedings for any infringement of the copyright, unless such right or interest has been registered in pursuance of this Ordinance.
- (2) When such right or interest has been registered the owner thereof may, subject to this Ordinance, bring actions or suits or institute proceedings for infringements of the copyright, whether those infringements happened before or after the registration.
- (3) This section shall not affect the right of the owner of the lecturing right in a lecture to bring actions or suits or institute proceedings for infringements of his lecturing right.
- Delivery of books to Registrar.** 65 (1) Every person applying for the registration of the copyright in any book to which the provisions of Ordinance No. 1 of 1885 are applicable shall produce to the Registrar the receipt given by the appointed officer under section 3 of the said Ordinance for the copies of the book delivered in accordance with the requirements of the said Ordinance.
- (2) Every person applying for the registration of the copyright in any work of art shall deliver to the Registrar one copy of the work of art or a photograph of it.
- (3) The Registrar shall refuse to register the copyright in any book or work of art until sub-sections (1) and (2) of this section have been complied with.
- False representation to Registrar.** 66 Any person who shall wilfully make any false statement or representation to deceive the Registrar or any officer in the execution of this Ordinance, or to procure or influence the doing or omission of anything in relation to this Ordinance or any matter thereunder, shall be guilty of an offence, and liable to two years' imprisonment of either description.

PART VII.—MISCELLANEOUS.

- Provision against suppression of books.** 67 If the Governor is satisfied that the owner of the copyright in any book or of the lecturing right in any lecture has refused, after the death of the author, to republish or allow republication of the book, or the publication as a book of the lecture, and that by reason thereof the book or lecture is withheld from the public, he may grant any person applying for it a license to republish the book or to publish the lecture as a book in such manner and subject to such conditions as to the Governor seem fit.

Power to award costs. 68 In any action or proceeding taken in any court under this Ordinance the court shall have power to award costs at its discretion.

Regulations. 69 The Governor, with the advice of the Executive Council, may from time to time make, and when made revoke, amend, alter, or vary, such regulations not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to this Ordinance or for the conduct of any business relating to the copyrights office.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 13 of 1908.

An Ordinance to amend "The Land Registration Ordinance, 1891."

HENRY MCCALLUM.

Preamble. WHEREAS it is expedient to amend in certain particulars "The Land Registration Ordinance, 1891," 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 as "The Land Registration (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Section 35 added to Ordinance No. 14 of 1891. 2 The following section shall be added to the principal Ordinance, and shall be numbered 35:

Stamp duty payable on application, &c. 35. Every written application made in pursuance of section 14 or section 15 of the principal Ordinance shall bear a stamp of the value of one rupee, and a stamp of one rupee shall be supplied for every extract or copy of any document furnished under any section of the principal Ordinance.

Provided that in the case of applications made by notaries in connection with deeds to be attested by them, the application shall bear a stamp of the value of fifty cents in respect of each deed.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice
and consent of the Legislative Council thereof.

No. 14 of 1908.

An Ordinance to amend "The Electricity Ordinance, 1906."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Electricity Ordinance, 1906," 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 as "The Electricity (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Amendment of
section 5 of
Ordinance
No. 26 of 1906.

2 After sub-section (2) of section 5 of the principal Ordinance the following sub-section shall be added, namely:

(3) The Governor may by general or special order, and subject to such conditions and restrictions as may be specified therein, exempt any person or class of persons using energy on premises or vessels upon or in connection with which it is generated from the application of this section or from any such rule as aforesaid.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice
and consent of the Legislative Council thereof.

No. 15 of 1908.

An Ordinance to amend in certain particulars "The Trade Marks Ordinance, 1888."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend the law relating to the registration of trade marks 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 This Ordinance may be cited as "The Trade Marks (Amendment) Ordinance, 1908," and shall be read and construed as one with "The Trade Marks Ordinance, 1888" (hereinafter referred to as "the principal Ordinance"), and this Ordinance, the principal Ordinance, the Ordinance No. 4 of 1890, and "The Trade Marks (Amendment) Ordinance, 1904," may be cited together as "The Trade Marks Ordinances, 1888 to 1908."

Commencement.

2 This Ordinance shall come into force on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

3 The following sub-section shall be inserted in section 2 of the principal Ordinance, as amended by section 1 of Ordinance No. 4 of 1890, and shall be numbered (4):

(4) Provided that—

(a) In respect of cotton piece goods and cotton yarn no mark consisting of a word or words alone (whether invented or otherwise) shall be registered, and no word or words shall be deemed to be distinctive in respect of such goods.

- (b) In respect of cotton piece goods no mark consisting of a line heading alone shall be registered, and no line heading shall be deemed to be distinctive in respect of such goods.
- (c) No registration of a cotton mark, that is to say, a trade mark in respect of cotton goods constituting classes 23, 24, and 25 in schedule 3 of the rules made under section 40 (1) of the principal Ordinance, as amended by Ordinances Nos. 4 of 1890, 6 of 1904, and 9 of 1906, dated June 1, 1906, and published in the *Government Gazette* of June 1, 1906, shall give any exclusive right to the use of any word, letter, numeral, line heading, or any combination thereof.

Passed in Council the Twenty-third day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twentieth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 16 of 1908.

An Ordinance to incorporate the Ceylon Railway Benefit Association.

HENRY MCCALLUM.

Preamble.

WHEREAS an association consisting of persons employed in the service of the Ceylon Government Railway, and called "The Ceylon Railway Benefit Association" (hereinafter referred to as the said association), was established in the year One thousand Nine hundred for the objects of promoting thrift, of giving relief to its members in times of sickness or distress, and ultimately paying to each member of the said association at the time of his retirement from the public service or to his nominees, next of kin, or heirs at law his accumulated savings, together with a further sum as a donation calculated in manner provided therefor by the rules of the said association: And whereas the said association has heretofore successfully pursued the objects for which it was founded, and has applied to be incorporated, and it will be for the public advantage to grant the application: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Ceylon Railway Benefit Association Ordinance, 1908."

Ceylon Railway Benefit Association incorporated.

2 From and after the passing of this Ordinance such and so many persons as now are members of the said association, or shall hereafter be admitted members of the corporation hereby constituted, whose names shall be inscribed in the register mentioned in section 11, shall be and become a corporation with continuance for ever under the name of "The Ceylon Railway Benefit Association," and by that name shall and may sue and be sued in all courts, and shall have full power and authority to have and to use a common seal, and change and alter the same at their will and pleasure.

General objects.

3 The general objects for which the corporation is constituted are hereby declared to be to promote thrift, to give relief to the members in times of sickness or distress, and ultimately to pay to each member of the said association at the time of his retirement from the public service, or to his nominees, next of kin, or heirs at law his accumulated savings, together with a further sum as a donation calculated in manner provided therefor by the rules of the said association.

Committee of management.	<p>4 (1) The affairs of the corporation shall, subject to the rules made as hereinafter provided, be administered by a committee of management consisting of the president, the secretary, the treasurer, who shall be <i>ex-officio</i> members of the committee of management, and fourteen members to be elected once a year at the annual general meeting of the association. Provided that no member who is not employed in Colombo shall be eligible for election as a member of the committee of management, or as president, secretary, or treasurer.</p> <p>(2) The first committee of management shall consist of the president, secretary, and treasurer, and members of the committee of management holding office at the time of the coming into operation of this Ordinance.</p>
Powers of committee.	<p>5 The committee of management shall, subject to the provisions of this Ordinance and of any rules made under section 14, have full power and authority generally to govern, direct, and decide all matters whatsoever connected with the appointment of officers, agents, and servants, and with the administration of the affairs of the corporation and the accomplishment of the objects thereof.</p>
Proviso.	<p>Provided that the said committee shall not exercise any powers which are by this Ordinance or by any rules made under section 14 declared to be exercisable by the corporation in general meeting.</p>
Proviso.	<p>Provided also that no rule made by the corporation in general meeting shall invalidate any prior act of the said committee which would have been valid if such rule had not been made.</p>
Treasurer's duties.	<p>6 The treasurer shall receive and keep account of all the moneys and funds belonging to the corporation, and shall pay all claims, loans, advances, and expenses authorized by the committee of management. He shall also prepare and submit quarterly to the said committee an account of the transactions of the corporation.</p>
Committee meetings.	<p>7 Meetings for the transaction of the business of the said committee shall be held at least once in every month, and the president, on the requisition of two committee members, shall call a meeting of the committee at any time for the transaction of such business as may be mentioned in the requisition.</p>
Quorum. President to have a casting vote. Vacancies how filled.	<p>8 Seven members of committee shall constitute a quorum, and the president, or, in his absence, the chairman, shall have a casting vote in addition to his original vote.</p> <p>9 On the death or absence from the colony of any member of the committee of management, or in the event of such member absenting himself from three consecutive meetings of the committee or ceasing to be a member of the corporation, it shall be lawful for the remaining members of the said committee to elect any member of the corporation resident in Colombo as his successor, and the member so elected shall continue in office until the annual general meeting of the corporation next following his election.</p>
Membership.	<p>10 Every person holding an appointment in the service of the Ceylon Government Railway who fulfils the requirements of the rules shall be eligible for admission as a member, and may, in the discretion of the said committee, be admitted a member.</p>
Register.	<p>11 (1) The committee of management shall cause a register to be kept in which every person who at the date of the passing of this Ordinance is a member of the said association, and every person thereafter duly admitted a member of the corporation hereby constituted shall have his name inscribed.</p> <p>(2) The register shall contain the following particulars :—</p> <p>(a) The name, age on admission, address, and occupation of each member.</p> <p>(b) The date at which the name of any person was inscribed in the register as a member.</p> <p>(c) The date at which any person ceased to be a member.</p>

- Books of accounts. 12 The committee of management shall also cause proper books of account to be kept, which shall be open at all reasonable times to the inspection of members of the corporation, and of any person or persons whom the Governor may at any time appoint to examine the same.
- Remuneration to member or members of committee. 13 It shall be lawful for the corporation by resolution passed at any general meeting to remunerate the services of any member or members of the committee of management who may act as secretary or treasurer, and from time to time to fix the amount of such remuneration and to require such security from such member or members so remunerated as may be deemed sufficient.
- Rules. 14 It shall be lawful for the corporation from time to time at any general meeting of the members and by a majority of votes to make rules for the admission, withdrawal, or expulsion of members, for the imposition of fines and forfeitures for breaches of rules, for the conduct of the duties of the committee of management and of the various officers, agents, and servants of the corporation, for the procedure in the transaction of business, and otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects. Such rules when made may at a like meeting be altered, amended, or cancelled, subject however to the requirements of section 19. Provided that no rule or alteration, amendment, or cancellation of any rule shall have effect until the same is confirmed by the Governor in Executive Council. Notice of such confirmation shall be published in the *Government Gazette*, and thereupon the same shall be as valid and effectual as if it had been herein enacted.
- General meetings. 15 (1) The secretary, upon the request of the committee of management, or upon the written requisition of twelve or more members of the corporation, shall call a general meeting.
(2) No general meeting shall be held unless the quorum of members prescribed by the rules be present, and unless at least seven days' notice, specifying the time and place of such meeting and the purpose for which it is to be held, has been given by advertisement in two or more of the local newspapers, or in such other manner as may be required by any rule made by the corporation; and no business shall be brought before or transacted at such meeting other than the business specified in such notice.
- Annual general meeting. 16 (1) An annual general meeting of the members of the corporation shall be held not later than the 30th of September in each year, when there shall be submitted a balance sheet, a statement of assets and liabilities, and an account of receipts and disbursements during the previous twelve months, all which shall be prepared by the treasurer and duly audited.
(2) Such statement and account shall be examined, and the correctness of the balance sheet ascertained by one or more auditors to be elected by the corporation in general meeting, at least three months before the close of the year the accounts of which he is to audit, and such statement, account, and balance sheet shall, after audit, be published in the *Government Gazette*.
(3) In the event of the auditor so appointed not being able to act through death or other cause, it shall be lawful for the committee of management to elect another auditor, and the auditor so elected shall continue in office until the annual general meeting next following his election.
(4) If no election of an auditor or auditors is made in manner aforesaid, the Governor may, on the application of any member of the corporation, appoint an auditor, and fix the remuneration to be paid to him by the corporation for his services.
- Election of committee members. (5) At such annual general meeting a president, secretary, treasurer, and the required number of members of the committee of management shall be elected and all business shall be transacted, of which due notice shall have been given.

- Who shall preside at general meetings. 17 The president of the corporation shall preside at all general meetings of the corporation, and in his absence the members present shall elect a chairman for the occasion. The president, or in his absence the chairman, shall have a casting vote.
- Security from officers, agents, and servants. 18 It shall be lawful for the committee of management to require security to be given by any of the officers, agents, or servants appointed by them, and to determine the nature and value of such security.
- Mode in which rule or order once made may be subsequently altered, amended, or cancelled. 19 No rule passed and no decision come to by the corporation in general meeting shall be altered, amended, or cancelled, except by at least a majority of two-thirds of the members present and voting at any subsequent general meeting.
- Property vested in corporation. 20 (1) On the coming into operation of this Ordinance, all and every the property belonging to the said association, whether held in the name of the said association or in the name of any person or persons in trust for the said association, shall be and the same are hereby vested in the corporation hereby constituted, and the same, together with all after-acquired property and all subscriptions, contributions, donations, fines, amounts of loans and advances received or to be received, shall be held by the said corporation for the purposes of this Ordinance.
- Debts due by and payable to corporation. (2) All debts and liabilities of the said association existing at the time of the coming into operation of this Ordinance shall be paid by the corporation hereby constituted, and all debts due to and subscriptions, contributions, fines, and amounts of loans and advances payable to the said association shall be paid to the said corporation for the purposes of this Ordinance.
- Surplus funds, how to be invested. 21 It shall be lawful for the committee of management to place the whole or any part of the surplus funds belonging to the corporation, and not required for loans, advances, and other current expenses, in fixed deposit in one or more of the local banks, or to invest the same in Indian Government securities or securities of the Government of the United Kingdom or of the Government of any British Colony, including Ceylon, or in loans to members of the association to be secured by mortgage of house property situated within eight miles of the municipal limits of the town of Colombo, or in such other manner as may from time to time be approved by the Governor.
- Appointment of officers, agents, &c. 22 The committee of management may from time to time under the common seal of the corporation appoint such officer or officers, agent or agents; as they may consider necessary for recovering all dividends, interest, or other revenue to be derived from such investments, or for otherwise carrying out the provisions of this Ordinance; and all persons so appointed shall hold office during the pleasure of, and shall be entitled to such remuneration as may be determined by, the said committee.
- Seal of the corporation how to be affixed to instruments. 23 The seal of the corporation shall not be affixed to any instrument whatsoever, except in the presence of the president or of two members of the committee of management and of either the secretary or the treasurer, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.
- Corporation may hold property movable and immovable. 24 The corporation shall be able and capable in law to take and hold any property movable or immovable which may become vested in it by virtue of any grant, gift; testamentary disposition, or otherwise, and all such property shall be held by the corporation for the purposes of this Ordinance.

