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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. 29 of 1908.

An Ordinance to repeal so much of "The Sugar Convention Ordinance, 1903," as enables the Importation into Ceylon of Sugar from certain Foreign Countries to be prohibited or admitted subject to a Special Duty.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to repeal so much of "The Sugar Convention Ordinance, 1903," hereinafter referred to as "the principal Ordinance," as enables the importation of sugar into Ceylon from foreign countries in which any direct or indirect bounty is granted on the production or export of sugars to be prohibited or admitted subject to a special duty: 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 Sugar Conventions (Amendment) Ordinance, 1908."

Repeal of section 2 of the principal Ordinance.

2 Section 2 of the principal Ordinance is hereby repealed, and the said Ordinance shall, with regard to the numbering of the sections thereof, be read and construed as if section 2 had not been included in the said Ordinance.

Amendment of section 3 (1) of the principal Ordinance.

3 The word "also" in line 1 of sub-section (1) of section 3 of the principal Ordinance is hereby repealed.

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

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 30 of 1908.

An Ordinance to amend "The Masters Attendant's Ordinance, 1865."

HENRY McCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Masters Attendant's Ordinance, 1865" (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 and construction.

1 This Ordinance may be cited as "The Masters Attendant's (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Addition of new sub-sections providing for the inspection of steam boilers.

2 To section 6 of the principal Ordinance there shall be added the following sub-sections, which shall be numbered (11c) and (11d):

(11c) For providing for the periodical inspection of steam boilers on water boats, barges, lighters, and similar vessels, and on launches as defined by "The Launches Ordinance, 1907," and for prohibiting the use of such steam boilers, unless the same have been duly inspected and certified to be in good order. Such rules may prescribe a fee for the inspection of such steam boilers not exceeding twenty-one rupees for each inspection in the case of launches, and ten rupees and fifty cents in the case of other vessels.

(11d) For the issue of certificates of competency to the drivers and persons in charge of steam boilers on water boats, barges, lighters, and similar vessels (not being launches as defined by "The Launches Ordinance, 1907"), and for prohibiting steam boilers on such vessels to be worked by or to be in charge of persons who do not hold such certificates.

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

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 31 of 1908.

An Ordinance to amend the Law relating to Firearms.

HENRY MCCALLUM.

- Preamble. **W**HEREAS it is expedient to amend the law relating to firearms: 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 Firearms Ordinance, 1908," and shall come into force on such date as the Governor shall by Proclamation appoint.
- Repeal of Ordinance No. 14 of 1906. 2 "The Firearms Ordinance, 1906," is hereby repealed.
- Interpretation. 3 For the purposes of this Ordinance—
 "Gun" includes every gun, rifle, revolver, and pistol, and every part of a gun, rifle, revolver, or pistol. It also includes every air-gun or other kind of gun from which any shot, bullet, or missile can be discharged, and every part of such air-gun or other kind of gun, but does not include any toy gun or toy pistol from which any shot, bullet, or missile is discharged by the force of a spring alone.
 "Licensing Authority" includes the Government Agent and any Assistant to the Government Agent, and also any person authorized in writing under the hand of the Government Agent to issue licenses within any revenue district or division.
 "Government Agent" includes an Assistant Government Agent.
 "Peace Officer" includes police officer and headman appointed by a Government Agent in writing to perform police duties.
- License to possess a gun. 4 No person shall have in his custody or possess or use any gun without obtaining a license therefor in manner hereinafter provided. Provided that nothing in this section contained shall apply or extend to any manufacturer of or dealer in guns duly licensed as hereinafter provided, nor to any person actually employed by any such manufacturer or dealer to carry or convey guns for the purposes of his trade in respect of such carriage or conveyance, nor to the custody of any gun by any person entrusted by a person duly licensed to possess a gun with the temporary custody (whether as servant of the owner or otherwise) of any gun for which a license has been obtained; but nothing in this proviso shall be taken to enable any person to possess or keep any gun as security for a debt without obtaining a license therefor as aforesaid. Provided also that no member of the family of a deceased person who had, at the time of his decease, license to possess a gun shall become liable in respect of such gun to any of the penalties hereinafter provided for possessing a gun without a license until after the expiration of one calendar month from the death of such licensee. Provided further, that nothing in this section shall preclude any watcher or other person employed in the protection of immovable property or crops from using for the purposes of his employment any gun for which his employer is licensed, if such watcher or other person holds a certificate of fitness to possess and use a gun under section 16.
- Licenses how to be obtained. 5 Every person desiring to obtain any license mentioned in the last preceding section shall make application to that effect either verbally or in writing to the licensing authority of his district or division, specifying the name and residence of the applicant and the number and description of the gun or

guns for which a license or licenses may be required. The licensing authority may thereupon issue to the applicant in respect of each gun specified in the application a license as near as is material in the form A in the first schedule hereto.

Stamps on licenses.

6 (1) Every license issued as in the last preceding section provided shall be annual, and shall expire on the thirty-first day of December next ensuing after the issue thereof.

(2) In respect of every such license there shall be levied a duty payable by means of stamps according to the following scale :

Rs. c.

For every single-barrelled gun, not being a magazine gun, revolver, or pistol ..	1	0
For every gun of any other description ..	2	0

Persons licensed under Ordinance No. 14 of 1906.

(3) All licenses issued under "The Firearms Ordinance, 1906," shall be deemed to have been issued under this Ordinance, and shall expire on the thirty-first day of December next ensuing after the coming into force of this Ordinance, and shall be subject to the other provisions hereof.

When dispensed with.

(4) It shall be lawful for the Government Agent, in any exceptional case in which in his discretion he shall see fit so to do, to issue such license free of stamp duty, but he shall forthwith report every such case to the Governor.

Renewal of licenses.

(5) The holder of a gun license shall be entitled to have his license renewed without payment of duty, provided that he makes application for such renewal to a licensing authority before the date when the license expires. Upon such renewal the licensing authority shall endorse on the license a statement that the license has been renewed, and thereupon it shall remain in force until the thirty-first day of December next ensuing.

Guns may be marked by the licensing authority, if necessary.

7 Whenever any gun for which any license is required is not marked with such names or figures, or in such other manner as that the same may be readily identified, it shall be lawful for the licensing authority to whom the application is made, before granting the license applied for, to require the applicant to produce to him any such gun, and thereupon to cause the same to be marked, either on the stock or barrel with some permanent mark, whereby the same may afterwards be known and identified, but in such manner as not to injure or disfigure the same; and such gun when duly marked shall, with the license relating thereto, be delivered to the said applicant; and the expenses attendant on such marking shall be defrayed by the licensing authority out of the public funds.

Register of licenses.

8 Every licensing authority shall register all such licenses granted or renewed in a book to be kept for that purpose; and it shall be lawful for any person, at any time during office hours, to demand inspection of the said book, and also to take any copy or extract therefrom.

Proceedings where license is lost, destroyed, &c.

9 If any license granted under the provisions of this Ordinance shall be destroyed, defaced, or lost, it shall be lawful for the person to whom the same shall have been granted to report the same to the licensing authority who issued the license; and if such licensing authority is satisfied that the license has been destroyed, defaced, or lost, he shall grant to such person a certificate as near as is material in the form B in the first schedule hereto.

Proof of ownership.

10 The occupier of any house or premises in which any gun shall be found shall, for the purposes of this Ordinance, be deemed to be the possessor of such gun.

License to make or sell guns.

11 No person shall make or keep or expose for sale any gun without a license from the Government Agent of the province, which license shall be as near as is material in the form C in the first schedule hereto, and shall be on a stamp of

twenty rupees. Such license shall be annual, and shall expire on the thirty-first day of December next ensuing after the issue thereof.

Provided that the prohibition contained in this section shall not extend to any person selling or offering for sale any gun as salesman, auctioneer, or agent on behalf of the licensed owner thereof.

Dealers to keep books.

12 (1) Every person licensed under section 11 shall keep a book in the form D in the first schedule hereto, in which he shall enter a correct description of all guns made or received by him and of all guns in any way disposed of by him. Every such person shall also at the end of every month verify the number of guns in his possession and enter such number in such book; and it shall be lawful for the Inspector-General of Police, or any person authorized by him in writing, at any reasonable time, to take a copy of the entries in such book or of any portion thereof, and to examine the stock of guns of any such person licensed under section 11 and to see whether it agrees with the entries made in such book.

(2) No person licensed as aforesaid shall deliver any gun to any purchaser or transferee, unless the purchaser or transferee has first produced to him a certificate of fitness issued under section 16 to possess and use a gun, and unless the description, if any, endorsed on the certificate tallies with appearance of the purchaser or transferee.

Power to licensing authority to refuse to issue license.

13 It shall be lawful for the licensing authority in his discretion to refuse to issue any license under this Ordinance. Provided that in any case where the licensing authority is not the Government Agent, the applicant may within one month of the notification to him of such refusal appeal to the Government Agent, who, after such inquiry as may appear necessary, may confirm or reverse such refusal. The decision of the Government Agent shall be final and conclusive.

Power to Government Agent to cancel and withdraw license.

14 (1) The Government Agent may withdraw any license issued under this Ordinance—

(a) When the holder of such license is convicted of an offence under this Ordinance or under any of the sections of the Ceylon Penal Code enumerated in the second schedule hereto;

(b) When, for reason to be recorded by him in writing, the Government Agent deems it necessary for the security of the public peace to withdraw such license.

(2) A license shall be withdrawn by serving upon the holder a notice in writing to that effect under the hand of the Government Agent.

Duty of licensee to deposit gun in nearest police station.

(3) The holder of any license to possess a gun, upon receiving notice that the same is withdrawn under this section, shall forthwith deposit the gun in respect of which the license is issued with the officer in charge of the nearest police station or with such other officer as may be named in the notice. If the owner of the gun deposited under this section does not within three years from the date on which such gun is so deposited apply for delivery of it and produce a license authorizing him or some other person to possess the gun, such gun shall be forfeited to His Majesty.

Notice of transfer of gun.

15 It shall be the duty of every person who shall transfer any gun by way of sale, pledge, or gift to any other person to give to the licensing authority who licensed the gun, within one month of such transfer, a notice of such transfer stating the names and addresses of the transferor and transferee, the maker's name, number, and description of such gun, and the date and place of issue of any license in respect of the same.

Procedure to obtain certificate.

16 (1) The licensing authority may, upon application and after such inquiry as may appear necessary, grant a certificate that the applicant is a fit and proper person to possess and

use a gun. Such certificate shall be as near as is material in the form E in the first schedule hereto, and shall be in force until withdrawn. Provided that the licensing authority may refuse to issue such certificate or may withdraw any certificate already issued. The provisions of section 13 and sub-section (2) of section 14 shall, *mutatis mutandis*, apply to such refusal or withdrawal of a certificate.

(2) Upon the issue of a certificate the licensing authority shall, if he thinks fit to do so, endorse on the certificate a description of the person to whom it is issued as nearly as is material in form E.

Offences and penalties.

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

- (1) Any person possessing or having in his custody, or using or carrying any gun without a license therefor as required by section 4, or contrary to the terms of such license or after the same has been withdrawn, shall be liable on conviction to a fine which may extend to twenty rupees, or imprisonment, rigorous or simple, for a period which may extend in the case of a first conviction to one month, and such gun shall be liable to confiscation in the discretion of the court. If such gun is proved to be the property of some person other than the person in whose custody it is so found, such other person shall be also guilty of an offence and liable to the same punishment, unless he proves that such first-mentioned person had such gun in his custody, or carried or used it without his knowledge or against his consent.
- (2) Any person who wilfully obliterates, or defaces, or alters, counterfeits, or forges any mark placed by any licensing authority on any gun or accepted by any licensing authority under the provisions of section 7 hereof, or marks any gun with any mark resembling or intended to resemble any mark so used by such licensing authority, with intent thereby to expose any person to any fine, or to defraud His Majesty of any stamp duty, or to commit any other fraud, shall be liable for every such offence to a fine which may extend to one hundred rupees.
- (3) Any person who has in his custody or possession for the purpose of his trade as a maker of or dealer in guns any gun without having first obtained a license as required by section 11, which license shall be still in force and unexpired, or contrary to the terms of such license, shall be liable to a fine which may extend to one hundred rupees. Nothing herein contained shall be construed to prevent any person licensed to possess a gun under this Ordinance from selling any such gun without having obtained a license under section 11.
- (4) Any headman or peace officer who, having good reason to know or believe any person to be guilty of having in his custody, or using, carrying, possessing, making, or selling any gun without a license as by this Ordinance required, fails to inform against such person, shall be liable to a fine which may extend to fifty rupees in respect of every failure so to inform against such person.
- (5) Any person who fails to perform any of the duties imposed on him by section 12 shall be liable to a fine which may extend to one hundred rupees.
- (6) Any person who prevents or obstructs the Inspector-General of Police, or any person duly authorized by him, from exercising the powers conferred by section 12, shall be liable to a fine which may extend to one hundred rupees.

- (7) Any person who fails to perform the duty imposed upon him by section 15 shall be liable to a fine which may extend to fifty rupees.
- (8) Any person who, after receiving notice that his license has been withdrawn, fails within fifteen days to deposit the gun to which the license relates as required by section 14 shall be liable to a fine which may extend to fifty rupees, or to imprisonment of either description which may extend to one month, and such gun shall be liable to confiscation in the discretion of the court.
- (9) Any person who fails to comply with the terms of any notice issued under section 27 (2) shall be liable to the penalty provided by the last preceding sub-section.

Public servant
may arrest
without
warrant.

18 It shall be lawful for any peace officer or headman, or any revenue or judicial officer, or any other Government officer authorized thereto in writing by the Governor, to call upon any person possessing, carrying, or using a gun to produce his license forthwith, and to arrest without a warrant any person possessing, carrying, or using a gun without a license as herein provided, and to detain such gun in his custody until such time as he can produce the same with the person arrested before a Magistrate competent to try the offence for which such person shall have been arrested.

Power to peace
officer or
headman to
search premises
suspected to
contain
unlicensed guns.

19 It shall be lawful for any peace officer or headman to enter and search all premises of persons suspected of possessing, making, or selling guns without a license as herein provided, and any place, vessel, boat, or conveyance which he reasonably suspects to contain unlicensed guns, and then and there to take charge of and remove any guns which he reasonably suspects to be without a license as herein provided. All guns seized and removed under this section shall be delivered by the peace officer or headman to the officer in charge of the nearest police station.

Jurisdiction of
courts.

20 (1) Subject to the provisions of the following sub-section, every offence under this Ordinance shall be tried in the Police Court having jurisdiction over the division in which such offence is committed, and such court shall have power to impose the maximum fine prescribed by this Ordinance for such offence, notwithstanding that such maximum fine is beyond the ordinary jurisdiction of such court to inflict. And the provisions of sections 63 to 66, both inclusive, of the Ceylon Penal Code shall be applicable to the cases of all convictions under this Ordinance.

(2) The Governor may from time to time, by order in the *Government Gazette*, authorize the Village Tribunals therein named to take cognizance of such of the offences punishable under section 17 as are named in the order; and the Village Tribunals so authorized shall have power, in respect of such offences, to pass sentences not exceeding a fine of twenty rupees, and in default of payment of the fine rigorous imprisonment for a term not exceeding two weeks. No order under this sub-section shall preclude any Police Court from taking cognizance of any offence under this Ordinance.

Half fines to the
informer.

21 It shall be lawful for the court or Village Tribunal, in the case of any conviction under this Ordinance, to direct that any sum not exceeding half the fine actually recovered and realized shall be paid to the informer.

Proof of license
to be on
accused.

22 Whenever any person is charged under the provisions of this Ordinance with having in his custody, or using, carrying, possessing, making, or selling any gun without a license, the proof that such person is licensed shall be on such person; but it shall be lawful for the court to award a reasonable sum in lieu of costs to the accused against any person who has made a vexatious complaint against him, and such sum shall be recoverable in like manner as a fine imposed under the provisions of this Ordinance.

Prosecutions
when barred.

23 No prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance after the lapse of three months from the time at which the offence is alleged to have been committed.

Exemptions.

24 Nothing in this Ordinance contained shall render it necessary for any person employed in the Prisons Department in the custody or supervision of prisoners, or for any person serving in His Majesty's forces, or in any police force, or in any corps of pioneers or volunteers within this Island, to obtain a license in respect of any gun intrusted to or used by any such person in such capacity.

Governor may
exempt from
Ordinance.

25 It shall be lawful for the Governor in his discretion from time to time, by writing under the hand of the Colonial Secretary, to exempt any person or the holder of any office during his tenure of such office from the operation of all or any of the provisions of this Ordinance, and such exemption when made to cancel or revoke.

Power of
Governor to
suspend or
cancel
licenses by
Proclamation.

26 (1) The Governor in Executive Council, whenever it appears necessary for the security of the public peace in any district that licenses to possess and use guns should be cancelled or suspended, may, by Proclamation published in the *Government Gazette*, cancel or suspend for a period to be named in the Proclamation all such licenses held by persons residing in the district.

(2) The Governor in Executive Council may, in any such Proclamation as aforesaid, exempt any person by name or in virtue of his office, or any class of persons from the operation of the Proclamation.

(3) For the purposes of this section the expression "district" means any area the limits of which are defined by the Proclamation issued under this section.

Publication
of Proclamation
in proclaimed
district.

27 (1) After the publication of any such Proclamation, the Government Agent shall cause notice thereof in the language or languages of the district to be posted in the several courts, including the Gansabhawa courts, and in such other places as may secure the greatest publicity thereto, and the said notice shall also be advertised by beat of tom-tom in the district at such places and times as the Government Agent may direct.

(2) Every such notice shall contain a copy or translation of the Proclamation, and shall require all persons possessing guns whether licensed or not to deposit within a period of fifteen days from the date of the notice all guns in their custody or possession with the officer in charge of the nearest police station, or with such other officer as may be named in the notice.

(3) Where, by any Proclamation under the last preceding section, licenses to possess and use guns have been cancelled, all guns which have been deposited in accordance with the last preceding sub-section shall be destroyed in such manner as the Inspector-General of Police shall direct.