May demise
lands on lease.

25 It shall be lawful for the corporation to demise any of the lands vested in it for building or other purposes, on lease for any term not exceeding ninety-nine years, reserving the best yearly or monthly rental procurable for the same, and with the ordinary covenants for re-entry in case of non-payment of rent, breach of covenant, or otherwise.

May not sell,
exchange, or
mortgage lands
without leave of
court.

26 (1) It shall not be lawful for the corporation to sell, exchange, or mortgage any of the lands vested in it without the leave of the District Court of Colombo, which leave shall be applied for by petition addressed to the said court setting out the facts and reasons for which the corporation desires to sell, exchange, or mortgage such lands, and praying for a decree of the said court.

(2) A copy of every such petition shall be served on the Attorney-General at least fourteen days before the hearing of the petition.

(3) The Attorney-General may oppose the prayer of the petition, and if, after hearing him upon such opposition, the said court shall be of opinion that it will be for the general advantage of the corporation to grant the prayer of the petition, a decree may be made to that effect, and if the court decline to grant the prayer of the petitioner, it shall be competent for the petitioner to appeal to the Supreme Court; and any land so sold or exchanged or any land which, having been mortgaged, is sold in execution under a mortgage decree obtained from a competent court, shall be held by the purchaser or person taking the same in exchange free of the trusts created by this Ordinance.

Doubt or
ambiguity
how decided.

27 In case doubt or ambiguity shall arise, and any controversy shall take place among the members of the corporation and of the committee of management, or either of them, as to the interpretation of this Ordinance or as to the powers of the said committee, the same shall be referred to the Governor in Executive Council, whose decision shall be final and conclusive.

Passed in Council the Thirtieth day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-sixth day of October, One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 17 of 1908.

An Ordinance to amend in certain particulars the
Police Ordinance, No. 16 of 1865.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to empower police officers to seize cattle or other animals found straying upon any thoroughfare: 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 and
commencement.

1 This Ordinance may be cited as "The Police Ordinance Amendment Ordinance, 1908," and shall be read and construed as one with "The Police Ordinance, 1865," hereinafter referred to as "the principal Ordinance."

Addition of
section 53 A to
principal
Ordinance.

2 The following section shall be inserted after section 53 of the principal Ordinance and numbered 53 A:

Power of police
to seize straying
cattle, &c.

53 A. It shall be lawful for any police officer to seize any ox, horse, sheep, goat, or other animal which he may find tied, tethered, straying, improperly driven, or tended upon any thoroughfare, or upon any line of railway, or upon any land appertaining thereto, or to cause the same to be seized, unless such animal shall belong to any cart to which it is tied or tethered whilst the same is being loaded or unloaded. Every such animal seized as aforesaid shall be delivered into the custody of an officer of police in charge of the nearest police station, and every such officer receiving such animal shall forthwith report such seizure to the proper Police Court, and such court shall, if at the time of such report no claim be made to such animal, direct the officer to take the necessary steps for the safe custody and maintenance of such animal, and to publish such seizure by affixing a notice thereof in some conspicuous place at the police station and at the Police Court to which such seizure was reported. No such animal seized as aforesaid shall be delivered to the owner thereof except upon payment into such court of the sum of one rupee, any part of which the Police Magistrate may direct to be paid to the officer who had seized such animal, and of a further sum of fifteen cents for each day or part thereof during which the animal shall have been in the custody of and maintained by the officer to whom it was entrusted, for the use of such officer; and if no person shall claim such animal or pay such dues as aforesaid within seven days after the order of the Police Court for safe custody and maintenance of such animal as aforesaid, the police officer to whom the animal was entrusted shall sell it by public auction, and, after payment to himself of a sum calculated at the rate aforesaid for the custody and maintenance of the animal, shall pay the balance, if any, to the Police Court, and the Police Magistrate may make such order with regard to such sum as he may think fit.

Passed in Council the Thirtieth day of September, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-sixth day of October; One thousand Nine hundred and Eight.

HUGH CLIFFORD,
Colonial Secretary.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to make provision for the performance of the Statutory Duties attached to the Offices of the Auditor-General and the Assistant Auditor-General.

Preamble.

WHEREAS the offices of Auditor-General and Assistant Auditor-General have been abolished, and it is expedient to make provision for the performance of the statutory duties attached to those offices: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.	1 This Ordinance may be cited as " The Audit Ordinance, 190 ."
Statutory duties of Auditor-General assigned to Controller of Revenue.	2 All powers and duties vested in or assigned to the Auditor-General or to the Assistant Auditor-General by any Ordinance, or by any rules, regulation, or by-law made thereunder, shall be respectively exercised and performed by the Controller of Revenue or the Assistant Controller of Revenue ; but the Governor may from time to time, by order in the <i>Government Gazette</i> , assign any of such powers and duties to the Colonial Auditor, and thereupon the same may be lawfully exercised and performed by that officer.
Saving of certain acts of Controller of Revenue.	3 No act, matter, or thing done or transacted before the commencement of this Ordinance by the Controller of Revenue or by the Assistant Controller of Revenue shall be invalidated by reason only that the same ought to have been done or transacted by the Auditor-General or by the Assistant Auditor-General.

By His Excellency's command,

HUGH CLIFFORD,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, October 28, 1908.

Statement of Objects and Reasons.

THE purpose of this Ordinance is to provide for the performance of the duties which, by various Ordinances, are assigned to the Auditor-General or to the Assistant Auditor-General.

These duties are assigned generally to the Controller of Revenue and the Assistant Controller of Revenue ; but power is reserved for the Governor to assign any of these duties to the Colonial Auditor.

Section 3 saves any acts done by the Controller or Assistant Controller, which should legally have been done by the Auditor-General or Assistant Auditor-General.

November 5, 1908.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance to amend and consolidate the Law relating to the Protection of Game, Wild Beasts, Birds, and Fish.

Preamble.

WHEREAS it is expedient to amend and consolidate the law relating to the protection of game, wild beasts, birds, and fish : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

PART I.

Preliminary.

Short title and division into parts.

1 This Ordinance may be cited as " The Game Protection Ordinance, 190 . " and is divided into parts as follows :

Part I.—Preliminary.

Part II.—Wild Elephants, Buffaloes, and Game.

Part III.—Birds, Beasts, and Fishes not indigenous to Ceylon.

Part IV.—Indigenous Wild Birds.

Part V.—Fish.

Part VI.—General.

- Repeal.** **2** There shall be repealed, as from the commencement of this Ordinance, the enactments specified in schedule I. to this Ordinance to the extent in the third column of that schedule mentioned.
- Commencement.** **3** (1) This Ordinance shall come into operation on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.
- (2) In this Ordinance, unless the context otherwise requires, "Government Agent" includes an Assistant Government Agent.
- "Close season" means the period between the first of June and the thirty-first of October, inclusive, in each year. But the Governor in Executive Council may, if he thinks fit, by notification in the *Government Gazette*, direct a different period to be observed as a close season with respect to any of the beasts, birds, or fishes to which this Ordinance applies, either generally or in any specified part of the Island.
- The Government Agent of every province shall annually, in the first week of May, give notice of the close season by notification in the *Government Gazette*, and by affixing printed notices on the walls of the kachcheries, courts, gansabhawas, resthouses, Government dispensaries, and such other places in the province as shall give due publicity thereto; such notices shall be in the vernacular language generally in use in the district, division, or subdivision in which they are affixed.

PART II.

Wild Elephants, Buffaloes, and Game.

- Interpretation.** **4** In this part of this Ordinance, unless the context otherwise requires—
- " Tusker " means any wild elephant having a tusk or tusks.
- " Elephant " means a wild elephant other than a tusker.
- " Buffalo " means a wild buffalo.
- " Game " means and includes—
- (a) Sambur (*Cervus unicolor*).
- (b) Spotted deer (*Cervus axis*).
- (c) Red or barking deer (*Cervulus muntjac*).
- (d) Paddy field deer (*Cervus porcinus*).
- (e) Peafowl (*Pavo cristatus*).
- (f) Grey partridge (*Francolinus pondicerianus*).
- (g) Ceylon spur fowl (*Galloperdix bicalcarata*).
- " Resident " means a person who has been resident in Ceylon for twelve continuous months. But the said expression shall be taken to include the following persons when they have not been resident in the Island for the said periods, namely:
- (a) Officers of His Majesty's Naval and Military Forces when in Ceylon on His Majesty's Service.
- (b) Officers in the Public Service of the Island.
- (c) Proprietors of immovable property in Ceylon.
- 5** Subject to section 10, it shall be unlawful for any person to do any of the following acts:
- (1) To shoot at or kill any tusker;
- (2) To shoot at or kill any elephant, buffalo, or game, or capture, pursue, or attempt to capture any tusker, elephant, buffalo, or game—

No person to kill or capture elephants, buffaloes, or game without a license.

without having obtained a license for that purpose as hereinafter provided.

License to shoot at an elephant.

6 (1) A license to shoot at or kill an elephant shall be in the form A in schedule II. hereto. Such license shall remain in force for three months from the date of issue, and shall be subject to the conditions inscribed thereon by the officer granting the same. The following stamp duty shall be payable on the issue of each such license, namely :

		Rs.
For residents	..	100
For non-residents	..	300

License to capture a tusker or elephant.

(2) A license to capture a tusker or an elephant shall be in the form B in the said schedule. Such license shall be in force for three months from the date of issue, and shall be subject to the conditions inscribed thereon by the officer granting the same. A stamp duty of five hundred rupees shall be payable on the issue of each such license.

License to shoot at a buffalo.

(3) A license to shoot at or kill a buffalo shall be in the form C in the said schedule. Such license shall be in force for three months from the date of issue, and shall be subject to the conditions inscribed thereon by the officer issuing the same. The following stamp duty shall be payable on the issue of each such license :

		Rs.
For residents	..	20
For non-residents	..	75

License to capture a buffalo.

(4) A license to capture a buffalo shall be in the form D in the said schedule. Such license shall be in force for the time therein specified, and shall be subject to the conditions inscribed thereon by the officer issuing the same. A stamp duty of two rupees shall be payable on the issue of each such license.

License to kill game.

(5) A license to shoot at, kill, or capture game shall be in the form E in the said schedule. Such license shall be in force up to the thirty-first day of December next following the date of issue, but shall not have any force or effect from the first day of June to the thirty-first day of October, inclusive. Every such license shall be subject to the conditions inscribed thereon by the officer issuing the same, and the following stamp duty shall be payable thereon :

		Rs.
For residents	..	5
For non-residents	..	45

Colonial Secretary or Government Agent to issue licenses.

7 (1) It shall be lawful for the Colonial Secretary, or for the Government Agent within his jurisdiction, to issue the license mentioned in sub-section (1) of the preceding section, and for the Government Agent within his jurisdiction to issue any of the licenses mentioned in sub-sections (2), (3), (4), and (5) of the said section.

(2) The Colonial Secretary or Government Agent may attach to any license issued by him any conditions he may deem fit, and may fix the limits within which the license shall be in force. Such conditions and limits shall be inscribed on the license itself.

Refusal or revocation of license.

8 (1) The Colonial Secretary or the Government Agent may at his discretion refuse to issue any license under this Ordinance, and may revoke any license which shall have been issued by him.

(2) Any person aggrieved by any order of the Government Agent refusing to grant or revoking a license may appeal to the Governor in Executive Council within seven days from the date of such order being communicated to him, and the decision of the Governor in Executive Council shall be final and conclusive.

Licenses in certain cases free of stamp duty.

9 (1) The Government Agent may, when it appears to him expedient to do so, issue free of stamp duty—

- (a) The license referred to in sub-section 5 of section 6 ; and
- (b) A license for the destruction of any troublesome or dangerous tusker, elephant, or buffalo.

(2) The Government Agent on issuing any license under this section shall forthwith report the same to the Governor, detailing in such report the circumstances under which such license was issued.

Destruction of game on cultivated land permitted.

10 It shall be lawful for any person to kill, shoot at, destroy, pursue, capture, or attempt to capture, without a license, any tusker, elephant, buffalo, while trespassing in or upon any cultivated land on any game when so trespassing whether during the close season or at any other time. Provided that information of the capture or destruction of such animal shall be forthwith given to the nearest headman or police officer, and provided that in the case of a tusker being so captured or destroyed, the tusker and its tusks shall be held to be the property of the Crown.

Royalty on elephants exported.

11 (1) A royalty of four hundred rupees shall be levied on the removal of every elephant whether wild or tame from the Island to any place beyond the seas. Such royalty shall be collected by the officers of Customs at the port of shipment.

(2) No tusker shall be removed from the Island to any place beyond the seas except with a special license from the Governor, and subject to the payment of such royalty as the Governor may think fit to impose.

Penalties.

12 The following penalties are imposed for the following acts, which are hereby declared to be offences :

(1) Any person who in contravention of this Ordinance shall shoot at or kill a tusker shall on conviction be liable to a fine of one thousand rupees, and the tusks shall be confiscated.

(2) Any person who in contravention of this Ordinance or contrary to the tenor of any license issued to him, shall capture or attempt to capture a tusker, shall on conviction be liable to a fine of five hundred rupees, and the tusker, if captured, shall be confiscated.

(3) Any person who in contravention of this Ordinance, or contrary to the tenor of any license issued to him, shall shoot at, kill, pursue, capture, or attempt to capture an elephant, shall on conviction be liable for each offence to a fine not exceeding two hundred and fifty rupees, or to rigorous imprisonment which may extend to a period of six months, or to both.