(4) Before any gun is destroyed as aforesaid the value thereof shall be appraised by a competent person appointed for the purpose by the Government Agent of the province, and the value thereof shall be paid to the person by whom it was deposited.

SCHEDULE I.

License.

(Section 5.)

A.—License to possess a Gun under Section 5.

No. ——— Stamp, Rs. ———.

A. B., of ———, has this day been licensed to possess and use a
(describe gun) ——— fire, ——— gauge, by ———, No. ———,
marked on the barrel ——— (or as the case may be).

This license expires on the 31st day of December, 19—
Issued the ——— day of ———, 19—.

(Signed) ———,
Licensing Authority.

B.—Form of Certificate under Section 9.

Whereas on the _____ day of _____, 19—, a license to possess and use (*set out terms*) a gun (*describe as in the license*) was granted by _____ to (*licensee*), and it has been proved to my satisfaction that the said license has been destroyed, &c. (*as the case may be*): Now I do hereby grant the said (*licensee*) this certificate, to be in lieu of the said license and of like force and effect.

Given under my hand at _____, this _____ day of _____, 19—.

(Signed) _____,
Licensing Authority.

C.—License to make and sell Guns under Section 11.

No. _____ Stamp, Rs. _____.

A. B., of _____, has this day been licensed to use and exercise the trade or calling of a manufacturer of and dealer in guns at _____.

This license expires on the 31st day of December, 19—.

Issued the _____ day of _____, 19—.

(Signed) _____,
Government Agent.

D.—Form prescribed by Section 12.

Consecutive Number.	Description of Gun, with full particulars, Weight, Number, Maker's Name, and other distinguishing Marks.	Date of Receipt.	How obtained.	Consecutive Number.	Description of Gun, with full particulars, Weight, Number, Maker's Name, and other distinguishing Marks.	Date of Disposal.	Full Name and Residence of Person to whom disposed.	Number of Certificate issued under Section 16.	Name of Salesman.	Signature or Impression of left Thumb of Purchaser.

E.—Certificate of Fitness to possess and carry Guns.

No. _____.

(Section 16.)

To A.B. (*name of transferor*).

This is to certify that C.D. (*name of transferee*), a resident of _____, within the Province of _____, is a fit and proper person to possess and carry guns.

Issued the _____ day of _____, 19—.

(Signed) _____,
Licensing Authority.

Endorsement on Certificate.

1. Race or Nationality _____.
2. Address _____.
3. Profession or Occupation _____.
4. Age _____.
5. Height _____.
6. Hair how arranged _____.
7. Description of hair on face _____.
8. Any permanent peculiarity _____.

SCHEDULE II

(Section 14.)

Section of Penal Code.	Nature of Offence.
296, 297, 300, 301 315 to 324 (inclusive)	.. Culpable homicide, &c. .. Voluntarily causing hurt by dangerous weapons.
367 to 371 (inclusive)	.. Theft, theft of cattle, &c.
373 to 378 (inclusive)	.. Extortion.
380 to 385 (inclusive)	.. Robbery.
394 to 397 (inclusive)	.. Dishonestly receiving stolen property.
411 to 426 (inclusive)	.. Mischief.
433 to 451 (inclusive)	.. Lurking house-trespass, house-breaking, &c.
101 and 490	.. Abetting or attempting in the act of any of the sections specified in this schedule.

Passed in Council the Eleventh day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 32 of 1908.

An Ordinance regulating the Emigration of Natives for the purpose of Employment in certain capacities outside the Island.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to repeal Ordinance No. 5 of 1902, entitled "The Natives' Foreign Employment Ordinance, 1902," and to regulate the employment of natives and residents of the Island for certain services to be performed beyond the limits thereof, and to provide for their due return to the Island on the completion of their term of service: 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 Natives' Emigration and Foreign Employment Ordinance, 1908."

Repeal of Ordinance No. 5 of 1902.

(2) "The Natives' Foreign Employment Ordinance, 1902," is hereby repealed.

Definitions.

2 In this Ordinance, unless the context otherwise requires—
"Emigrant" shall mean a person who, being a native of the Island or for the time being resident in the Island, shall emigrate or be engaged for the purpose of being employed in any exhibition, or in any theatrical, musical, or spectacular performance, or as a servant in any other business, at any place beyond the limits of the Island.

"Employer" shall include every person who engages or endeavours to induce any native or resident of the Island to quit the Island for the purpose of taking part in any exhibition or in any such performance as aforesaid at any place beyond the limits of the Island.

Prohibition
against
embarkation of
emigrant.

3 (1) It shall not be lawful for any emigrant to embark, or for any person to cause, procure, or induce any emigrant to embark, on any ship except with the consent in writing of the Colonial Secretary first had and obtained and after compliance with the requirements of this Ordinance.

(2) The Colonial Secretary shall not grant his consent unless it is proved to his satisfaction that the emigrant, in respect of whom such consent is desired, shall have completed his seventeenth year.

(3) Every application for such consent shall be in writing, and shall state the name in full and age and dwelling place of the emigrant. The application by the employer shall be in the form A in the schedule hereto, and that by the emigrant in the form B in the said schedule.

Engagement of
emigrant to be
in writing.

4 It shall be the duty of every employer, upon engaging an emigrant, to enter into a contract with him in writing, specifying the term of service, the nature of the services to be performed, the place where they are to be performed, the wages or other remuneration to be paid, and any other matter provided for in the agreement between them. Every such contract shall be in the English language, and shall be executed in triplicate, and shall be attested by the Collector of Customs, who shall explain the same or cause it to be explained to the parties thereto. One of the triplicates shall be given to the emigrant, one to the employer, and the other shall be kept by the Collector of Customs of such port.

Pass for
embarkation of
emigrant.

5 (1) It shall be the duty of every emigrant desiring to embark on any ship to apply for and obtain from the Collector of Customs of the port of shipment a pass setting forth the name of the emigrant, the purpose for which he is about to leave the Island, and the port at which he is to land. Every such pass shall be in the form C in the schedule hereto, and shall bear a stamp of the value of ten rupees to be furnished by such emigrant. Such Collector shall preserve a copy of every pass issued by him.

Duty of
employer to
obtain pass.

(2) It shall be the duty of every employer desiring to ship any one or more emigrants on board any ship to apply for and obtain from the Collector of Customs of the port of shipment a pass setting out the names of the emigrants to be shipped, the services they have contracted to perform, the period for which they are to serve, and the port at which they are to be landed. Such pass shall in no case be issued by such Collector until after the execution of the contract required by section 4. Every such pass shall be in the form D in the schedule hereto, and shall bear a stamp of the value of ten rupees to be furnished by such employer. Such Collector shall preserve a copy of every pass issued by him.

(3) The Collector of Customs shall not issue a pass either under sub-section (1) or sub-section (2) unless the consent in writing of the Colonial Secretary is produced before him, and the Collector of Customs shall file a certified true copy of such consent with the copy of the pass kept by him.

Emigrant to
execute bond.

6 (1) Every emigrant shall at the time of his applying for such pass enter into a bond with the Crown, by which he shall bind himself in a penal sum of one hundred and fifty rupees for the repayment by him of any expenditure which may be incurred by the Ceylon Government for his maintenance while away from the Island and the cost of his repatriation, and shall deposit with the Collector of Customs, for the due fulfilment of his bond, a sum of one hundred and fifty rupees. Every such bond shall be in the form E in the schedule hereto, or as near thereto as the circumstances may require, and shall bear a stamp to be supplied by such emigrant of the value of ten rupees, in lieu of any stamp duty chargeable under any Ordinance for the time being in force relating to stamp duties.

Employer to
execute bond.

(2) Every employer shall at the time of his applying for such pass as aforesaid enter with two good and sufficient securities, to be approved by the Collector of Customs, into a joint and several bond with the Crown, by which he shall bind himself in a penal sum calculated at the rate of one hundred and fifty rupees for every emigrant engaged by him to return the emigrants mentioned in such pass at his own cost and charges to the Island at the expiration or sooner determination of their period of service, and shall deposit with the Collector, for the due fulfilment of his bond, a sum calculated at the rate of one hundred and fifty rupees for every emigrant engaged by him and mentioned in such pass. Every such bond shall be in the form F in the schedule hereto, or as near thereto as the circumstances may require, and shall bear a stamp to be supplied by such employer, the amount of which shall be calculated at the rate of ten rupees for each emigrant mentioned therein, in lieu of any stamp duty chargeable under any Ordinance for the time being in force relating to stamp duties.

Master of ship
not to receive
emigrant
without pass.

7 (1) It shall not be lawful for the master of any ship to receive on board his ship any emigrant except upon presentation of a pass in the form hereinbefore provided authorizing the embarkation of such emigrant.

(2) For the purpose of enforcing the provisions of this Ordinance any police officer not below the rank of sergeant may—

(a) Arrest without a warrant any person found on any ship whom he has reasonable cause to believe to be an emigrant who has not complied with the provisions of this Ordinance.

(b) Board any passenger ship, British or foreign, and examine the passenger register, and compel the production of all tickets and passes for inspection.

(3) Any person refusing to allow any such police officer as aforesaid to examine the passenger register or refusing when required thereto to produce for inspection any ticket or pass shall be guilty of an offence, and liable on conviction to the penalty prescribed by section 11 of this Ordinance.

(4) Whenever after the commencement of this Ordinance a third class passenger ticket for any of the ports to which this sub-section applies is issued to a native of Ceylon, it shall be the duty of the person issuing it to forthwith report the issue of such ticket to the nearest police station.

(5) The Governor in Executive Council may, by Proclamation in the *Government Gazette*, declare the ports to which the provisions of sub-section (4) shall apply, and with the like advice may alter, amend, or revoke such Proclamation.

Limitation of
shipment of
domestic
servants.

8 It shall not be lawful for any person to ship any natives of, or persons residing in, the Island in excess of two such natives or residents for service as domestic servants beyond the limits thereof, unless such shipper shall have previously satisfied the Collector of Customs of the port of shipment that such natives or residents are *bona fide* required by him and will be employed by him as domestic servants and not otherwise, and that he will duly return such domestic servants to the Island on the expiration of their respective terms of service, and every such shipper shall sign a declaration in the form G in the schedule hereto before the Collector of Customs.

Collector to
preserve passes,
&c.

9 The Collector of Customs shall preserve carefully in his office all copies of passes issued by him, and all bonds, declarations, and copies of contracts executed under the provisions of this Ordinance.

Power to
Governor to
make rules.

10 The Governor, with the advice of the Executive Council, may from time to time make, and when made revoke or vary, such rules as may be considered necessary for any of the following purposes :

- (a) The inspection and examination of emigrants at the port of shipment by the Port Surgeon or a medical officer to be appointed in that behalf.
- (b) Fixing the fee to be paid to such Port Surgeon or medical officer for every such examination.
- (c) Providing for the return to his native village at his own expense or at the expense of the employer of any emigrant condemned by the Port Surgeon or medical officer as unfit to perform the services or duties required of him.
- (d) Generally carrying out the objects of this Ordinance.

All rules made under this section shall be published by notification in the *Government Gazette*, and shall thereupon become as legal, valid, and effectual as they would have been had they been enacted as part of this Ordinance.

Penalty.

11 Every master of a ship and every employer or emigrant who shall commit any breach of any of the provisions of this Ordinance or of any of the rules made hereunder, and every person who shall fail to comply with the provisions of section 7 (4) of this Ordinance, shall be guilty of an offence punishable with fine, which may extend to one thousand rupees, or with imprisonment of either description which may extend to two years, or with both.

False
declarations.

12 Every person required to make a declaration under the provisions of this Ordinance who shall wilfully make a false declaration in respect of any of the particulars required to be furnished in such declaration shall be guilty of an offence punishable with fine, which may extend to five hundred rupees, or with imprisonment of either description which may extend to one year, or with both.

SCHEDULE.

A.—Employer's Form of Application for Colonial Secretary's Consent.

(Section 3.)

To the Hon. the Colonial Secretary.

I, the undersigned, A. B., having engaged for service the following persons, namely, (1) _____, (2) _____, (3) _____, for the purpose of _____, and being about to convey them from Ceylon, do hereby in terms of section 3 of Ordinance No. _____ of 190— apply for your consent.

And I do hereby solemnly declare that to the best of my knowledge and belief the particulars stated by me below are true and correct, and I do further declare that the said persons, (1) _____, (2) _____, (3) _____, have completed their seventeenth year :—

Names in Full of Emigrants.	Rank or Profession.	Age.	Dwelling Place.	Division and Revenue District.

B.—Emigrant's Form of Application for Colonial Secretary's Consent.

(Section 3.)

To the Hon. the Colonial Secretary.

I, the undersigned, *A. B.*, being desirous of emigrating from Ceylon for the purpose of _____, do hereby in terms of section 3 of Ordinance No. _____ of 190— apply for your consent.

And I do hereby solemnly declare that to the best of my knowledge and belief the particulars stated by me below are true and correct, and I do further declare that I have completed my seventeenth year:—

Name in Full of Emigrant.	Rank or Profession.	Age.	Dwelling Place.	Division and Revenue District.

C.—Pass for Emigrants under Ordinance No. _____ of 190—.

Stamp. (Section 5 (1).)

No. _____, dated at _____, the _____ day of _____, 190—, _____, of _____, an emigrant within the meaning of this Ordinance, is hereby authorized to embark on board the ship _____ in the Port of _____.

Name.	Purpose of Emigration.	Term of Service.	Port at which he is to land.

(Signed) _____
Collector of Customs of the Port of _____.

D.—Pass for employed Emigrants.

Stamp. (Section 5 (2).)

No. _____.

Dated at _____, the _____ day of _____, 190—, _____, of _____, is hereby authorized to ship on board the ship _____ in the Port of _____ the following emigrants —

Name.	Nature of Services to be performed.	Term of Service.	Port at which to be landed.

(Signed) _____
Collector of Customs of the Port of _____.

E.—Emigrant's Bond under Ordinance No. — of 190—.

Stamp.

(Section 6 (1).)

Know all men by these presents that I, *A. B.*, of _____, am held and firmly bound unto Our Sovereign Lord King Edward the Seventh in the sum of Rs. _____, to be paid to Our said Sovereign, his heirs and successors, for which payment well and truly to be made I bind myself and my heirs, executors, and administrators firmly by these presents.

Whereas I, *A. B.*, intend to emigrate for service in _____ for the period of _____ years, commencing on the _____ day of _____, 190—, and am about to proceed to the Port of _____:

The condition of the foregoing obligation is that if I, the said *A. B.*, shall at my own cost and charges forthwith, upon the expiration of the said period of service or other determination of such service, or at any time thereafter, return to this Port, then the said obligation shall be null and void, but if I, the said *A. B.*, shall be repatriated at the cost and expense of the Ceylon Government, or if the Ceylon Government shall incur any expense in and about the maintenance of me, the said *A. B.*, prior to such repatriation or my return to this Port, then and in any such case this obligation shall remain in full force and virtue, and the said sum of Rs. _____ hereby deposited shall be forfeited to His Majesty the King.

Dated at _____, Ceylon, this _____ day of _____, 190—.

Witnesses:

(Signature of Obligor) _____.

F.—Employer's Bond.

Stamp.

(Section 6 (2).)

Know all men by these presents that we, *A. B.* of _____ (employer), and *C. D.* of _____, and *E. F.* of _____ (*sureties*), are held and firmly bound unto Our Sovereign Lord King Edward the Seventh in the sum of Rs. _____, to be paid to Our said Sovereign, his heirs and successors, for which payment well and truly to be made we bind ourselves and every of us jointly and severally, and our heirs, executors, administrators, and every of them firmly by these presents.

And for further and better securing the due performance of the obligations on his part herein contained, the said *A. B.* hereby deposits with the Collector of Customs of the Port of _____, the sum of Rs. _____.

Whereas *A. B.* has engaged for service in _____ for the period of _____ years, commencing on the _____ day of _____, 190—, the following persons, namely, (1) _____, (2) _____, (3) _____, and is about to convey them to the Port of _____:

The condition of the foregoing obligation is that if the said *A. B.*, or his heirs, executors, administrators, shall at his or their own costs and charges forthwith, upon the expiration of the said period of service or other determination of such service, re-convey or cause to be re-conveyed the said emigrants and each of them to this Port, then the said obligation shall be void, but otherwise shall remain in full force and virtue, and the said sum of Rs. _____ shall be forfeited to His Majesty the King.

Dated at _____, Ceylon, this _____ day of _____, 190—.

Witnesses:

(Signatures of Obligors) _____.

G.—Declaration under Ordinance No. — of 190—.

(Section 8.)

Whereas I, _____, of _____, have engaged _____, of _____, and _____, of _____, to serve me as domestic servants in _____ for the period of _____ years, beginning from the _____ day of _____, 190—, and I am about to ship them in the ship _____ for the Port of _____:

I do hereby solemnly, sincerely, and truly declare that the said _____ and _____ are *bona fide* required by me for service as domestic servants, and that I will employ them as such and in no other capacity, and will, on the expiration of their term of service or other determination of such service, return them at my own costs and charges to this Port.

(Signature) _____.

Declared at _____,
this _____ day of _____, 190—.

Before me :

_____,
Collector of Customs, _____.

Passed in Council the Eleventh day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 33 of 1908.

An Ordinance for the better Protection of Hotel Keepers and others against Frauds.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to make better provision for the protection of hotel keepers and others against frauds: 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 Hotel Keepers' Protection Ordinance, 1908."

Penalty for persons who fail to discharge debts to hotel keepers, &c., on demand.

2 (1) Any person who incurs any debt or liability to the keeper or manager of an hotel, inn, resthouse, restaurant, or eating house for food, drink, or lodging shall, unless he gives notice at the time of incurring the same that he will require credit, be deemed to represent that he is and will be able to discharge such debt or liability on demand.