(4) Any person who in contravention of this Ordinance, or contrary to the tenor of any license issued to him, shall shoot at, kill, capture, pursue, or attempt to capture a buffalo, shall on conviction be liable for each offence to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

(5) Any person who in contravention of this Ordinance, or contrary to the tenor of any license issued to him, shall shoot at, kill, capture, pursue, or attempt to capture game, shall on conviction be liable for each offence to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

(6) Any person who shall transfer a license issued to him under the provisions of this Ordinance, or who shall accept a license so transferred, or who shall infringe any of the conditions of a license issued to him, shall on conviction be liable to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

(7) Any person who shall remove or attempt to remove any elephant from the Island without paying the royalty leviable under section 11 (1), or shall in any way attempt to evade payment of the said royalty, shall on conviction be liable to a fine not exceeding five hundred rupees or to simple or rigorous imprisonment for a period not exceeding six months, or to both.

(8) Any person who shall remove or attempt to remove any tusker from the Island without obtaining a license under section 11 (2), or shall in any way attempt to evade payment of the royalty imposed by the Governor under the said section, shall on conviction be liable to a fine not exceeding five hundred rupees, or to simple or rigorous imprisonment for a period not exceeding six months, or to both.

Shooting at night and netting prohibited.

13 (1) It shall not be lawful for any person to shoot at any game, unless trespassing in or upon any cultivated land, after dark and before daylight, or at any time to lay or spread any net or snare, except in or upon any cultivated land, for the purpose of capturing or destroying any game; and any person who shall shoot or attempt to shoot any game, or lay or spread or attempt to lay or spread any net or snare for the purpose of capturing or destroying any such game in contravention of this section, shall be guilty of an offence, and be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

Penalty.

(2) Any person who shall shoot, kill, or capture, or attempt to shoot, kill, or capture game during the close season, shall be guilty of an offence, and be liable on conviction to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

(3) Any person who is found in possession of any fresh meat of game or of any fresh hides or horns of game during the close season shall be presumed, until he proves the contrary to the satisfaction of the court, to have committed an offence under sub-section (1) of this section, and shall be liable on conviction to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both.

PART III.

Birds, Beasts, and Fishes not indigenous to Ceylon.

Interpretation.

14 The words "birds," "beasts," "fishes" in this part of this Ordinance mean birds, beasts, and fishes mentioned in the schedule hereto. But the Governor in Executive Council, by Proclamation to be published in the *Government Gazette*, may from time to time declare that this part of this Ordinance shall apply to any birds, beasts, and fishes to be named therein other than those mentioned in the said schedule. The Governor in Executive Council may also from time to time, by Proclamation to be published as aforesaid, exempt from the operation of this part of this Ordinance any birds, beasts, and fishes for the time being, subject to the provisions thereof.

No person to take, kill, &c., without license.

15 No person shall take, kill, or destroy any birds, beasts, or fishes mentioned in schedule III. hereto without taking out a license empowering him to do so. It shall be lawful for the Government Agent of any province, within the limits of such province, to grant such licenses on such conditions as shall be therein imposed, or to refuse the same, or to revoke the same after they shall have been once granted, as shall seem fit. Provided that any person to whom a license may be refused, or whose license may be revoked, shall be at liberty to apply to the Governor for redress; and it shall be competent to the Governor to make such order on the application as to him shall seem fit.

Proviso.

Reference to Governor.

Application for license in writing. Stamp on license.

16 The application for a license must be in writing; the license shall bear a stamp of five rupees, to be supplied by the applicant.

Killing, &c., in close season prohibited.

17 Nothing in the said licenses contained shall be held to allow the taking, killing, or destroying of birds, beasts, and fishes in the close season, which is hereby expressly prohibited.

Governor to
make
regulations.

18 It shall be lawful for the Governor in Executive Council from time to time to make regulations respecting the taking, killing, or destroying of birds, beasts, and fishes mentioned in the said schedule, and such regulations at any time to repeal, alter, or amend; and all licenses issued under this part of this Ordinance shall be subject to such regulations, and any breach thereof shall be punishable as a breach of such license. All such regulations, or any repeal, alteration, or amendment thereof, shall be published in the *Government Gazette*.

Penalties.

19 The following penalties are imposed for the following acts, which are hereby declared to be offences under this Ordinance :

(1) Any person who shall take, kill, or destroy any birds, beasts, or fishes mentioned in schedule III. hereto during the close season, or in contravention of any regulation made under the last preceding section, shall be liable on conviction to a fine not exceeding one hundred rupees, and in default of payment to simple or rigorous imprisonment for a period not exceeding one month.

(2) Any person who shall take, kill, or destroy any birds, beasts, or fishes mentioned in the said schedule hereto without a license, or after the time for which the license shall be in force, or contrary to the tenor of such license, shall be liable on conviction to a fine not exceeding one hundred rupees, and in default of payment to simple or rigorous imprisonment for a period not exceeding one month.

(3) Any person who shall be found during the close season to be in possession of any of the birds, beasts, or fishes mentioned in the said schedule, alive or dead, or the flesh thereof, which he shall not be able to account for satisfactorily, shall be liable on conviction to a fine not exceeding one hundred rupees, and in default of payment to simple or rigorous imprisonment for a period not exceeding one month.

PART IV.

Indigenous Wild Birds.

Penalty on
person
wounding or
killing any bird
specified in
first schedule.

20 Every person who—

(1) Knowingly wounds or kills any bird specified in schedule IV. to this Ordinance; or

(2) Exposes or offers for sale, or knowingly has in his possession, or exports or attempts to export from Ceylon, any part of any such bird—

shall be guilty of an offence, and on conviction thereof shall be liable to a fine not exceeding twenty rupees for each wild bird or part thereof in respect of which the offence is committed.

Onus of proof
on charge of
unlawful
possession, &c.,
of bird.

21 Where any person is proceeded against for having in his possession any part of a bird specified in schedule IV. to this Ordinance, or for exporting or attempting to export any part of such bird, the proof that the bird to which the part belonged was wounded or killed without the limits of Ceylon shall be on such person.

Penalties for
shooting,
taking, or
possessing
birds or their
feathers or
skins.

22 Any person who during the close season shall knowingly and wilfully shoot or attempt to shoot, or shall use any boat for the purpose of shooting or causing to be shot, any bird specified in schedule IV. or V. hereto during the close season, or shall use any lime, trap, snare, net, or other instrument for the purpose of taking such bird, or shall expose or offer for sale, or shall have in his control or possession, during the close season, any such bird recently killed or taken, or the feathers or skin of any such bird recently killed or taken, shall be guilty of an offence, and punished on conviction thereof by a fine not exceeding ten rupees.

Proiso.

Provided that a person shall not be liable to be convicted of exposing or offering for sale or having the control or possession of such bird recently killed or taken, or the feathers or skin of such bird recently killed or taken, if he satisfies the court before whom he is charged either—

- (a) That the killing or taking of such bird, if in a place to which this Ordinance applies, was lawful at the time when it was killed or taken ; or
- (b) That such bird was killed or taken in some place to which this Ordinance does not apply ; and the fact that the bird was imported from some place to which this Ordinance does not apply shall, until the contrary is proved, be evidence that the bird was killed or taken in some place to which this Ordinance does not apply ; or
- (c) That he came into possession of such feathers or skin at a time when the killing or taking of the bird from which such feathers or skin were taken was lawful.

Penalty for refusing to give name and place of abode.

23 Where any person shall be found offending against this part of this Ordinance, it shall be lawful for any person to require the person so offending to give his name and place of abode ; and in case the person so offending shall, after being so required, refuse to give his real name or place of abode, or give an untrue name or place of abode, he shall be guilty of an offence, and punished on conviction thereof by a fine not exceeding ten rupees.

Power of Governor to grant licenses to kill scheduled birds.

24 Notwithstanding anything in this part of this Ordinance, the Governor, by writing under his hand, may, for such time and subject to such conditions as he thinks fit, authorize any person to kill for scientific purposes any bird specified in schedule IV. or V., and he may also authorize such person to export the skins of such birds.

Power of Governor to alter schedules.

25 The Governor, with the advice of the Executive Council, may, from time to time, by order published in the *Government Gazette*, declare that the name or names of any bird or birds shall be added to or expunged from the list of birds contained in schedule IV. or V., and thereupon, and while such order remains in force, this Ordinance shall be read and have effect as if the name or names of the bird or birds so added had been inserted, or as if the name or names of the bird or birds so expunged had not been specified in the schedule mentioned in such order.

Certificate of Director of Colombo Museum.

26 The production of a certificate signed by the Director of the Colombo Museum with regard to any bird which is alleged to be a bird specified in either schedule IV. or V., or with regard to any part of a bird which is alleged to be part of a bird so specified, shall be sufficient *prima facie* evidence of the facts therein stated, and no proof need be given of the signature or official character of the person signing the certificate.

PART V.

Protection of Fish.

Power to Governor to make rules to regulate the use of fishing nets.

27 (1) The Governor in Executive Council may from time to time make, and when made may revoke, amend, or alter, regulations prohibiting or restricting the use of nets or other appliances for taking fish or the use of any particular description of such nets or appliances—

- (a) Within any specified area of the territorial waters of the Island.
- (b) In any river, canal, lake, or inland water of the Island, or in any specified part of any such river, canal, lake, or inland water.

(2) All such regulations shall, upon publication in the *Government Gazette*, be in full force and effect.

(3) Any person who shall use or attempt to use or join in using or attempting to use any net or other appliance for taking fish in contravention of any regulation made under this section shall be guilty of an offence, and shall be liable on conviction in the case of a first offence to a fine which may extend to fifty rupees, or to simple or rigorous imprisonment for a term not exceeding three months; and in the case of a second or subsequent conviction to a fine which may extend to one hundred rupees, and to simple or rigorous imprisonment which may extend to six months, or to both. The nets or other appliances in respect of which the conviction was had may be forfeited.

Prohibition of use of dynamite and poison for fishing.

28 Any person who uses any dynamite or other explosive substance, or any poisonous, stupefying, or noxious substance, to catch or destroy fish in any water within the Island, or at sea within one marine league of the coast, shall be guilty of an offence, and shall be liable on conviction thereof to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding one hundred rupees, or to both.

Place of trial of offences committed at sea.

29 Any offence committed against this Ordinance at sea shall be deemed to have been committed on the coast adjoining the sea, or to have been committed in any place where the offender is found, and may be tried and punished accordingly.

PART VI.

General.

Notice of close season need not be proved.

30 In any prosecution in which any person is charged with doing, during the close season, any act, the doing of which during such season is by this Ordinance prohibited, it shall not be necessary to prove compliance with the requirements of this Ordinance as regards giving notice of the close season.

Licenses not transferable.

31 Licenses issued under this Ordinance shall in no case be assignable or transferable; nor shall any person, except the person actually named in the license, be entitled to do any of the acts to authorize which the license is issued.

Jurisdiction of Police Courts and Village Tribunals.

32 (1) Police Courts are hereby empowered to deal summarily with all cases instituted under this Ordinance, and to impose the full penalties herein prescribed, anything in "The Criminal Procedure Code, 1898," or in any other Ordinance to the contrary notwithstanding.

Provided that where the accused is a native within the meaning of "The Village Communities' Ordinance, 1889," offences under sections 12 (e), 19, 20, 22, 23, and 27 (3) shall be triable by the Village Tribunal having local jurisdiction, but the punishment which may be awarded by a Village Tribunal shall not exceed, in any such case, a fine of twenty rupees, with rigorous imprisonment, in default of payment, for a term not exceeding fourteen days.

(2) No Police Court which is otherwise competent to try an offence under this Ordinance shall be deprived of jurisdiction by reason of the fact that the offence is triable by a Village Tribunal.

(3) The Government Agent may exercise with regard to any offence under this Ordinance, which is triable by a Village Tribunal, the powers conferred on him by the 3rd proviso to section 28 of "The Village Communities' Ordinance, 1889."

Burden of proof.

33 In any prosecution under this Ordinance for doing any act for which a license is required by this Ordinance, the burden of proving that he holds a license shall be on the person accused, and until the contrary is proved he shall be deemed to have held no license.

Reward to
informer.

34 It shall be lawful for any Court or Village Tribunal imposing a fine under this Ordinance to award to the informer any share not exceeding a moiety of so much of the fine as is actually recovered and realized.

SCHEDULE I.

Ordinances Repealed.

No. and Year.	Title or Short Title	Extent of Repeal.
19 of 1866..	"An Ordinance to prevent the unnecessary Destruction of Fish"	The whole.
13 of 1887..	"An Ordinance to extend the provisions of Ordinance No. 19 of 1866 to places other than the Sea Coast"	The whole.
10 of 1891..	"An Ordinance to prevent the Destruction of Elephants, Buffaloes, and other Game"	The whole.
6 of 1893 ..	"An Ordinance to prevent the Destruction of Birds, Beasts, and Fishes not indigenous to this Colony"	The whole.
11 of 1902..	"The Game Preservation Ordinance, 1902"	The whole.
14 of 1905..	"The Fisheries (Dynamite) Ordinance, 1905"	The whole.
10 of 1906..	"The Wild Birds Protection Ordinance, 1906"	The whole.

SCHEDULE II.

A.—License to shoot at or kill one Elephant, not being a Tusker.

(Not transferable.)

No. —.

Under the provisions of the Ordinance No. of 190 , section I, _____, do hereby license _____, of _____, to shoot at or kill one elephant, not being a tusker, within (*state limits*).

This license to remain in force for three months from the date hereof.

_____, 190—.

NOTE.—This license is issued subject to the conditions inscribed on the back hereof.

B.—License to capture one Elephant or Tusker.

(Not transferable.)

No. —.

Under the provisions of the Ordinance No. of 190 , section I, _____, Government Agent (*or* Assistant Government Agent) for the _____, do hereby license _____, of _____, and the trappers employed by him to capture one elephant or a tusker within (*state limits*).

This license to remain in force for three months from the date hereof.

Government Agent's Office,
(*or* Assistant Government Agent's Office),
_____, 190—.

Government Agent
(*or* Assistant Government Agent).

NOTE.—This license is issued subject to the conditions inscribed on the back hereof.

C.—License to shoot at or kill one Buffalo.

(Not transferable.)