Where any person, having incurred any such debt or liability without giving notice as aforesaid, fails to discharge the same on demand, he shall, unless he satisfies the court that he had no intention to defraud, be guilty of an offence under this Ordinance, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a term not exceeding three months.

(2) Every offence under this Ordinance shall be triable by the Police Court having local jurisdiction, and shall be "non-cognizable" and "bailable" within the meaning of "The Criminal Procedure Code, 1898."

(3) An appeal shall lie to the Supreme Court from every conviction under this section, the provisions of section 335 of "The Criminal Procedure Code, 1898," notwithstanding.

Copy of
Ordinance to be
exhibited in
hotel, &c.

3 No person shall be punishable under this Ordinance, unless, at the time when he incurred the debt or liability in respect of which the charge is made, a copy of this Ordinance was exhibited in some conspicuous place in the hotel, inn, rest-house, restaurant, or eating house.

Passed in Council the Eleventh day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 35 of 1908.

An Ordinance relating to the Ceylon Telegraphs.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend and consolidate the law relating to telegraphs 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:

PART I.—PRELIMINARY.

Short title.

1 (1) This Ordinance may be cited as "The Ceylon Telegraph Ordinance, 1908."

(2) It extends to Ceylon and to any dependency of Ceylon, to which it may be applied either wholly or in part by the Governor in Executive Council by notification in the *Government Gazette*.

Commencement.

(3) It shall come into force on such date as the Governor by notification in the *Government Gazette* shall appoint.

Repeal.

2 The Ordinances mentioned in the schedule hereto are hereby repealed to the extent specified in the third column of that schedule.

But all licenses granted and rules made under these Ordinances or any Ordinance thereby repealed and now in force shall, so far as they could be granted or made under this Ordinance, be deemed to have been respectively granted and made hereunder.

Definitions.

3 In this Ordinance, unless there is something repugnant in the subject or context—

- (1) "Telegraph" means an electric, galvanic, magnetic, or mechanical telegraph, and includes appliances, wires, and apparatus or any combination thereof for making, transmitting, or receiving telegraphic, telephonic, or other communications by means of electricity, galvanism, magnetism, or mechanism with or without wires, and any apparatus or installation for transmitting or receiving messages by means of wireless telegraph;
- (2) "Telegraph officer" means any person employed either permanently or temporarily in connection with a telegraph established, maintained, or worked by the Government or by a person licensed under this Ordinance;
- (3) "Message" means any communication sent by telegraph or given to a telegraph officer to be sent by telegraph or to be delivered;

- (4) "Telegraph line" means a wire or wires used for the purpose of a telegraph, with any casing, coating, tube, or pipe enclosing the same, and any appliances and apparatus connected therewith for the purpose of fixing, insulating, protecting, or earthing the same ;
- (5) "Post" means a post, pole, bracket, standard, stay, strut, or other contrivance for carrying, suspending, or supporting a telegraph line ;
- (6) "Telegraph authority" means the Director of Telegraphs, and includes any officer empowered by him to perform all or any of the functions of the telegraph authority under this Ordinance ;
- (7) "Person or persons" include any limited liability company, or corporation, and any Municipal Council or Local Board of Health and Improvement, and the Nuwara Eliya Board of Improvement.

PART II.

Privileges and Powers of the Government.

Exclusive privilege of establishing, &c., telegraphs. Power of Governor to grant licenses.

4 The Government of Ceylon shall have the exclusive privilege of establishing, maintaining, and working telegraphs within Ceylon and its dependencies.

Provided that the Governor may grant a license, on such conditions and in consideration of such payments as he thinks fit, to any person to establish, maintain, or work a telegraph within any part of Ceylon and its dependencies.

Provided further, that nothing in this section shall preclude any person from establishing telephonic communication between any two or more buildings within the limits of any property belonging to the same owner.

Power of Government to take possession of licensed telegraphs and order interception of messages.

5 (1) On the occurrence of any public emergency, or in the interest of the public safety, the Governor in Executive Council or any officer specially authorized in this behalf by the Governor in Executive Council may—

- (a) Take temporary possession of any telegraph established, maintained, or worked by any person licensed under this Ordinance ; or
- (b) Order that any message or class of messages to or from any person or class of persons or relating to any particular subject brought for transmission by, or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government or an officer thereof mentioned in the order.

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

Power to establish telegraph on land of railway company.

6 Any railway company, on being required so to do by the Governor in Executive Council, shall permit the Government to establish and maintain a telegraph upon any part of the land of the company, and shall give every reasonable facility for working the same, and such company shall not be entitled to demand any compensation therefor.

Power to make rules.

7 (1) The Governor in Executive Council may from time to time, by notification in the *Government Gazette*, make rules consistent with this Ordinance for the conduct of all or any telegraphs established, maintained, or worked by the Government or by persons licensed under this Ordinance.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say :

- (a) The rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted ;
- (b) The precautions to be taken for preventing the improper interception or disclosure of messages ;

(c) The period for which, and the conditions subject to which, telegrams and other documents belonging to, or being in the custody of, telegraph officers shall be preserved; and

(d) The fees to be charged for searching for telegrams and other documents in the custody of any telegraph officer.

(3) When making rules for the conduct of any telegraph established, maintained, or worked by any person licensed under this Ordinance, the Governor in Executive Council may, by the rules, prescribe fines for any breach of the same: Provided that the fines so prescribed shall not exceed the following limits, namely:

(i.) When the person licensed under this Ordinance is punishable for the breach, one thousand rupees, and in the case of a continuing breach a further fine of two hundred rupees for every day after the first during the whole or any part of which the breach continues.

(ii.) When a servant of the person so licensed, or any other person, is punishable for the breach, one-fourth of the amounts specified in clause (i.).

(4) And in default of payment of any fines mentioned in sub-section 3 (1) and (2), the court may impose imprisonment of either description for a term not exceeding six months.

Power to revoke licenses.

8 The Governor in Executive Council may at any time revoke any license granted under section 4 on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

Government not responsible for loss or damage.

9 The Government shall not be responsible for any loss or damage which may occur in consequence of any telegraph officer failing in his duty with respect to the receipt, transmission, or delivery of any message; and no such officer shall be responsible for any such loss or damage unless he causes the same fraudulently or by his wilful act or default.

PART III.

Power to place Telegraph Lines and Posts.

Power for telegraph authority to place and maintain telegraph lines and posts.

10 The telegraph authority may from time to time place and maintain a telegraph line under, over, along, or across, and posts in or upon, any immovable property; and for that purpose it shall be lawful for any officer in the employ of Government in the Telegraph Department, and for the servants, workmen, and labourers employed by or under such officer, at all times on reasonable notice, and with all necessary carriages and animals and other means, to enter upon all or any lands and to put up thereon any posts which may be required for the support of any telegraph line; and to fasten or attach to any tree growing on such land or to any building or thing thereon any bracket or other support for such line; and to cut down any tree or branch which may in any way injure, or which is likely to injure, impede, or interfere with any telegraph line; and also severally to do and perform all other acts, matters, and things necessary for the purposes of establishing, constructing, repairing, improving, examining, altering, or removing any telegraph, or in any way connected therewith, or for performing any act, matter, or thing under the provisions of this Ordinance.

Provided that—

(a) The telegraph authority shall not exercise the powers conferred by this section except for the purposes of a telegraph established or maintained by the Government, or to be so established or maintained;

(b) The Government shall not acquire any right other than that of user only in the property under, over, along, across, in or upon which the telegraph authority places any telegraph line or post;

- (c) Except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or management of any Municipal Council without the permission of the Chairman of the Council; and
- (d) In the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible and, when it has exercised those powers in respect of any property, shall pay reasonable compensation to all persons interested for any damage sustained by them by reason of the exercise of those powers, provided that such persons shall make application for such compensation to the Director of Telegraphs within thirty days after the damage was sustained.

Provisions applicable to Property vested in or under the Control or Management of Municipal Councils.

Power for Municipal Council to give permission under section 10, sub-section (c), subject to conditions.

11 Any permission given by the Chairman of a Municipal Council under section 10, sub-section (c), may be given subject to such reasonable conditions as the Council thinks fit to impose as to the payment of any expenses to which the Council will necessarily be put in consequence of the exercise of the powers conferred by that section, or as to the time or mode of execution of any work, or as to any other thing connected with or relative to any work undertaken by the telegraph authority under those powers.

Power for Municipal Council to require removal or alteration of telegraph line or post.

12 When under the foregoing provisions of this Ordinance a telegraph line or post has been placed by the telegraph authority over, along, across, in, or upon any property vested in or under the control or management of a Municipal Council, and the Municipal Council, having regard to circumstances which have arisen since the telegraph line or post was so placed, considers it expedient that it should be removed, or that its position should be altered, the Chairman of the Municipal Council may require the telegraph authority to remove it or alter its position, as the case may be.

Power to alter position of gas or water pipes or drains.

13 The telegraph authority may for the purpose of exercising the powers conferred upon it by this Ordinance in respect of any property vested in or under the control or management of a Municipal Council alter the position thereunder of any pipe (not being a main) for the supply of gas or water, or of any line, wire, or cable for the supply of electric power, or of any drain (not being a main drain).

Provided that—

- (a) When the telegraph authority desires to alter the position of any such pipe, drain, line, wire, or cable, it shall give reasonable notice of its intention to do so, specifying the time at which it will begin to do so to the Chairman of the Municipal Council, and when the pipe, drain, line, wire, or cable is not under the control of the Municipal Council, to the person under whose control the pipe, drain, line, wire, or cable is;
- (b) The Chairman of a Municipal Council or person receiving notice under sub-section (a) may send a person to superintend the work, and the telegraph authority shall execute the work to the reasonable satisfaction of the person so sent.

Disputes between telegraph authority and Municipal Council.

14 If any dispute arises between the telegraph authority and a Municipal Council in consequence of the Chairman of the Municipal Council refusing the permission referred to in section 10, sub-section (c), or prescribing any condition under section 11, or in consequence of the telegraph authority omitting to comply with a requisition made under section 12 or otherwise in respect of the exercise of the powers conferred by this Ordinance, it shall be determined by the Governor in Executive Council, whose decision shall be final.

Provisions applicable to other Property.

Resistance, &c.,
to exercise of
lawful powers
of telegraph
authority.

15 (1) If any person resists or obstructs, or threatens or attempts to resist or obstruct, the exercise of the powers conferred on the telegraph authority by section 10, he shall be deemed to have committed an offence under section 183 of the Ceylon Penal Code.

Procedure to
determine
sufficiency and
distribution of
compensation.

(2) If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situate, be summarily determined by him.

(3) If any dispute arises as to the persons entitled to receive compensation, or as to the proportions in which the persons interested are entitled to share in it, the telegraph authority may pay into the District Court such amount as he deems sufficient, or where all the disputing parties have in writing admitted the amount tendered to be sufficient, or the amount has been determined under sub-section (2), the amount so admitted or tendered; and the District Judge, after giving notice to the parties and hearing such of them as desire to be heard, shall summarily determine the persons entitled to receive the compensation, or, as the case may be, the proportions in which the persons interested are entitled to share in it.

(4) The cost of all legal proceedings under this section shall be taxed by the District Judge. The telegraph authority shall not be liable to pay any costs unless there is a dispute concerning the sufficiency of the compensation to be paid under section 10; and in such case the telegraph authority shall be liable to pay costs should the amount of compensation determined by the District Judge be more than the amount deemed sufficient by the telegraph authority, unless the court shall be of opinion that the claim of the applicant was so extravagant, or that he was so negligent in putting his claim before the telegraph authority that some deduction from his costs should be made, or that he should pay part of the costs of the telegraph authority.

(5) Every determination of a dispute by a District Judge under sub-section (2), sub-section (3), or sub-section (4) shall be final.

Provided that nothing in this sub-section shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telegraph authority from the person who has received the same.

Removal or
alteration of
telegraph line
or post placed
on private
property.

16 (1) When, under the foregoing provisions of this Ordinance, a telegraph line or post has been placed by the telegraph authority under, over, along, across, in, or upon any property, and any person entitled to do so desires to deal with that property in such a manner as to render it necessary or convenient that the telegraph line or post should be removed to another part thereof or to a higher or lower level or altered in form, he may require the telegraph authority to remove or alter the line or post accordingly.

Provided that, if compensation has been paid under section 10, clause (d), he shall, when making the requisition, tender to the telegraph authority the amount requisite to defray the expense of the removal or alteration.

(2) If the telegraph authority omits to comply with the requisition within a reasonable time, the person making it may apply to the District Judge within whose jurisdiction the property is situate to order the removal or alteration.

(3) A District Judge receiving an application under sub-section (2) may in his discretion reject the same or make an order, absolutely or subject to conditions, for the removal of the telegraph line or post to any other part of the property or to a higher or lower level, or for the alteration of its form, and the order so made shall be final.

Provisions applicable to all Property.

Planting of trees or shrubs likely to injure telegraph line.

17 Whenever a telegraph line has been placed under, over, along, or across any immovable property, no person who, subsequent to the date on which such telegraph line has been so placed, plants any tree or shrub which may be likely in the future to injure, impede, or interfere with such telegraph line, shall be entitled to receive any compensation should such tree or shrub or any branch thereof be cut down under the provisions of section 10.

Provision of Ordinance extended to telegraph lines and posts established before coming into operation of Ordinance.

18 Every telegraph line or post placed before the passing of this Ordinance under, over, along, across, in, or upon any property for the purposes of a telegraph established or maintained by the Government, shall be deemed to have been placed in exercise of the powers conferred by, and after observance of all the requirements of, this Ordinance.

PART IV.

Stamps.

Stamps.

19 (1) The Governor in Executive Council shall cause stamps to be provided of such kinds and denoting such values as he may think necessary for the purpose of this Ordinance.

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

Stamps provided under the preceding sub-section shall be deemed to be stamps issued by Government for the purpose of revenue within the meaning of the Ceylon Penal Code.

PART V.

Penalties.

Penalty for establishing, &c., a telegraph line without or contrary to the conditions of a license.

20 If any person establishes, maintains, or works a telegraph within Ceylon, otherwise than as permitted by a license granted under section 4, or breaks any condition contained in such a license, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the line is maintained or worked or the breach of the condition continues, and in default of payment of any fine imposed under this section with imprisonment of either description for a term not exceeding six months.

Penalty for using, &c., telegraph line established, &c., without or contrary to the conditions of a license.

21 If any person, knowing or having reason to believe that a telegraph has been established or is maintained or worked in contravention of this Ordinance, transmits or receives any message by such telegraph, or performs any service incidental thereto, or delivers any message for transmission by such telegraph, or accepts delivery of any message sent thereby, he shall be punished with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description for a term not exceeding three months.

Opposing establishment of telegraphs on railway land.

22 If a railway company, or an officer of a railway company, neglects or refuses to comply with the provisions of section 6, it or he shall be punished with fine which may extend to one thousand rupees for every day during which the neglect or refusal continues.

Penalty for intruding into a telegraph office or premises or obstructing telegraph officer.

23 If any person—

- (a) Without permission of competent authority, enters the signal room of a telegraph office of the Government or of a person licensed under this Ordinance; or
- (b) Enters a fenced enclosure round such a telegraph office in contravention of any rule or notice not to do so; or
- (c) Refuses to quit such room or enclosure on being requested to do so by any officer or servant employed therein; or
- (d) Wilfully obstructs or impedes any such officer or servant in the performance of his duty;

he shall be punished with fine which may extend to one hundred rupees, and in default of payment to imprisonment of either description for a term not exceeding three months.

Penalty if intrusion, &c., with intent to learn contents of telegraph message.

24 If any person does any of the acts mentioned in section 23 with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Ordinance, he may (in addition to the fine with which he is punishable under section 23) be punished with imprisonment of either description for a term which may extend to six months.

Penalty for intentionally damaging or tampering with telegraphs.

25 If any person, intending—

- (a) To prevent or obstruct the transmission or delivery of any message; or
- (b) To intercept or to acquaint himself with the contents of any message; or
- (c) To commit mischief—

damages, removes, tampers with, or touches any battery, machinery, telegraph line, post, or other thing whatever being part of or used in or about any telegraph or in the working thereof, he shall be punished with imprisonment of either description for a term which may extend to three years, or with fine not exceeding five hundred rupees, or with both.

Penalty for altering, detaining, or divulging contents of message.

26 If any telegraph officer or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office—

- (a) Wilfully secretes, makes away with, or alters any message which he has received for transmission or delivery; or
- (b) Wilfully and otherwise than in obedience to an order of the Governor in Executive Council or of an officer specially authorized by the Governor in Executive Council to make the order omits to transmit, or intercepts, or detains any message or any part thereof, or otherwise than in pursuance of his official duty or in obedience to the direction of a competent court discloses the contents or any part of the contents of any message to any person not entitled to receive the same; or
- (c) Divulges the purport of any telegraphic signal to any person not entitled to become acquainted with the same;

he shall be punished with imprisonment of either description for a term which may extend to three years, or with fine not exceeding five hundred rupees, or with both.

Transmission of unpaid messages prohibited.

27 If any telegraph officer transmits by telegraph any message on which the charge prescribed by the Government or by a person licensed under this Ordinance, as the case may be, has not been paid, intending thereby to defraud the Government or that person, he shall be punished with imprisonment of either description for a term which may extend to three years, or with fine not exceeding five hundred rupees, or with both.

Penalty for misconduct of a telegraph officer.

28 If any telegraph officer, or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office, is guilty of any act of drunkenness, carelessness, or other misconduct

whereby the correct transmission or the delivery of any message is impeded or delayed, or if any telegraph officer loiters or delays in the transmission or delivery of any message, he shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.

Penalty for sending false or fabricated message.

29 If any person transmits or causes to be transmitted or tenders or causes to be tendered to any telegraph officer for transmission by telegraph a message which he knows to be false or fabricated, he shall be punished with imprisonment of either description for a term which may extend to three years, or with fine not exceeding five hundred rupees, or with both. The burden of proving that he did not know any message to be false or fabricated shall lie on the person charged under this section.

Penalty for retaining message delivered by mistake.