No. _____.

Under the provisions of the Ordinance No. of 190 , section , I, _____, Government Agent (or Assistant Government Agent) for the _____, do hereby license _____, of _____, to shoot at or kill one buffalo within (*state limits*).

This license to remain in force for three months from the date hereof.

Government Agent's Office,
(or Assistant Government Agent's Office),
_____, 190—.

Government Agent
(or Assistant Government Agent).

NOTE.—This license is issued subject to the conditions inscribed on the back hereof.

D.—License to capture one Buffalo.

(Not transferable.)

No. _____.

Under the provisions of the Ordinance No. of 190 , section , I, _____, Government Agent (or Assistant Government Agent) for the _____, do hereby license _____, of _____, to capture one buffalo within (*state limits*).

This license to remain in force until the _____, 190—.

Government Agent's Office,
(or Assistant Government Agent's Office),
_____, 190—.

Government Agent
(or Assistant Government Agent).

NOTE.—This license is issued subject to the conditions inscribed on the back hereof.

E.—License to shoot at, kill, or capture Game.

(Not transferable.)

No. _____.

Under the provisions of the Ordinance No. of 190 , section , I, _____, Government Agent (or Assistant Government Agent) for the _____, do hereby license _____, of _____, to shoot at, kill, or capture game within (*state limits*), out of the close season (which is from _____ to _____).

This license to remain in force until December 31 next inclusive, excepting the close season, which is from June 1 to October 31 inclusive.

Government Agent's Office,
(or Assistant Government Agent's Office),
_____, 190—.

Government Agent
(or Assistant Government Agent).

NOTE.—This license is issued subject to the conditions inscribed on the back hereof.

SCHEDULE III.

Birds.	Beasts.	Fishes.
Pheasant English Partridge French Partridge Francolin Sand Grouse	Roe Deer Fallow Deer English Hare	Trout Perch Tench Gourami

SCHEDULE IV.

List of Birds absolutely protected.

English Name.	Sinhalese Name.	Tamil Name.
Kingfishers of all species ..	Pilihuḍuwa ..	Vichuli, Minkotti, Kalavaik-kuruvi
Egret, large, white ..	Badadel-koka ..	Vellai-kokku
Egret, little ..	Sudu-koka ..	Sinna-vellaikkoku
Egret, plumed ..	Sudu-koka ..	Peru-vellaikkoku
Oriole, black-headed ..	Kaha-kurulla ..	Mampala-kuruvi, Mankoil, Manchal- kuruvi
Woodpecker, all species ..	Kérala ..	Thachchan-kuruvi, Marankotti
Orange Minevet ..	Gini-kurulla ..	—
Trogon ..	Gini-kurulla ..	—

SCHEDULE V.

List of Birds protected during Close Season.

Teal, whistling } ..	Séra ..	Chemba-tara, Si- raku
Teal, cotton }		

By His Excellency's command,

Colonial Secretary's Office,
Colombo, October 28, 1908.HUGH CLIFFORD,
Colonial Secretary.*Statement of Objects and Reasons.*

THE general purpose of the Draft Ordinance is (a) to consolidate the existing law with regard to the protection of game, fish, and other animals which is now contained in seven Ordinances; (b) to give effect to certain of the recommendations of a Committee which lately reported on the subject of game protection.

2. The principal changes introduced by the Draft Ordinance are the following:—

- (a) The establishment of a uniform close season from June 1 to October 31;
- (b) The imposition of an increased stamp duty on licenses issued to non-residents to shoot elephants, buffaloes, or game;
- (c) An increase in the royalty on the exportation of elephants;
- (d) Wide power is taken to restrict or prohibit the use of nets and other appliances for taking fish;
- (e) The use of poisonous or stupefying substances for taking fish is prohibited;
- (f) Village Tribunals, subject to certain limitations, are given jurisdiction to deal with offences under the Ordinance.

Attorney-General's Chambers,
Colombo, October 29, 1908.ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance to amend in certain particulars the Ordinance relating to the General Regulation of Customs.

Preamble.

WHEREAS it is expedient to amend in certain particulars Ordinance No. 17 of 1869, intituled "An Ordinance for the General Regulation of Customs" (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 as "The Customs Duties Amendment Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Substitution of a new section for section 11 of the principal Ordinance.

Duties to be levied and power of Legislative Council to modify duties.

2 For section 11 of the principal Ordinance as published in the Revised Edition of Legislative Enactments, 1907, the following section shall be substituted :

11. The several duties of customs, as the same are respectively inserted, described, and set forth in figures in the table of duties (schedule B) hereto annexed, shall be levied and paid upon all goods, wares, and merchandise imported into this Island. Provided that it shall be lawful for the Governor, with the advice of the Executive Council, from time to time to alter and amend the official rated valuation on which the duty is assessed on cotton piece goods and yarns by Proclamation in the *Government Gazette*, not less than three months before such alteration shall come into force ; such Proclamation shall have the same effect in law as if it formed part of this Ordinance. Provided further—

(a) The Legislative Council may from time to time, by means of resolution duly passed at any public session of the Council and sanctioned by the Governor, increase, reduce, abolish, or otherwise alter the customs duty leviable on any goods imported into or exported from the Island or into or from any specified port therein, or may impose customs duty upon any goods so imported or exported whereon customs duty at the time when such resolution is passed is not leviable.

(b) No such resolution shall take effect until such resolution shall have been submitted to and sanctioned by the Secretary of State, and such sanction shall have been notified in the *Government Gazette*.

Substitution of new schedules for schedules B, C, and D.

3 For schedules B, C, and D of the principal Ordinance as published in the Revised Edition of the Legislative Enactments, 1907, there shall be substituted schedules B, C, and D annexed to this Ordinance.

SCHEDULE B.

IMPORT DUTIES.

		Duty.
		Rs. c.
Arms and ammunition, viz. :—		
Fowling-pieces, carbines, and rifles, single-barrelled	.. each	5 0
Fowling-pieces, carbines, and rifles, double-barrelled and revolving or magazine	.. .. . each	10 0
Gunpowder, fine	.. .. . per lb.	0 25
Gunpowder, coarse, for blasting (which is incapable of being passed through a No. 10 standard mesh)	.. .. . per lb.	0 8
Pistols, single-barrelled, but not magazine	.. .. . each	2 25
Pistols, double-barrelled, or magazine, or revolvers	.. .. . each	4 50
Shot	.. .. . per cwt.	0 75
Arrowroot	.. .. . per cwt.	0 35
Asphalt (12½c. per cwt.)	.. .. . per ton	2 50
Bacon, butter, cheese, and hams	.. .. . per cwt.	3 0
Barley imported solely for brewing	.. .. . per cwt.	0 33
Beef, pork, humps, tongues, salted or corned	.. .. . per cwt.	1 25
Beer, ale, porter, and all other malt liquors in wood	.. .. . per gallon	0 13
Do. do. in bottle	.. .. . per gallon	0 17
Benjamin	.. .. . per cwt.	1 50
Brassware, except blocks, bars, tubes, and wire	.. .. . per cwt.	5 0
Camphor	.. .. . per cwt.	6 50
Castor oil	.. .. . per cwt.	1 20
Cement	.. .. . per cwt.	0 17
Chillies	.. .. . per cwt.	1 0
Cloves	.. .. . per cwt.	1 25
Copperware, except bars, bolts, plates, nails, tacks, wire, and tubes	.. .. . per cwt.	5 0
Coriander seed	.. .. . per cwt.	0 60
Cotton goods, viz. :—		
Gray cambrics	} on an assessed value of 55c. per lb., for every Rs. 100 of the value thereof	
Gray jaconets		
Gray shirtings		
Gray domestics		4 0
Gray long cloths		
Gray mule twist, Nos. 30 to 60		
Gray sheetings	do. 45c. do. ..	4 0
Gray tea cloths		

		Duty. Rs. c.	
Yarn, Turkey red ..	on an assessed value of 90c. per lb. gray weight, for every Rs. 100 of the value thereof	— 4 0	
Yarn, other colours ..		do. 55c. do. .. — 4 0	
Other cotton goods, for every Rs. 100 of the value thereof ..		— 4 0	
Cummin seed ..	per cwt.	1 15	
Cutch ..	per cwt.	1 70	
Dates ..	per cwt.	0 50	
Fennel seed ..	per cwt.	0 75	
Fish, dried or salted, roes, fins, skins, and blood, the produce of creatures living in the sea ..	per cwt.	0 50	
Fish, Maldivé (umbalakada) ..	per cwt.	1 0	
Flour, wheat ..	per cwt.	1 0	
Garlic ..	per cwt.	0 65	
Ghee ..	per cwt.	2 50	
Ginger, dry ..	per cwt.	0 80	
Kerosine oil ..	per gallon	0 25	
Mace ..	per cwt.	10 0	
Mathe seed ..	per cwt.	0 55	
Metals :—			
Brass : blocks, bars, wire, and tubes ..	per cwt.	3 0	
Copper : copper bars, bolts, plates, nails, tacks, wire, and tubes ..	per cwt.	3 0	
Iron, corrugated (35c. per cwt.) ..	per ton	7 0	
Iron and steel, galvanized goods of all description, including tin tacks ..	per cwt.	0 75	
Iron and steel, not galvanized : chains, wire, rivets, screws, nails, tacks, washers, bolts, and nuts ..	per cwt.	0 63	
Zinc perforated ..	per cwt.	3 0	
Onions ..	per cwt.	0 17	
Opium ..	per lb.	4 0	
Paddy ..	per cwt.	0 33	
Pepper, long ..	per cwt.	3 0	
Pepper, whole ..	per cwt.	1 50	
Perfumed spirits and bay rum ..	per gallon	7 0	
Perfumery other than perfumed spirits, for every Rs. 100 of value thereof ..	—	5 50	
Poonac ..	per cwt.	0 25	
Potatoes ..	per cwt.	0 38	
Rice, wheat, gram, peas dried in bulk, beans, and other grain, except barley for brewing and paddy ..	per cwt.	0 50	
Salt ..	per cwt.	2 13	
Sago ..	per cwt.	0 35	
Saltpetre ..	per cwt.	0 50	
Spirits (not being sweetened or mixed with any articles so that the degree or strength thereof cannot be ascertained by Syke's hydrometer), for every gallon of the strength of proof by such hydrometer, and so in proportion for any greater or less strength than the strength of proof, and for any greater or less quantity than a gallon, provided that in no case shall duty be less than at the rate of Rs. 5 per gallon :—			
Brandy ..	per gallon	6 0	
Geneva ..	per gallon	6 0	
Gin ..	per gallon	6 0	
Rum ..	per gallon	6 0	
Whisky ..	per gallon	6 0	
Unenumerated ..	per gallon	7 0	
Other spirits, being sweetened or mixed so that the degree of strength cannot be ascertained as aforesaid, viz :—			
Liqueurs and cordials ..	per gallon	6 0	
Unenumerated ..	per gallon	7 5	
Soap other than perfumed and toilet ..			
Sugar ..	per cwt.	0 50	
Tamarind ..	Candy and refined ..	per cwt.	3 0
	Unrefined ..	per cwt.	1 75
	Palm and jaggery ..	per cwt.	0 75
Tapioca ..	per cwt.	0 25	
Tea ..	per cwt.	0 35	
Tobacco ..	Cigars and snuff ..	per lb.	0 25
	Manufactured ..	per lb.	1 50
	Unmanufactured and hooka ..	per lb.	0 40
Turmeric ..	per lb.	0 25	
Twine ..	per cwt.	0 65	
	per cwt.	1 55	

		Duty.
		Rs. c.
Wine	Claret, in bottle	per gallon 1 25
	Still hock, in bottle	per gallon 1 25
	Ginger, in wood or bottle	per gallon 0 50
	Claret, in wood	per gallon 0 50
	Still hock, in wood	per gallon 0 50
	Sparkling wines, in bottle	per gallon 2 50
	Other wines, in bottle	per gallon 1 50
	Wines in wood, except claret, still hock, and ginger	per gallon 1 0
	Cartridges, fuse, dynamite, detonators, percussion caps, and fireworks, for every Rs. 100 of the value thereof	— 20 0
	(1) Vinegar in cask, (2) green copperas, for every Rs. 100 of the value thereof	— 2 75
	All other goods, wares, merchandise, and machinery not otherwise charged with duty or prohibited, and not comprised in the Table of Exemptions hereinafter set forth, for every Rs. 100 of the value thereof	— 5 50

Table of Exemptions.

Advertising matter, including printed almanacs, pocket books, diaries, ash trays, calendars, show cards, show plates and frames, call bells, paper knives, and blotting pads	Free
Aerated water bottles	Free
Animals, viz., horses, mules, asses, cattle, and all other live stock	Free
Arecanuts	Free
Artists' materials for drawing and painting	Free
Blotting paper	Free
Books and maps, printed, and book covers	Free
Bricks and tiles and glass tiles	Free
Bullion, coin, precious stones the produce of Ceylon pearl oysters, and pearls	Free
Cardamoms	Free
Cardboard	Free
Cards, blank, Christmas, wedding, and birthday cards	Free
Casks (empty), shooks, and staves	Free
Castor seed poonac	Free
Coal, coke, and patent fuel	Free
Coconuts and coconut oil	Free
Coffee, pure, in bean or ground, in tins	Free
Coir yarn, rope, junks, fibre, twine, and strands	Free
Copra	Free
Cotton wool	Free
Cowries and shells (not tortoise-shell)	Free
Dammar	Free
Drums, for oil	Free
Felt	Free
Filter bagging and cloth for filters	Free
Frozen or refrigerated meat	Free
Fruit (fresh, and not in any way preserved)	Free
Grindstones	Free
Gunnies and gunny cloth	Free
Hay and straw, cut or uncut	Free
Hoop iron and hoop steel	Free
Hops	Free
Horns	Free
Ice	Free
Instruments, scientific, surgical, mathematical, &c.	Free
Jute	Free
Liquid fuel, the product of petroleum, with a flashing point not under 150° F., Abel's close test	Free
Lime and clay	Free
Printed music	Free
Machinery, viz. :—	
Prime movers and component parts thereof, including boilers and component parts thereof; also including locomotive and portable engines, steam rollers, fire engines, and other machines in which the prime mover is not separable from the operative parts, but not including motor cars not used for traction	Free
Machinery (and component parts thereof), meaning machines or sets of machines to be worked by electric, steam, water, fire, or other power, or which before being brought into use require to be fixed with reference to other moving parts, and which are intended for :	
(a) The preparing, ginning, pressing, spinning, weaving, sewing, knitting, bleaching, and dyeing of cotton, jute, hemp, silk, wool, or other fibres, and any other process intervening between the raw material and the finished product as packed ready for the market	Free

(b) The smelting and milling of iron and other metallic ores, and the manufacture of iron, steel, and other metals ..	Free
(c) The manufacture of leather, sugar, indigo, silk, paper, soap, gas, oil, flour, cordage, rope, and twine ..	Free
(d) The milling of rice ..	Free
(e) The preparation, manufacture, and packing of tea, coffee, raw rubber, and cacao ..	Free
(f) Printing presses ..	Free
(g) Foundries and workshops of iron and other metals ..	Free
(h) Railway workshop ..	Free
(i) The refining of petroleum and the manufacture of vegetable oils ..	Free
(j) The crushing of bones and manufacture of bricks ..	Free
(k) The manufacture of lac ..	Free
(l) Potteries and brick and tile works ..	Free
(m) Sawmills and wood-working ..	Free
(n) Mining, navigation, agriculture, and pumping ..	Free
(o) Electric traction and electric light ..	Free
(p) The manufacture of ice and for refrigerating and cold storage purposes ..	Free
(q) Shoot-runners used for shooting down bags of tea by gravitation ..	Free
(r) Steam launches and motor boats used in conveyance of goods and passengers or towage of lighters ..	Free
(s) Machinery specially adapted for the curing of plumbago ..	Free
(t) Electric motors ..	Free
(u) Stills used for the preparation of camphor ..	Free
(v) Desiccators used for desiccating coconuts ..	Free
(w) The purposes of any other manufacture or industry which the Governor in Executive Council may from time to time specify ..	Free

Provided that the term does not include tools and implements to be worked by manual or animal labour, and provided also that only such articles shall be admitted as component parts of machinery as are indispensable for the working of the machinery and are, owing to their shape or to other special quality, not adapted for any other purpose.

Note.—Machinery and component parts thereof made of substances other than metal are included in this entry.

Manures of all sorts, and ingredients imported solely for the manufacture of manures and certified as such by the importer ..	Free
Manuscripts ..	Free
Memorial tablets of whatever material ..	Free
Motor trailers ..	Free
All unwrought metals, including any unwrought alloy or amalgam ..	Free
T and channel bars, angles, plates, sheets, and rolled joists, iron or steel, but not galvanized iron ..	Free
Brass, copper, and yellow metal sheets and ingots ..	Free
Iron or steel, not galvanized: sheets, plates, joists, girders, bars, angles, tees, channels, hoops, bulbs, and pigs ..	Free
Lead, sheet, pipe, and pig, and lead wire ..	Free
Tin and zinc, in cake or slab ..	Free
Steel, blister ..	Free
Steel, cast ..	Free
Tin plates ..	Free
Nets, fishermen's ..	Free
Oil, the produce of creatures living in the sea ..	Free
Olas ..	Free
Orchilla weed ..	Free
Palmyra fibre ..	Free
Paper for writing, printing, or accounting purposes, headed or plain, ruled and unruled, and envelopes ..	Free
All exercise books and manuscript note-books used for educational purposes ..	Free
Paper for lining tea boxes ..	Free
Passenger's baggage accompanying the passenger, viz., wearing apparel; used bicycles, used motor bicycles, photographic cameras, and sewing machines; and instruments intended for the professional use of passengers ..	Free
Plants, trees, and seeds intended for agricultural and horticultural purposes ..	Free
Plumbago ..	Free
Printing materials ..	Free
Printed labels ..	Free
Prints and pictures, printed almanacs and show cards, and plates, and picture frames and beading used for picture frames ..	Free
Pumps of the type known as "Noria" ..	Free
Rails, rail fastenings, tie-rods, fish plates, and turntables ..	Free
Rattan ..	Free
Resin ..	Free
Regimental clothing, necessaries, accoutrements, and band instruments imported for the use of His Majesty's land and sea forces, including Volunteers ..	Free
Rifles for Volunteers ..	Free
Saltpetre, refuse of, for purposes of manure only, as certified by the importer ..	Free

Screws and nails for tea boxes	..	Free
Seeds: cotton, castor, rape, poppy, niger, mustard, and bird	..	Free
Senna leaves	..	Free
Slates, roofing	..	Free
Sheets, iron, tea boxes (imported in shooks)	..	Free
Solder	..	Free
Soldering fluid	..	Free
Specimens and objects illustrative of natural history	..	Free
Stones, ballast	..	Free
Stones, coral	..	Free
Stones, grinding and sharpening	..	Free
Stones, tomb, and tablets	..	Free
Stones, unworked	..	Free
Tallow and grease	..	Free
Tanks, iron	..	Free
Tea lead	..	Free
Tea lead foil	..	Free
Timber (not prepared)	..	Free
Uniforms, civil, naval, or military	..	Free
Woods, dye, sandal, and of sorts	..	Free
Wood, metal, paper, or other material, or any combination of wood or metal, or any other material imported in shooks or in rolls, or in any form in which they may be used in making tea boxes or boxes used for the despatch of samples of tea or other Ceylon products	..	Free

The Collector may register articles exported from the Island, such as watches and guns, which in his judgment are capable of identification, and articles so registered shall be admitted duty free upon re-importation into the Island.

SCHEDULE C.

TABLE OF PROHIBITIONS AND RESTRICTIONS INWARDS.

Ammunition, arms, gunpowder, and utensils of war by way of merchandise, except by license from His Majesty, for furnishing His Majesty's public stores only, or under the directions of the Collector by the authority of the Governor.

Books wherein the copyright shall be first subsisting, first composed, or written or printed in the United Kingdom, and printed or reprinted in any other country, and of which notice that copyright subsists shall have been given by the proprietor to the Commissioners of Customs, London.

Coin, viz., false money or counterfeit sterling coin of the realm, or any money purporting to be such, not being of the established standard in weight or fineness.

Dangerous substances, viz., earth oil or mineral naphthas, fulminating powder, gun-cotton, nitro-glycerine, except by license of the Governor, and under regulations to be made by the Governor, with the advice of the Executive Council, from time to time, for the safe landing and deposit thereof.

Indecent or obscene prints, paintings, books, cards, lithographs, photographs, engravings, or any other indecent or obscene articles.

Infected cattle, sheep, or other animals; also hides, skins, horns, hoofs, or any part of cattle or other animals which the Governor may by Proclamation prohibit, in order to prevent contagious distemper.

Fish, grain, and other articles in a damaged, stinking, offensive condition, unfit for food and legitimate use, and likely to breed sickness or any contagious disorders.

Ganja and bhang, or any substance containing ganja or bhang.

Parts of articles, viz., any distinct or separate part of any article not accompanied by the other part, or all the other parts of such articles, so as to be complete or perfect, if such articles be subject to duty according to the value thereof.

SCHEDULE D.

HARBOUR DUES.

I.—DUES LEVIABLE AT THE PORT OF COLOMBO.

Dues payable by Ships entering the Port.

Up to	50 tons	Rs.	c.	Over	2,000 and up to 2,250 tons	Rs.	c.
Over	50 and up to 100 tons	3	0	2,250	2,500	160	0
"	100	6	0	"	2,500	175	0
"	150	9	0	"	3,000	190	0
"	200	12	0	"	3,500	215	0
"	300	24	0	"	4,000	230	0
"	400	32	0	"	4,500	255	0
"	500	40	0	"	5,000	280	0
"	700	55	0	"	5,500	310	0
"	900	70	0	"	6,000	350	0
"	1,100	85	0	"	6,500	400	0
"	1,300	100	0	"	7,000	450	0
"	1,500	115	0	"	7,500	500	0
"	1,750	130	0	"	8,000	550	0
"	2,000	145	0	"	8,500	600	0

And for every additional 500 tons or fraction of 500 tons an additional Rs. 50 to be charged.

Provided that a consolidated special rate of Rs. 150 only shall be chargeable to vessels calling for coal and water only, to cover pilotage, entering dues, use of tugs, and bill of health granted by day.

These dues to clear a vessel inwards and outwards, providing her stay in the port does not exceed 96 hours. If exceeding 96 hours and not exceeding 288 hours, one-half of the scale to be added. If exceeding 288 hours, to pay the same rate outwards as paid inwards, and in addition a buoy rent payable on clearance outwards of Rs. 15 for every day or part of a day of her stay in port after the expiration of such 288 hours.

Provided that buoy rent shall not be payable—

- (a) In respect of any time beyond the said period during which a vessel has stayed in port for repairs, or because she was unable to put to sea without risk, if the Master Attendant is satisfied that such stay was necessary and was not unduly prolonged; or
- (b) In respect of any time during which a vessel is on the slips or in dry dock; or
- (c) In respect of any time during which any vessel is kept in port as a reserve vessel to maintain the regularity of the mail service or for other important public service.

The Governor shall from time to time, by notification in the *Government Gazette*, declare the vessels which are entitled under sub-section (c) of this section to be exempted as reserve vessels from buoy rent.

The above rates to be applicable to all vessels, whether steamers, sailing vessels, or native craft.

Dues payable by Ships discharging or loading Cargo.

12½c. per ton upon all cargo discharged or loaded by vessels up to 200 tons register.
25c. per ton upon all cargo discharged or loaded by vessels above 200 tons register.
Cargo brought to the port for transshipment to be free of dues under this heading, if not landed, or if landed and not entered for duty.

Live stock: cattle, Re. 1 per head; horses, Rs. 5 per head; sheep and goats, 20c. per head.

Vessels of 300 tons and under to be allowed to land or ship 5 tons of cargo free.

Vessels over 300 tons to be allowed to land or ship 10 tons free.

Petroleum liquid fuel and coal to pay 25c. a ton inwards only.

Dues payable on Imports.

		For Five Days.				Cents.
For each butt, pipe, or puncheon	50
Half-pipe or hogshead	25
Barrel or quarter cask	15
Cask or keg of smaller size, and empty cask	10
Crate, cask, or case of hardware, earthenware, or ironmongery	25
Bale, case, or box measuring 60 cubic feet and upwards	25
Do. do. 40 cubic feet and under 60 cubic feet	20
Do. do. 25 do. 40 do.	15
Do. do. 15 do. 25 do.	12
Do. do. 10 do. 15 do.	8
Do. do. 5 do. 10 do.	6
Each small box or package	4
Empty drums	2
Bag of rice or sugar	4
Beer, wine, or spirits in bottle, per dozen quarts	4
Coir yarn or rope, in ballots or bundles, per cwt.	5
Manure, in bags or casks, per ton	25
Heavy goods, such as metal or timber, per ton	25
Other goods of like size or weight to be charged in proportion to these rates.						
Kerosine oil in bulk, Rs. 2.50 per 1,000 gallons.						
All other goods not enumerated in the Tariff, per ton.	25

(a) These rates to admit of goods remaining at the wharf for a term not exceeding five days, exclusive of Sundays and holidays, of which the day of receipt and the day of removal shall each count as one day. Thereafter an additional similar rate to be charged for each succeeding five days or part thereof.

(b) All goods brought from abroad to be re-shipped to a British or foreign port, or to be re-shipped coastwise, shall be considered as landed for transshipment or re-shipment, provided they are on landing deposited in, or within five days after landing removed to, a re-shipment warehouse.

(c) Such goods, if re-shipped within five days after landing, to be free of harbour dues.

(d) If not re-shipped within five days, but deposited in a re-shipment warehouse, to be liable only to a single rate of harbour dues.

(e) If not removed from a usual landing warehouse till after five days from the date of landing, they shall pay the cumulative rate from the date of landing till such removal.

Coastwise goods brought for transshipment or re-shipment, not being through cargo, shall, if landed, pay both import and export dues; if transhipped without being landed, they shall only be liable to export dues.

Exemptions.

Coal and liquid fuel.

Dues payable on Exports.

For Five Days.		Cents.
For each leaguer, pipe, or cask of like size	.. ..	25
Hogshead or cask of like size	.. ..	12
Cask or barrel of coffee not weighing more than 3 cwt. gross	.. ..	6
Cask weighing more than 3 cwt. and less than 7 cwt.	.. ..	8
Cask weighing more than 7 cwt.	.. ..	12
Empty cask, each	.. ..	10
Barrel of plumbago, barrel of same size containing other articles, and empty plumbago barrel	.. ..	7
Bale, case, or package measuring 60 cubic feet and upwards	.. ..	25
Do. do. 40 cubic feet and under 60 cubic feet	.. ..	20
Do. do. 25 do. 40 do.	.. ..	15
Do. do. 15 do. 25 do.	.. ..	12
Do. do. 10 do. 15 do.	.. ..	8
Do. do. 5 do. 10 do.	.. ..	6
Smaller box or package	.. ..	2
Bag of coffee	.. ..	4
Bag of cinnamon weighing not more than 100 lb., or bale under 5 cubic ft.	.. ..	2
Other goods of like size or weight to be charged in proportion to these rates.		
Coir goods in ballots or bundles, per cwt.	.. ..	4
Coconuts, in bags or loose, per 100	.. ..	4
Metal and timber exported from Colombo, per ton	.. ..	12
For each box or chest of tea, on nett weight as marked on each package:—		
For 50 lb.	.. ..	3
From 50 lb. to 100 lb.	.. ..	6
For every additional 20 lb. or fraction thereof	.. ..	1
All other articles not enumerated in the Tariff, per ton	.. ..	25

These rates to admit of goods remaining at the wharf for a term not exceeding five days, exclusive of Sundays and holidays (unless the vessel taking the cargo worked on such Sundays and holidays on special application), the day of receipt and the day of removal each counting as one day. After the expiry of the said term, an additional similar rate to be charged for each succeeding five days or part thereof.

Exemptions.

Military baggage, both inwards and outwards; passengers' baggage outwards and inwards when no declaration is made or entry passed; dhobies' bundles and dubashes' supplies; exports shut out and re-landed; coal and liquid fuel.

II.—DUES LEVIABLE AT ALL PORTS EXCEPT COLOMBO.