30 If any person fraudulently retains, or wilfully secretes, makes away with, or detains a message which ought to have been delivered to some other person, or being required by a telegraph officer to deliver up any such message neglects or refuses to do so, he shall be punished with imprisonment of either description for a term which may extend to two years, or with fine not exceeding five hundred rupees, or with both.

Bribery.

31 A telegraph officer shall be deemed a public servant within the meaning of sections 158, 159, 160, 161, and 162 of the Ceylon Penal Code; and in the definition of "legal remuneration" contained in the said section 158 the word "Government" shall, for the purposes of this Ordinance, be deemed to include a person licensed under this Ordinance.

Penalty for negligently injuring telegraph line.

32 If any person shall rashly or negligently, or without lawful excuse, the burden of proving which shall lie on him, do any act which shall cause or be likely to cause damage or injury to any telegraph line, cable, or post, or hinder or delay the transmission of any message by any telegraph, he shall be liable to a fine not exceeding fifty rupees, and in default of payment to imprisonment of either description for a term not exceeding three months.

Penalty for tendering obscene or indecent or seditious message.

33 If any person sends or tenders or makes over, in order to be sent by telegraph, any message of an indecent, obscene, seditious, scurrilous, threatening, or grossly offensive character, he shall be punishable with imprisonment of either description which may extend to six months, or fine not exceeding one hundred rupees, or both.

Penalty for attempting to commit offences.

34 Whoever attempts to commit any offence punishable under this Ordinance shall be punished with the punishment herein provided for the offence.

Penalties for breach of rules.

35 Whoever commits any breach of any rule made by the Governor in Executive Council under section 19 (2) shall be liable on conviction to a fine not exceeding fifty rupees, and in default of payment to imprisonment of either description for a term not exceeding three months.

PART VI.

Supplemental Provisions.

Liability of addressee to pay charges.

36 The addressee of any message, on which any sum chargeable under this Ordinance or rules thereunder is due, shall, unless he forthwith returns it unopened, be bound to pay the sum so chargeable on his accepting delivery of the message.

Liability of sender to pay charges.

37 If any message on which any sum chargeable under this Ordinance or rules thereunder 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 sum due thereon under this Ordinance.

Procedure for recovery of charges.

38 If any person refuses to pay any sum due from him under this Ordinance in respect of any message, the sum so due may, on an application made by a telegraph officer authorized in this behalf by the written order of the telegraph authority,

be recovered for the use of His Majesty 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 the telegraph authority may further direct that any other message, 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.

Proof, refusal,
&c., of
message.

39 In every proceeding for the recovery of any sum alleged to be due under this Ordinance in respect of a message:

- (a) The production of a statement signed by a telegraph officer that the message has been refused, or that the addressee is dead or cannot be found, shall be *primâ facie* evidence of the fact so stated; and
- (b) The person from whom the message purports to have come shall, until the contrary is proved, be deemed to be the sender thereof.

Proof of sum
due.

40 The production of a statement signed by a telegraph officer that any sum is due in respect of any message to the telegraph authority of Ceylon or to the telegraph authority of the United Kingdom or of any British possession or foreign country shall be *primâ facie* evidence that the sum denoted as aforesaid is so due.

Trial of
offences.

41 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 by 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 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 tried by 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.

Saving of
Wireless
Telegraphy
Ordinance, 1903.

42 Nothing in this Ordinance shall affect "The Wireless Telegraphy Ordinance, 1903," which shall continue, after the commencement of this Ordinance, to be in full force and effect.

SCHEDULE.

No. and Year.	Short Title.	Extent of Repeal.
16 of 1882 ..	"The Telephone Ordinance, 1882"	The whole.
13 of 1892 ..	"The Ceylon Postal and Telegraph Ordinance, 1892"	So much as is not already repealed.

Passed in Council the Eighteenth day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 36 of 1908.

An Ordinance to amend "The Medical Registration
Ordinance, 1905."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Medical Registration Ordinance, 1905" (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,
Construction.

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

Addition of new
sections.

2 The following sections shall be added after section 20 of the principal Ordinance and shall be numbered 21 and 22:

21. Notwithstanding anything in this Ordinance, it shall not be unlawful for the following persons to practise medicine and surgery for gain:—

Government
apothecaries.

(a) Any Government apothecary actually employed in the Public Service as an apothecary.

Estate
dispensers.

(b) Any estate dispenser appointed by a superintendent to an estate or group of estates with the approval of the Principal Civil Medical Officer, but only during the time he is actually so employed.

Women medical
missionaries.

22. (1) The Council, on being satisfied that any lady belonging or attached to any missionary body or society possesses the requisite knowledge and skill for the medical treatment of women and children, may grant permission to such person to practise medicine and midwifery as a woman medical missionary as regards the treatment of women and children, but not otherwise. Such permission shall not authorize the person to whom it is granted to practise medicine for gain or elsewhere than at the place or places named therein.

(2) The Council may at its discretion cancel any permission granted under this section.

Passed in Council the Eighteenth day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 37 of 1908.

An Ordinance to amend "The Criminal Procedure Code, 1898."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Criminal Procedure Code, 1898" (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 Criminal Procedure Code (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance, and shall come into force on such date as the Governor may, by Proclamation in the *Government Gazette*, appoint.

Commencement. 2 For chapter XII. of the principal Ordinance the following chapter shall be substituted, namely :

Substitution of a new chapter for chapter XII. of "The Criminal Procedure Code, 1898."

CHAPTER XII.

Information to Police Officers and Inquirers and their Powers to Investigate.

Appointment of inquirers. 120. The Governor may appoint any person by name or office to be an inquirer for any area the limits of which shall be specified in such appointment.

Information in cognizable cases. 121. (1) Every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station or to an inquirer, shall be reduced to writing by him or under his direction and be read over to the informant ; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and a copy thereof shall be entered in a book, hereinafter referred to as "The Information Book," to be kept by such officer or inquirer in such form as the Governor may prescribe in this behalf.

Procedure where cognizable offence suspected.

(2) If from information received or otherwise an officer in charge of a police station or inquirer has reason to suspect the commission of a cognizable offence, he shall forthwith send a report of the same to the Police Court having jurisdiction in respect of such offence, or, in the case of an officer in charge of a police station, to his own immediate superior, and shall proceed in person to the spot to investigate the facts and circumstances of the case and to take such measures as may be necessary for the discovery and arrest of the offender.

Provided that an officer in charge of a police station may depute one of his subordinate officers to proceed to the spot to make such investigation and take such measures as may be necessary for the discovery and arrest of the offender, or if it appear to him that there is no sufficient ground for entering on an investigation he shall not be bound to investigate the case.

Power to police officer or inquirer to require attendance of persons able to give information.

(3) Any police officer or inquirer making an investigation under this chapter may by order in writing require the attendance before himself of any person being within the limits of the station of such police officer or any adjoining station or within the local limits of the jurisdiction of such inquirer who, from the information given or otherwise, appears to be acquainted with the circumstances of the case, and such person shall attend as so required.

If any person when required to attend by an inquirer refuses or fails to do so, the inquirer may thereupon in his discretion issue a warrant to secure the attendance of such person as required by such order as aforesaid.

Examination of witnesses by police or inquirer.

122. (1) Any police officer or inquirer making an inquiry under this chapter may examine orally any person supposed to be acquainted with the facts and circumstances of the case and shall reduce into writing any statement made by the person so examined, but no oath or affirmation shall be administered to any such person, nor shall the statement be signed by such person. If such statement is not recorded in the Information Book, a true copy thereof shall as soon as may be convenient be entered by such police officer or inquirer in the Information Book.

(2) Such person shall be bound to answer truly all questions relating to such case put to him by such officer other than questions which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.

Statements to police or inquirer not to be admitted in evidence.

(3) No statement made by any person to a police officer or an inquirer in the course of any investigation under this chapter shall be used otherwise than to prove that a witness made a different statement at a different time, or to refresh the memory of the person recording it. But any criminal court may send for the statements recorded in a case under inquiry or trial in such court and may use such statements or information, not as evidence in the case, but to aid it in such inquiry or trial. Neither the accused nor his agents shall be entitled to call for such statements, nor shall he or they be entitled to see them merely because they are referred to by the court; but if they are used by the police officer or inquirer who made them to refresh his memory, or if the court uses them for the purpose of contradicting such police officer or inquirer, the provisions of "The Ceylon Evidence Ordinance, 1895," section 161 or section 145, as the case may be, shall apply.

Nothing in this sub-section shall be deemed to apply to any statement falling within the provisions of section 32 (1) of "The Ceylon Evidence Ordinance, 1895," or to prevent such statement being used as evidence in a charge under section 180 of the Ceylon Penal Code.

No inducement to be offered.

123. No inquirer or police officer shall offer or make or cause to be offered or made any inducement, threat, or promise to any person charged with an offence to induce such person to make any statement with reference to the charge against such person. But no inquirer or police officer shall prevent or discourage by any caution or otherwise any person from making in the course of any investigation under this chapter any statement which he may be disposed to make of his own free will.

Search by police officer or inquirer.