Port dues shall be leviable and payable for entry inwards, and for clearance outwards, on all ships arriving at or departing from any port of this Island (except Colombo) according to the following table. Provided always that when a vessel has paid port dues inwards or outwards, she shall not be liable for additional port dues for goods carried coastwise during the same voyage:—

Port Dues leviable at per Ton Burthen.

On entry inwards with cargo or with passengers exceeding one person for every two tons	.. ..	} 8 cents
On clearance outwards with cargo or with passengers exceeding one person for every two tons of burthen	.. ..
In the case of mail steamers, of whatever tonnage, the dues either inwards or outwards are not to exceed	.. ..	Rs. 50

Composition for Port Dues.

Vessels conveying goods between one port and another within the Island are allowed to compound for port dues for twelve months, per ton	50 cents
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Exemptions.

On entry inwards in ballast or with cargo reported for exportation, and the vessel leaves the port without breaking bulk or landing passengers exceeding one person for every two tons	Free
On clearance in ballast or with the original cargo, if the vessel leaves the port without shipping goods or passengers exceeding one person for every two tons of burthen	.. ..	Free
Ships of 250 tons and upwards, not being mail steamers, landing cargo not exceeding 10 tons and shipping cargo not exceeding 10 tons	.. ..	Free

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 12, 1908.

HUGH CLIFFORD,
Colonial Secretary.

Statement of Objects and Reasons.

ORDINANCE No. 2 of 1903, amending section 11 of Ordinance No. 17 of 1869 (General Regulation of Customs), empowered the Governor in Executive Council to exempt any goods from the whole or any part of the Customs duty leviable on imports or exports. It was subsequently provided by Ordinance No. 9 of 1904 that the exercise of this power should be subject to the sanction of the Secretary of State.

2. One of the objects of the Draft Ordinance is to abolish altogether the power of the Governor in Council to exempt goods from duty, the power being one which it is considered, on constitutional grounds, should properly be exercised by the Legislature. With this object section 11 of Ordinance No. 17 of 1869 (as amended by the Ordinances of 1903 and 1904) is re-enacted, omitting the clause conferring the special power of exemption on the Governor.

The Draft Ordinance, it should be noticed, does not interfere with the power of the Legislative Council to increase, reduce, or abolish Customs duty by means of resolution, subject to the approval of the Secretary of State.

3. The Draft Ordinance also introduces a revised scale of entering dues leviable at the port of Colombo. The dues leviable under the new scale are generally higher, but ships calling for coal and water only are charged a consolidated special rate of Rs. 150 only, which covers pilotage, entry dues, use of tugs, and bill of health granted by day.

For this purpose and for the purpose of making a slight amendment in the scale of harbour dues payable on exports, a new schedule has been substituted as schedule D of the Customs Ordinance, 1869.

4. This opportunity has been taken to incorporate in the Customs Ordinance, 1869, the alterations which the Legislative Council has from time to time made, by means of resolutions, in the scale of Customs duties. This has been effected by substituting new schedules for schedules B and C of the Customs Ordinance, 1869.

Attorney-General's Chambers,
Colombo, November 12, 1908.

ALFRED G. LASCELLES,
Attorney-General.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kandy will be holden at the Audience Hall at Kandy, on Tuesday, December 1, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

J. P. LEWIS,
Fiscal.

Fiscal's Office,
Kandy, November 10, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kurunegala will be holden at the Court-house at Kandy, on Tuesday, December 1, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

C. V. REBEIRA,
Fiscal's Office,
Kurunegala, November 5, 1908.

NOTICES IN TESTAMENTARY ACTIONS.

41-
2266
In the District Court of Colombo.
Order Nisi.
In the Matter of the Intestate Estate of the late Rajapaksepatorannehelage Don Abraham Appuhamy of Ratmalana.

Rajapaksepatorannehelage Don Charles Appuhamy of Ratmalana, aforesaid... Petitioner.

(1) R. Dona Madalena Hamine and (2) R. Don Johanna Hamine, both of Ratmalana, aforesaid, Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on October 17, 1908, in the presence of

Mr. M. E. Munesinghe, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated October 13, 1908, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled, as an uncle 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 or persons interested shall, on or before November 19, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

October 17 1908.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Mary Fernandopulle of New Chetty street, Colombo, deceased.

No. 3,189 C. Michael Rodrigo Manuelpulle of New Chetty street, Colombo. Petitioner.

And

1) Gertrude Manuelpulle, (2) Mary Margaret Manuelpulle, (3) Cecilia Bridget Manuelpulle, and (4) Christopher Fernandopulle, all of New Chetty street, Colombo. Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on November 5, 1908, in the presence of Mr. J. G. de S. Wijeyeratne, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated November 4, 1908, having been read.

It is ordered that the said petitioner, be and he is hereby declared entitled, as the husband and an 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 or persons interested shall, on or before November 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

November 5, 1908.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Atukoralage Don Bastian Wijegunawardane of Pahala-wilgama. deceased.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara, on October 21, 1908, in the presence of Mr. C. A. L. Orr, Proctor, on the part of the petitioner Atukoralage Don David Wijegunawardane of Pahala-wilgama; and the affidavit of the said petitioner dated March 25, 1908, having been read: It is ordered that the petitioner Atukoralage Don David Wijegunawardane of Pahala-wilgama, be and he is hereby declared entitled as eldest son of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents—Ranawaka-atchige Menikhamy, (2) Atukoralage Don Carolis Wijegunawardane, (3) Atukoralage Don Hendrick Wijegunawardane, (4) Etulatmudalige Don William Appuhamy, (5) Mirihane-kankanange Don Peries, (6) Ranawaka-atchige Don Elias Appuhamy, (7) Etulatmudalige Dona Sophia, (8) Thomas Edwin Guneratne, (9) Etulatmudalige Don Sirias, (10) Etulatmudalige Don Abraham Appuhamy, (11) Etulatmudalige Don Carolis Appuhamy, (12) Etulatmudalige Don Cornelis Appuhamy, (13) Etulatmudalige Don Esadoris Appuhamy, (9), (10), (11), (12), and (13) minors by their guardian *ad litem*, the 4th respondent Etulatmudalige Don William Appuhamy, (14) Dona Josaline Hamine, and (15) Don John Appuhamy minors by their guardian *ad litem*, the 5 respondent, (16) Don Charles Salman Ranawaka by his guardian *ad litem* the 6th respondent, (17) Dona Leisanona Wijegunawardane, (18) Don Dimitrius Mannangara, (19) Dona Baba Nona, (20) Don Bartholomew Wijegunawardane, (19) and (20) by their guardian *ad litem* the first respondent—shall, on or before November 18, 1908, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,
District Judge.

October 21, 1908.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Borawewa Heratmudiyanselegedera Ukku Banda, deceased, of Elliyadde in Pallispattu korale of Lower Dumbara.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on October 22, 1908, in the presence of Messrs. Ranawana and Weerasooria, Proctors, on the part of the petitioner Agalacotuwegedera Ran Menika of Elliyadde aforesaid; and the affidavit of the said petitioner dated July 24, 1908, having been read:

It is ordered that the petitioner Agalacotuwegedera Ran Menika of Elliyadde aforesaid be and she is hereby declared entitled to letters of administration to the estate of Borawewa Heratmudiyanselegedera Ukku Banda of Elliyadde in Pallispattu korale of Lower Dambara as the widow of the said deceased, unless (1) Borawewa Heratmudiyanselegedera Puchi Menika, (2) Borawewa Heratmudiyanselegedera Dingiri Banda, and (3) Borawewa Heratmudiyanselegedera Bandare Menika by their guardian *ad litem* Karawagaha-ange Piharallegedera Ukku Banda, all of Elliyadde aforesaid shall, on or before November 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,
District Judge.

October 22, 1908.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Rammaudagedera Pinch Vidane, deceased, of Pilapitiya.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on October 15, 1908, in the presence of Mr. W. A. de Silva, Proctor, on the part of the petitioner Rammaudagedera Lapaya of Dolosbage; and the affidavit of the said petitioner dated October 14, 1908, having been read:

It is ordered that the petitioner Rammaudagedera Lapaya of Dolosbage, be and he is hereby declared entitled to letters of administration to the estate of Rammaudagedera Pinchi Vidane of Palapitiya, deceased, as the grandson of the said deceased, unless Sudisingalagedera Dingavi of Dolosbage shall, on or before November 19, 1908, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

October 15, 1908.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Haturusin Devayalagedera Kiria Wadua, deceased, of Pattepitiya.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on October 26, 1908, in the presence of Messrs. Jonklaas & Van Langenberg, Proctors, on the part of the petitioner Hadirankumburegedera Ukku of Mulgampola near Kandy; and the affidavit of the said petitioner dated October 26, 1908, having been read:

It is ordered that the petitioner Hadirankumburegedera Ukku of Mulgampola near Kandy, be and she

is hereby declared entitled to letters of administration to the estate of Haturusin Devayalagedera Kiria Wadduwa of Pattepitiya, deceased, as heir of the said deceased, unless any person shall, on or before November 26, 1908, show sufficient cause to the satisfaction of of this court to the contrary.

FELIX R. DIAS,
District Judge.

October 26, 1908.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Tillamayagam, wife of Velauthar
No. 2,092. Sinnatamby of Vaddukodai West,
deceased.

Velauthar Sinnatampi of Vaddukodai
West Petitioner.

Muttupillai, widow of Sapapathipillai, of
Vaddukodai West Respondent.

THIS matter of the petition of Velauthar Sinnatamby of Vaddukodai West, praying for letters of administration to the estate of the above-named deceased Tillamayagam, wife of Velauthar Sinnatamby, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 13, 1908, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner dated October 7, 1908, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before November 20, 1908, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

October 13, 1908.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sivakamipillai, wife of Santhayenar
No. 2,093. Gnanasekarar of Thavalai, Iyattal-
tai, deceased.

Santhayenar Gnanasekarar of Thavalai,
Iyattalai Petitioner.

1, Sinnatampi Suppar and wife 2, Thei-
vanaipillai of Thavalai, Iyattalai; 3,
Veluppillai Kanagasapai of Thavalai,
Iyattalai; 4, Veluppillai Ponniah of
Thavalai, Iyattalai Respondents.

THIS matter of the petition of Santhayenar Gnanasekarar of Thavalai, Iyattalai, praying for letters of administration to the estate of the above-named deceased, Sivakamipillai, wife of Santhayenar Gnanasekarar, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 13, 1908, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner dated October 9, 1908, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before November 20, 1908, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

October 13, 1908.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Pandaram Thampu *alias* Nagalingam
No. 2,094. Pandaram Thampu *alias* Nagalingam of Vannarponnai West,
Class II. deceased.

Nagamma, widow of Pandaram Thampu
alias Nagalingam of Vannarponnai
West Petitioner.

(1) Pandaram Chellam of Vannarponnai
West, (2) Pandaram Kartigesu of
Vannarponnai West, and (3) Panda-
ram Ulagamatham of Vannarponnai
West Respondents.

THIS matter of the petition of Nagamma, widow of Pandaram Thampu *alias* Nagalingam praying for letters of administration to the estate of the above-named deceased Pandaram Thampu *alias* Nagalingam, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 20, 1908, in the presence of Messrs. Casipillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner dated October 17, 1908, having been read: It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before November 30, 1908, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

October 20, 1908.

In the District Court of Mullaitivu.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. late Sitamparam, wife of Kone-
No. 68. Sinnatamby of Mulliavalai, de-
ceased.

Koner Sinnatamby of Mulliavalai Petitioner.
Vs.

(1) Nagamuttupillai, widow of Kantap-
per Venasitamby Modr., (2) Venasi-
tamby Modr. Kantaiya, (3) Parupati-
pillai, wife of Sanmugam Eliatamby,
all of Mulliavalai Respondents.

THIS matter of the petition of Koner Sinnatamby of Mulliavalai praying for letters of administration to the estate of the above-named deceased Sitamparam, wife of Sinnatamby, coming on for disposal before J. O. K. Murty, Esq., District Judge, on October 30, 1908, in the presence of the petitioner; and the affidavit of the petitioner dated October 30, 1908, having been read: It is declared that the petitioner is the lawful husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before November 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

J. O'K. MURTY,
District Judge.

October 30, 1908.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of Don
Jurisdiction. Pedrus Dias Yapa Abeyaggon-
3,841. wardane, deceased, of Kodagoda.

THIS matter coming on for disposal before K. W.
B. Macleod, Esq., District Judge of Galle, on

October 13, 1908, in the presence of Mr. A. D. Jayasundere, Proctor, on the part of the petitioner Don Dionis Yapa Abeyawardane; and the affidavit of the petitioner dated October 12, 1908, having been read :

It is ordered that the 1st respondent be appointed guardian *ad litem* of the other respondents, shall on or before November 18, 1908, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Don Dionis Yapa Abeyawardane is a brother-in-law of the deceased, and that he is as such, entitled to have letter of administration issued to him accordingly, unless the respondents—(1) Dona Adriana Yapa Abeyawardane, (2) Abraham Yapa Abeyagoonewardane, (3) Cecilia Yapa Abeyagoonewardane, (4) Susana Yapa Abeyagoonewardane, (5) Jonathan Yapa Abeyagoonewardane, all of Kodagoda, respondents—shall, on or before November 18, 1908, show sufficient cause to the satisfaction of this court to the contrary.

K. W. B. MACLEOD,
District Judge.

October 13, 1908.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of proving the Last
Jurisdiction. Will and Testament of Welandawe
No. 3,842. Atcharige Babaihamy, late of
Ettligoda, deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on October 30, 1908, in the presence of Mr. D. G. Goonewardene, Proctor, on the part of the petitioner Madduma Atcharige Elias Hamy Rala; and the affidavit of the petitioner dated September 7, 1908, and the affidavit of Carolis Dias Abeysiriwardene Seneviratne and Samuel Francis Edirisinha Kodituakku dated September 9, 1908, having been read :

It is ordered that the will of Welandawe Atcharige Babaihamy, deceased, dated November 6, 1907, be and the same is hereby declared proved, unless the respondents (1) Madduma Atcharige Punchy Hamy of Ettligoda, (2) Welandawe Atcharige Baby Nona and husband (3) Mapalagama Atcharige Dinguru Hamy, both of Baddegama, (4) Welandawe Atcharige Sarichi Hamy and her husband (5) J. A. de Silva, (6) Welandawe Atcharige Dotchi Hamy and husband, (7) Aturaliye Welandagodage Cornelis Hamy, all of Kumbalwella, (8) Welandawe Atcharige Sanohamy, (9) Welandawe Atcharige Podi Nona, (10) Welandawe Atcharige Welis Hamy, (11) Welandawe Atcharige Ano Hamy, (12) Welandawe Atcharige Tinnoris Hamy, all of Ettligoda, the 8, 9, 10, 11, and 12 respondents appearing by their guardian *ad litem* the 1st respondent shall, on or before December 4, 1908, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Madduma Atcharige Elias Hamy Rala is one of the executors named in the said will, and that he is as such entitled to have probate of the same issued to him accordingly, unless the respondents shall, on or before December 4, 1908, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,
District Judge.

October 30, 1908.

In the District Court of Matara.

Testamentary In the Matter of the Estate Rights
No. 1,655. and Credits of the late Ismail
Lebbe Markar Adam Bawa,
deceased, of Me-ella.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge of Matara, on October 21, 1908, on the motion of Messrs.

Keuneman on the part of the petitioner Omeru Lebbe Markar Muhamadu Casim of Me-ella; and the affidavit of the said petitioner dated October 8, 1908, having been read : It is ordered that the said petitioner, as brother of the deceased, is entitled to have letters of administration of the estate of the deceased issued to him accordingly, unless the respondents (1) Omeru Lebbe Markar Patuma Natchia, (2) Adam Bawa Mohamadu Bassen, (3) Adam Bawa Naseer, all of Me-ella, shall, on or before November 18, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

October 21, 1908.

In the District Court of Matara.

Order Nisi declaring Will Proved.

Testamentary In the Matter of the Estate of
Jurisdiction. the late Pincha Badugey Babai-
No. 1,666. hami, deceased, of Kotuwegoda
Matara.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge of Matara, on October 21, 1908, on the motion of Messrs Keuneman, on the part of the petitioner Kataluwe Patabendige Matheshami of Weligama, now at Matara; and the affidavit of the said petitioner dated October 19, 1908, having been read : It is ordered that the said petitioner, as husband of the deceased, is entitled to have letters of administration to the estate of the deceased and the same be issued to him accordingly, unless the respondents (1) Kataluwe Patabendige Metiyas Silva, (2) Kataluwe Patabendige Juli Nona, (3) Kataluwe Patabendige, Meli Nona, (4) Kataluwe Patabendige Jeeda Nona, all of Kotuwegoda, Matara, shall, on or before November 18, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

October 21, 1908.

In the District Court of Batticaloa.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will
Jurisdiction. and Testament of George Robert
No. 538. Ampiapager, deceased, of Batticaloa.
Eugene Alban Casinader of Batticaloa... Petitioner.

And

Sophia Ampiapager of Batticaloa... Respondent.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge, Batticaloa, on October 29, 1908, in the presence of Mr. Kanthappa, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated October 26, 1908, and the evidence of A. B. Canagasabay having been read :

It is ordered that the will of George Robert Ampiapager, the above-named deceased, dated April 26, 1894, and now deposited in court, be and the same is hereby declared proved, and it is further declared that the petitioner, as nephew of the deceased, is entitled to have letters of administration (with copy of will annexed) of the same issued to him accordingly, unless the above respondent or any other person interested shall, on or before December 8, 1908, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
District Judge.

October 29, 1908.

NOTICES OF INSOLVENCY.

In the District Court of Kegalla.

No. 36. In the matter of the insolvency of
Velaithan, Head Kangany of Atale
estate, presently of Urumiwalla
estate.

NOTICE is hereby given that a meeting of the
creditors of the above-named insolvent will
take place at the sitting of this court on December 15,

1908, to examine the insolvent and for him to surrender
and conform to agreeably to the provisions of the
insolvency Ordinance No. 7 of 1853.

By order of court,

C. P. W. GUNASEKERE,
Secretary.

Kegalla, November 5, 1908.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Udum Lebbe Marikar Mahamadto Cas-
sim Marikar of Pettah, Colombo..... Plaintiff.

No. 7,582.

Vs.

M. Samsadeen of Galkapanawatta in
Colombo Defendant.

NOTICE is hereby given that on Thursday, Decem-
ber 10, 1908, at 3.30 o'clock in the afternoon,
will be sold by public auction at the premises, the life
interest of the said defendant in the following property,
for the recovery of the sum of Rs. 168, with legal
interest thereon from December 25, 1907, till pay-
ment in full and costs, Rs. 30.25, viz. :—

All that premises bearing assessment No. 30, situ-
ated at 2nd Gabo's lane, Pettah, within the Municip-
ality of Colombo; and bounded on the north by
1st Gabo's lane, on the east by the property of I. L.
M. A. Abdul Rahiman, on the south by 2nd Gabo's
lane, and on the west by A. R. Casila Marikar; con-
taining in extent about 2 perches.

E. ONDATJEE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 11, 1908.

In the District Court of Colombo.

Peena Koonna Peena Soonna Ramasamy
Pulle of Sea street in Colombo..... Plaintiff.

No. 27,448.

Vs.

John Clovis de Silva of Lynn Bank,
Hunupitiya, in Colombo..... Defendant.

NOTICE is hereby given that on Tuesday, Decem-
ber 8, 1908, at 3.30 o'clock in the afternoon,
will be sold by public auction at Lynn Bank, No. 4,
Lake road, Hunupitiya, Colombo, the following
movable property of the defendant for the recovery
of the sum of Rs. 2,508.12½, with interest on
Rs. 2,500 at 9 per cent. per annum from Septem-
ber 1, 1908, till payment in full and costs, viz. :—

One piano, 1 tamarind wood chiffonier, 1 piano
stool, 1 tamarind wood almirah with mirror, 1 tama-
rind wood writing table with drawers, 1 tamarind

wood square table with two drawers, 1 tamarind wood
couch, 4 tamarind wood arm chairs, 8 tamarind wood
arm chairs, 25 pictures (large and small), 2 ebony
high back chairs, 1 bentwood rocking chair, 12 arm
chairs, 1 dining table, 1 screen, 1 marble wash-hand
stand, 1 tamarind wood almirah, 1 small whatnot
with mirror, 5 rattan chairs, 2 jakwood loungers, 1
teakwood teapoy, 1 nedun hat stand, 1 large whatnot,
3 ebony ladies chairs, 1 tamarind wood octagonal
table, 1 satinwood glass almirah, 1 teakwood bench,
4 rattan mats, 3 coir mattings, and 30 flower pots with
plants.

E. ONDATJEE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 11, 1908.

In the District Court of Negombo.

Halakonmudalige Don Hitaneri Appu-
hamy of Yatiyana Plaintiff.

No. 6,900.

Vs.

(1) Jayasinarachchige Don Raphiel
Appuhamy, (2) Jayasinarachchige
Don Elias Appuhamy, both of Meda-
mulla Defendants.

NOTICE is hereby given that on December 5, 1908,
commencing at 2 o'clock in the afternoon, will
be sold by public auction at the premises the following
property, mortgaged by bond No. 20,312 dated
June 14, 1900, and declared liable to be sold by the
decree entered in the above case, viz. :—

A portion of about 7 acres and 20 perches, possessed
by the first defendant, out of the land called Leangu-
gahawatta alias Dandugahawatta, situate at Meda-
mulla in the Dasiya pattu of Alutkuru korale; and
bounded on the north by burial ground, on the east
by the land of Girigoris Dias Rupasinghe Senanayaka,
Registrar, and others, on the south by Crown land,
and on the west by footpath; containing in extent
within the said boundaries 22 acres more or less.

Amount to be levied Rs. 945.37½.

FRED. G. HEFFONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 10, 1908.

5/-
In the District Court of Kalutara.

Georgiana Magelin Senanayaka, executrix of the estate of the late Carolis de Soysa Amarasekera, of Kaluwamodera Plaintiff.

No. 3,486.

Vs.

Kerekola Arnolis de Silva of Moragalla . . . Defendant.

NOTICE is hereby given that on Monday, December 7, 1908, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, mortgaged by defendant with plaintiff, for the recovery of Rs. 1,926.45, with further interest on Rs. 1,000 at 12 per cent. per annum from February 18, 1907, till the date of decree and thereafter at 9 per cent. per annum till payment in full, to wit:—

(1) The entire soil and the remaining trees, excluding the planter's share of the trees, of the land called Malebodagahatotewatta, containing in extent 1 acre and 10 perches, situated at Moragalla in Alutgambadda; and bounded on the north by Kudadeniya and Mahadeniya, on the east by the river, on the south-east by Totupolawatta, and on the south-west by the high road.

(2) An undivided $\frac{3}{4}$ parts of the soil and of the remaining trees with the trees of the 3rd plantation of the land called Ellabodadombagahawatta, of the extent of about 2 acres, situated at Moragalla; and bounded on the north by Totupolawatta, on the east by the water-course, on the south by the sea-shore, and on the west by Punchinagewatta.

(3) An undivided $\frac{1}{2}$ part of the soil and of the remaining trees together with $\frac{1}{2}$ of $\frac{3}{4}$ of the planter's share of the 1st plantation with $\frac{1}{16}$ part of the planter's share of the 2nd and 3rd plantations of the western portion of Wellawatta alias Elabodawatta, of the extent of about 1 rood, situate at ditto; and bounded on the north by the canal, on the east portion of the said land, on the south by Punchinagewatta, and on the west by the land wherein Sandaradure Nanso Silva resides, Siyagewatta.

(4) The right, title, interest, claim, and demand in and to the sum of Rs. 250 due to the defendant upon mortgage bond No. 2,865, dated, October 4, 1887, drawn and attested by L. James Peris, Notary Public.

B. P. J. GOMES,
Deputy Fiscal's Office, Deputy Fiscal.
Kalutara, November 11, 1908.

south by ella, west by ella, and on the north by ella of Hamy's garden.

2. An undivided $\frac{1}{2}$ share of Alakola-angekumbura of 1 pela of paddy sowing extent; bounded on the east by ima of Manik Ettena's field, south by eura of Pallegederakumbura, west by ima of Manik Ettena's field, and on the north by iura of Ayangederawatta.

3. An undivided $\frac{1}{2}$ share of Hakuruangikumbura darande of 2 pelas in extent; bounded on the east by imaweilla of Medagederakumbura, south by below the Ella Guruketehena, west by Imaweilla of Keerale's field, and on the north by ella.

4. An undivided $\frac{1}{2}$ share towards the west of 5 lahas of paddy sowing extent out of Gurukelehena of 1 pela; bounded on the east by agala of the remaining portions of this land, south and west by agala, and on the north by field, with everything thereon, all situate at Malgammana of Yatinuwara.

5. An undivided $\frac{1}{2}$ share of Buluangekumbura of 3 pelas of paddy sowing extent; bounded on the east by ella, south by inneara of Buluangekumbura, west by ella, and on the north by water-course, situate at Mangalagama aforesaid.

6. An undivided $\frac{1}{2}$ share of Idampitiyawatta of 12 lahas of paddy sowing extent; bounded on the east by ella and field, south by fence, west by agala and fence, and on the north by fence, with the house and plantations thereon, situate at Malgammana aforesaid.

7. An undivided $\frac{1}{2}$ share of Kammalangikumbura of 3 pelas of paddy sowing extent; bounded on the east by imaweilla of the field belonging to Dullaway walawwa, south by ella of Omiru Lebbe's garden, west by Maha-ela, and on the north by field belonging to Dullaway walawwa.

8. An undivided $\frac{1}{2}$ share of Gedarawatta alias Kammalangewatta of 2 paddy amunams in extent; and bounded on the east and south by fence, west by above Heendendu-ela, and on the north by Kammalangekumbura, with the house thereon.

9. An undivided $\frac{1}{2}$ share of Kukulalawatta of 5 lahas of paddy sowing extent; bounded on the east, west, and south by agala and fence, and on the north by agala, with the house and plantations thereon, situate at Dehigama, all of Yatinuwara.

Amount of writ Rs. 284.84 and interest.

A. V. WUERTERSZ,
Fiscal's Office, Deputy Fiscal.
Kandy, November 11, 1908.

2/- 7/50
Central Province.

In the Court of Requests of Kandy.

Alutgedera Aruma of Kahawatugoda Plaintiff.

No. 4,091.

Vs.

Addaramen of Malgammana in Gangepalata of Yatinuwara Defendant.

NOTICE is hereby given that on December 14, 1908, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the defendant in and to the following lands, to wit:—

1. An undivided $\frac{1}{2}$ share out of Hakuruangikumbura of 3 pelas and 2 kurunies in extent, being the western 11 lahas in extent; bounded on the east by the limit of the remaining portion of this land,

Northern Province.

In the District Court of Jaffna.

Sangarapillai Tillainather of Puttoor North Plaintiff.

No. 5,771.

Vs.

Vaitialingam Poothathamby of Puttoor North, administrator of the estate of the late Marimutto, widow of Mappaner Arunasalam of Puttoor North . . . Defendant.

NOTICE is hereby given that on December 7, 1908, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the late Marimuttu in the following property, for the recovery of Rs. 406.19 and Fiscal's charges.

1. In an undivided $\frac{1}{3}$ share of a piece of land situate at Puttoor South called Kundalivayal, Naru-
villikkulam, Puleythaneyvayal, Ooyilampiddy, con-
taining or reputed to contain in extent 137 lachams
paddy culture, and Ooyilampiddy in extent 27
lachams varagu culture, total extent 164 lachams
paddy culture and varagu culture with palmyras and
cultivated and spontaneous plants (but exclusive
of the ground taken for the road passing through it,
and also of 15 $\frac{1}{2}$ lachams paddy culture on the east);
bounded or reputed to be bounded on the east by the
property of Vallipillai, wife of Pootatamby, and others,
on the north by the property of Vallipillai, wife of
Changarapillai, and others, on the west by the property
of Mylevakanam Kantayah and others, and on the
south by the property of Sittampalam Malavarayar
and others.

2. In an undivided $\frac{1}{3}$ share of the land situated at
Puttoor South called Chelumpilaney, containing or
reputed to contain in extent 12 lachams paddy
cultivation; bounded or reputed to be bounded on
the east, west, and south by the property of Valli-
pillai, wife of Kantayah, and on the north by the
property of Vayittialingam Pootatamby and others.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, November 4, 1908.

90.41-
Southern Province.

In the District Court of Galle.

E. R. Gooneratna of Dangedara in Galle. Plaintiff.
No. 9,192. Vs.

Abdulla Johora Umma and husband
Meerasa Ibrahim, both of China Gar-
den. Defendants.

NOTICE is hereby given that on Wednesday,
December 9, 1908, at 2 o'clock in the afternoon,
will be sold by public auction at the spot the following
mortgaged property, viz. :—

An undivided $\frac{5}{6}$ part of a portion of China Garden
alias Kekiribokkawatta and $\frac{5}{6}$ part of the building
standing on the said portion bearing assessment
No. 217, situate at Kumbalwella (reserving 30 links
all along for a road), and containing in extent 3 roods
and 20 perches.

Writ amount Rs. 2,006.30, with legal interest on
Rs. 1822.15 from September 11, 1908.

C. T. LÆEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, November 11, 1908.

12/50
In the District Court of Matara.

Andoris de Silva Balasuriya of Nupe. Plaintiff.
No. 4,328. Vs.

Don Geeris de Silva Lokbadu Jayasuriya
of Gatara. Defendant.

NOTICE is hereby given that on the under-
mentioned days, commencing at 12 o'clock in
the noon, will be sold by public auction at the respec-
tive premises the right, title, and interest of the said
defendant in the following property for the recovery
of Rs. 3,145.65 and interest, viz. :—

On December 9, 1908.

1. The soil and plantation of the land called
Danduakulekattiya, containing in extent 1 acre 2
roods 32 perches, situate at Koramburuwana in
Kandaboda pattu of Matara District; and bounded on

the north by Palle Danduakulekumbura and Uda-
danduakulekumbura, east by Potuwilaliyadad, south
by Kodituwakkugewatta, and west by Kirama-ara.

On December 10, 1908.

2. The soil and plantation of Hirideniya-addara-
hena *alias* Watarakamullekela, in extent 8 acres 33
perches, situate at Gamgama in Gangaboda pattu of
Matara District; bounded on north by land described
in plan No. 147,042 and water-course, east by Crown
land, Watarakamullekela, and water-course, south
by water-course, and west by a road.

3. The soil and plantation of Watarakamullekela
in extent 4 acres 19 perches, situate at ditto; and
bounded on the north by water-course, east by
water-course and Crown land called Watarakamulle-
kele; south by Crown land called Pattinige-godelle-
hena, water-course, and west by Badigederadeniya
and water-course.

4. The soil and plantation of the land Hirideniye-
addarahena *alias* Watarakamullekela, in extent 8 acres
18 perches at ditto; and bounded on the north by
Hirideniye Udamura, Crown land called Hirideniye
Udamura-addarahena and water-course, east and
south by land described in plan No. 147,043, west by
road, Hirideniye Udakella.

5. The soil and plantation of the land Wataraka-
mullekela, in extent 8 acres 3 roods 6 perches, situate
at ditto; and bounded on the north and east by water-
course, south by Watarakamulledeniya and road, west
by Rupasinghagederawatta and water-course.

6. The soil and plantation of the land Pattini-
godellehena, situate at ditto, in extent 2 acres 1 rood
39 perches; and bounded on north by land described in
plan No. 147,046, east by Crown land, Watarakamulle-
kelehena and land described in plan No. 147,047,
south by land described in plan No. 147,047, west by
high road, Bodigederadeniya, and water-course.

7. The soil and plantation of Pattinige-godellehena,
situate at Gatara in ditto, in extent 2 acres 2 roods
13 perches; and bounded on the north by Crown land
called Pattinige-godellehena, east by Crown land called
Pattinige-godellehena and land described in plan No.
147,048, south by lands appearing in plan Nos. 147,050
and 91,267; and west by the road.

8. The soil and plantation of the land called Masta-
kayamallehena, situate at ditto, in extent 3 acres 1
rood 33 perches; bounded on the north by Goroggaha-
liyadda, east by the jungle, south by Peeleudumulle-
deniya, and west by the high road.

9. The soil and plantation of Mastakayamallehena
alias Dambawilohenakebella, No. 1,715, situate at
Kamburupitiya, in extent 8 acres 6 perches; and
bounded on the north by Mohandiramwila and
Talpalage-wila, east by Datchawila, south by temple,
and west by Mastakayamura.

10. The soil and plantation of Tambiyamullehena
alias Aliyamalawilehena, situate at Ullala in ditto, in
extent 11 acres 1 rood 10 perches; and bounded on
the north by the garden belonging to Dawu and others;
east by Dewilaketiya *alias* Tambiyamullehena,
south by Geeganagewatta, and west by Kodideniya
alias Wewedeniya.

11. The soil and plantation of Dewilaketiyehena
alias Tambiyamullehena described in plan No. 1,739
in extent 9 acres 2 roods 26 perches, situate at ditto;
and bounded on the north by Kaggugahadeniya and
Tambiyamulledeniya, east by Bandasmahawila and
Tambiyamulle, south by Meddekumbura and Gamage-
diwela, and west by Lindagawadeniya.

12. Undivided $\frac{1}{2}$ of the soil and plantation of
Tambiyawattahena, in extent 8 acres 3 roods 26
perches, situate at ditto; and bounded on the north by
Dunamunuwawatta and Ketakalagahadeniya, east
by water-course, south by water-course, Banda-
mahagewilakumbura, west by Bandamahagewila-
kumbura, Kaggugahaliyadda and Tambiyamulle-
deniya.

On December 11, 1908.

13. 53/80 of the soil and plantation of Minindiwawatta, in extent about 6 acres, situate at Sahabandukokmaduwa in Weligam korale, Matara District; and bounded on the north by Pahaladeniyagoda and Paranawatta, east by Mininduwadeniya and Arambadeniya, south by Diveldeniya, west by Miyagamawatta, Gorakagahakumbura, and Ambalandoragoda.

On December 12, 1908.

14. 53/80 of the soil and plantation of the land Amunekanatta, in extent 12 acres, situate at Mudugama in ditto; and bounded on the north by Galagamulle *alias* Kekunagahahena, east by Gonagoda-kumbura, south by Gonagodawatta *alias* the ditch of Ihalamulana, and west by the ditch of Iriyanewatta.

15. 53/80 of Wadugekumbura, in extent 1 acre 1 rood 18 188/1,000 perches, situate at Weligama in ditto; and bounded on the north by Galwediwatta, east by Dediwegahagewatta, Koratuwawatta, Liyanagahawatta, and Tuppahiwawawatta, south by high road, and west by Aramanawawala.

16. 1,287/13,440 of Balasarangagederawatta, in extent 1 acre, situate at ditto; and bounded on the north by Arambewatta, east by high road, south by Hettimudianssegewatta and Lokubadu Jayasuriyagederawatta, west by Tanayamwatta.

G. F. DE LIVERA,
Deputy Fiscal.

Deputy Fiscal's Office,
Matara, November 7, 1908.

In the District Court of Tangalla.

Sadris de Silva Wiraratna Plaintiff.
No. 925. Vs.

Martin de Sa Abesekara Defendant.

NOTICE is hereby given that on Saturday, December 5, 1908, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property specially mortgaged with the plaintiff, for the recovery of Rs. 1,197.02, viz. :—

One-half share of the soil and of the plantation of Mahawatta, in extent about 4 acres, situated at Tangalla; and bounded on the east by Siyambalagahawatta, south by the high road and the garden belonging to Gersse Mudaliyar, west by the high road, and north by the high road and the garden of Mahamada Kalapuvege Matheshani.

OSWALD C. TILLEKERATNE,
Deputy Fiscal.

Deputy Fiscal's Office,
Tangalla, November 3, 1908.

Eastern Province.

In the District Court of Trincomalee.

Katiritamby Tampipillai of No. 6 Division, Trincomalee Plaintiff.
No. 175. Vs.

Canapatipillai Vallipurampillai of No. 1 division, Trincomalee Defendant.

NOTICE is hereby given that on Monday, December 7, 1908, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant, in the following property, viz. :—

A piece of field called Kaddadivayal, surveyed as lot No. 8,561, attached to Andankulam in Trincomalee; bounded on the north by land described in plan No. 160,723, on the east by river, hill, and tank bund,

on the south by hill and Crown land, on and the west by Crown land and by lots Nos. 8,559 and 8,560. Extent, excluding the channel leading through this land to Champiyanar and land reserved on both the sides of the channel is 26 acres.

The above said land is seized subject to mortgage.

Writ amount Rs. 425.80.

S. RAJU,
Deputy Fiscal.

Deputy Fiscal's Office,
Trincomalee, November 10, 1908.

In the District Court of Trincomalee.

Ponnuturai Vannipam Thamby Rajah
Vannipam of No. 9 division, Trincomalee Plaintiff.

No. 328. Vs.

Thampaiiah Muttukumar Vannipam personally and as guardian *ad hitem* of his minor children Nadarasapillai and Valanpekai of No. 5 division, Trincomalee, representative of the estate of his wife Sivakampillai Defendant.

NOTICE is hereby given that on Monday, December 7, 1908, at 11 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following mortgaged property, viz. :—

1. A piece of land situated at division No. 5, Trincomalee, with a tiled house, kitchen, well, well-sweep and posts, and coconut trees and other plantations standing thereon; bounded on the south-east by the land of Chellachipillai, widow of Nallatamby, on the south-west by the land of Nagamoney Sivaganam, on the north-east by the land of Subramaniam Kadirgamatamby, and on the north-west by road; in extent 1 square rood and 38 84/100 square perches.

On Saturday, December 5, 1908, at 11 o'clock forenoon.

2. A piece of field being lot No. 3,819 described in plan No. 123,568 situated at Poothuvali, attached to Toppur in Koddiparattu, Trincomalee; bounded on the north by Kaddaiparichanaru, east by Kaddaiparichanaru and land described in plan 108,517, on the south by land described in plan No. 113,856, and by Crown land now belonging to S. Periyatamby and by Crown land, and on the west by the land of C. M. Caseen now belonging to S. M. Ibamsaibo; containing in extent 31 acres and 2 roods.

Writ amount Rs. 3,191.90½.

S. RAJU,
Deputy Fiscal.

Deputy Fiscal's Office,
Trincomalee, November 5, 1908.

North-Western Province.

In the District Court of Chilaw.

C. Rajaratnam of Chilaw Plaintiff.
No. 3,972. Vs.

Murugesar Nainasivayam, Broker, Lewis Brown & Co., Fort, Colombo Defendant.

NOTICE is hereby given that on Monday, December 14, 1908, at 1 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, specially mortgaged with the plaintiff by bond No. 7,819 dated December 29, 1906, viz. :—

The land, called Panayadikulankadu (jungle) bearing No. 9,291a, containing in extent 23 acres 2

roods and 14 perches with the plantation thereon, situate at Panayadikulam in Anawulundan pattu of Pitigal Korale North, in the District of Chilaw; and bounded on the north by the land appearing in plan No. 165,258 and the land No. 9,291 appearing in plan No. 1,855, east by the land No. 9,291 appearing in plan No. 1,855 and the reservation land allowed along the side of the Panayadikulam (jungle), south by the land appearing in plan No. 192,322, and on the west by the reservation land allowed along the canal and the lands appearing in plan Nos. 165,253 and 165,254.

Amount to be levied, Rs. 1,759.58 with interest thereon at 9 per cent. per annum from September 21, 1908, till payment in full and poundage.

Deputy Fiscal's Office, Chilaw, November 5, 1908. A. V. HERAT, Deputy Fiscal.

In the Court of Requests of Chilaw.
Rev. D. A. Benjamin of Chilaw Plaintiff.
No. 12,977. Vs.

Lena Usubu Lebbe of Savarana, now of Nattandiya Defendant.

NOTICE is hereby given that on Saturday, December 5, 1908, at 1 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property, viz. :—

The two contiguous lands called Pannakankani-kotuwa and Talgahakotuwa, situate at Maikkulama, Munnessaram pattu, Pitigal Korale North, in the District of Chilaw; and bounded on the north by Maikkulamawewa, east by a portion of the field called Talgahakotuwakumbura and water-course, south by gala land belonging to Anthony Fernando and others and by water-course, and west by garden belonging to Ana Fernando and others; containing in extent about 5 acres.

Amount Rs. 45.37 with interest on Rs. 92.12 at 9 per cent. per annum from January 16, 1908, till payment in full and poundage.

Deputy Fiscal's Office, Chilaw, November 4, 1908. A. V. HERAT, Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Kegalla.

Perumal Muppan Arumogan Chetty of Hewadiwala Plaintiff.
No. 2,457. Vs.

Sinhalapedige Wattuwa of Hewadiwala... Defendant.

NOTICE is hereby given that on Tuesday, December 8, 1908, commencing at 1.30 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, mortgaged by bond No. 19,427 dated September 15, 1903, and declared liable to be sold by the decree entered in the above case, viz. :—

1. Katukurundekumbura of 11 lahas paddy sowing extent, situated at Hewadiwala in Walgam pattu of Kinigoda korale; and bounded on the east by the ridge of Nugagahamulaliadde, on the south by the liminary ridge of Katukurundekumbura belonging to Abadda, on the west by the liminary ridge of Asweddumekumbura, and on the north by the liminary ridge of Palliyaddekumbura.

2. Katukurundekumbura of which 2 pelas and 8 lahas paddy sowing in extent, situated at the same village; and bounded on the east by the liminary ridge of the remaining portion of the same field called Nugagahamulaliadde, on the south by the liminary ridge of Katukurundekumbura belonging to Tikira, on the west by the fence, and on the north by the liminary ridge of Palliyadde.

3. Udagedarawatta alias Talgahamulawatta o. 12 lahas paddy sowing in extent, situated at the same village; and bounded on the east by Galweta of Kopihena, on the south by the ditch of Kitulmadehena, on the west by the endaru fence, and on the north by the fence of Solomongewatta.

Amount to be levied Rs. 1,465.25, with interest on Rs. 1,320 at 9 per cent. per annum from March 11, 1908, till payment.

E. R. GOONEWARDENE,
Deputy Fiscal's Office, Kegalla, November 7, 1908.