124. Whenever any officer in charge of a police station or an inquirer making an investigation in a cognizable case considers that the production of any document or thing is necessary to the conduct of the investigation, and there is reason to believe that a person to whom summons or order under section 66 has been or might be issued will not produce such document or other thing as directed in the summons or order, or when such document or other thing is not known to be in the possession of any person, such officer or inquirer may search or cause search to be made for the same in any place.

(2) Such officer or inquirer shall if practicable conduct the search in person.

(3) If he is unable to conduct the search in person and there is no other person competent to make the search present at the time, he may require any headman to make the search, and he shall deliver to such headman an order in writing specifying the document or other thing for which search is to be made and the place to be searched, and such headman may thereupon search for such thing in such place.

(4) The provisions of this Code as to search warrants and searches thereunder shall so far as may be apply to a search made under this section.

Duty of subordinate officer to report to officer in charge of station.

125. When any subordinate police officer has made any investigation under this chapter, he shall report the result of such investigation to the officer in charge of the police station.

Release of accused if evidence deficient.

126. If upon an investigation under this chapter it appears to the officer in charge of the police station or the inquirer that there is not sufficient evidence or reasonable ground of suspicion to justify the forwarding of the accused to a Police Court, such officer or inquirer shall if such person is in custody release him on his executing a bond with or without sureties as such officer or inquirer may direct to appear if and when so required before a Police Court having jurisdiction to try or inquire into the offence.

Duty of officer or inquirer to forward case to a Police Court, if evidence sufficient.

127. (1) If upon an investigation under this chapter it appears to the officer in charge of the police station or the inquirer that there is sufficient evidence or reasonable ground as aforesaid, such officer or inquirer shall forward the accused under custody before a Police Court having jurisdiction in the case, or, if the offence is bailable and the accused is able to give security, shall take security from him for his appearance before such court.

When the officer in charge of a police station or an inquirer forwards an accused person before a Police Court or takes security for his appearance, he shall send to such court any weapon or other article which it may be necessary to produce before such court, and shall require the complainant (if any) and so many of the persons who appear to such officer or inquirer to be acquainted with the circumstances of the case as he may think necessary to execute a bond to appear before a Police Court therein named and give evidence in the matter of the charge against the accused.

(2) The officer or inquirer in whose presence the bond is executed shall send such bond to the Police Court.

(3) If any complainant or witness refuses to execute such bond, such officer or inquirer shall report the same to the Police Court, which may thereupon in its discretion issue a warrant or summons to secure the attendance of such complainant or witness before itself to give evidence in the matter of the charge against the accused.

Additional powers of inquirers.

128. Every inquirer shall, in addition to the powers herein-before mentioned within the local limits of his jurisdiction, have the following powers :

- (a) Power to arrest or direct the arrest in his presence of any offender.
- (b) Power to issue a warrant or to order the removal of an accused person arrested under a warrant.

Powers of police officers and inquirers in non-cognizable cases.

129. (1) Every inquirer and police officer shall have power, upon receiving an order from a Police Magistrate, to investigate a non-cognizable offence and to exercise all the powers conferred upon them by this chapter in respect of such investigation.

(2) Subject to the provisions of section 37, every inquirer and officer in charge of a station shall have power to authorize the detention of a person during an investigation.

Magistrate may withdraw case from inquirer.

130. Any Magistrate having jurisdiction to hold an inquiry into any offence which is being investigated by an inquirer may withdraw the case from such inquirer and himself inquire into and try such case or commit the same for trial.

Report of inquirer and police officer.

131. Every investigation under this chapter shall be completed without unnecessary delay, and as soon as it is completed the officer in charge of the police station or inquirer making the same shall forward to the Police Court within whose division such investigation was made a report in the prescribed form.

Powers of this chapter to be cumulative.

132. Nothing in this chapter contained shall be construed to restrict the powers or duties vested in or imposed on police officers by this Code or any other enactment.

Addition of sub-section to section 161 of principal Ordinance.

3 The following sub-section shall be added to section 161 of the principal Ordinance and shall be numbered (4) :

(4) The Attorney-General may add the names of any witnesses examined under this section to the list of witnesses in the indictment, and if any document or things are produced may add them to the list of productions. A copy of the lists as amended shall be served on the accused.

Addition of a proviso to section 256.

4 The following proviso shall be added at the end and in continuation of section 256 of the principal Ordinance, namely :

Provided that the Governor may from time to time, by Proclamation in the *Government Gazette*, exempt the residents of any circuit or district, who being members of a Volunteer Corps have attended a camp of exercise for the period named in the Proclamation and have attained the standard of efficiency therein prescribed, from service as jurors during the year following that in which they have so attended a camp of exercise and become efficient as aforesaid. The Governor may in like manner revoke and cancel any such Proclamation.

Amendment of section 290.

5 (1) The words " or the loss or damage " shall be inserted after the word " hurt " and before the word " was " in the third line of sub-section (2) of section 290 of the principal Ordinance.

(2) In section 290 of the principal Ordinance the following additions shall be made to the enumeration, in Part B of the table, of offences compoundable with the consent of the Attorney-General, namely :

(a) In the first column, under the heading " Offences," there shall be added at the foot of the column the words—

" Mischief by killing or maiming any animal of the value of ten rupees.

" Mischief by killing or maiming cattle, &c., or any animal of the value of fifty rupees."

(b) In the second column, under the head " Section of Penal Code applicable," there shall be added the figures 411, 412.

Amendment of tabular statement of offences in Schedule II.

6 The tabular statement of offences in schedule II. of the principal Ordinance shall be amended in the following particulars :

(1) In the statement relating to section 291 of the Ceylon Penal Code, the words " Imprisonment of either description for one year or fine or both " shall be substituted for the word " same " in the seventh column.

(2) Immediately after the statement relating to section 362 of the said Penal Code there shall be inserted the statement in the schedule to this Ordinance relating to sections 362 (a), 362 (b), 362 (c), and 362 (d) of the said Code.

(3) The statement relating to section 364 of the said Code shall be expressed as in the schedule to this Ordinance.

(4) In the statement relating to section 382 of the said Code, the words " District Court " shall be inserted in the eighth column.

(5) In the statement relating to section 411 of the said Code the word " same " shall be substituted for the words " not compoundable " in the sixth column.

(6) In the statement relating to section 412 of the said Code the words " Police Court " shall be inserted in the eighth column immediately after the words " District Court."

(7) In the statement relating to section 413 of the said Code the words " not compoundable " shall be substituted for the word " same " in the sixth column.

(8) In the statement relating to offences against other law the words " section 11 " shall be substituted for the words " section 12 " in the eighth column.

Section.	Offence.	Whether Peace Officer may arrest without warrant or not.	Whether warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Whether compoundable or not.	Punishment under the Penal Code.	By what Court other than Supreme Court triable.
362 (a)	Cohabitation caused by a man deceitfully inducing a belief of lawful marriage	Shall not arrest without warrant	Warrant ..	Bailable ..	Not compoundable	Imprisonment of either description for ten years, and fine	
362 (b)	Bigamy ..	Same ..	Same ..	Same ..	Same ..	Imprisonment of either description for seven years, and fine	
362 (c)	Bigamy with concealment of former marriage	Same ..	Same ..	Same ..	Same ..	Imprisonment of either description for ten years, and fine	
362 (d)	Going through marriage ceremony with fraudulent intention	Same ..	Same ..	Same ..	Same ..	Imprisonment of either description for seven years, and fine	
364	Rape ..	May arrest without warrant	Same ..	Not bailable..	Same ..	Imprisonment of either description for twenty years, and fine and whipping in addition	

Passed in Council the Eighteenth day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

H. L. CRAWFORD,
Acting Colonial Secretary.

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

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

No. 39 of 1908.

An Ordinance to amend in certain particulars Ordinance No. 10 of 1844, intituled "An Ordinance to amend the Law relating to the Distillation and Sale of Arrack, Rum, and Toddy within these Settlements."

HENRY McCALLUM.

Preamble.

WHEREAS it is expedient to amend in certain particulars Ordinance No. 10 of 1844, intituled "An Ordinance to amend the Law relating to the Distillation and Sale of Arrack, Rum, and Toddy within these Settlements (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.
Construction.

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

Substitution of
new section for
section 38 of
Ordinance No. 10
of 1844.
License to
retail toddy.

2 For section 38 of the principal Ordinance the following section shall be substituted, namely:

38. No person shall sell any toddy by retail, that is to say, in any less quantity at any one time than fifteen gallons, without having first obtained a license for that purpose, as near as is material to the form F hereto annexed, from the Government Agent of the province in which such sale by retail is intended to be carried on, or unless he be acting for and by the authority and for the benefit of and in conformity with the license granted to such retail dealer, which license shall be in force on and from the day on which the same shall be granted until the thirty-first day of December next thereafter, inclusive.

Amendment
of form in
schedule.

3 For the form which was substituted by Ordinance No. 3 of 1894 for form F of the principal Ordinance the form in the schedule hereto shall be substituted:

SCHEDULE.

License to Retail Toddy.

This is to certify that I, _____, Government Agent for the _____ Province, do hereby license _____ to sell toddy by retail, from the _____ day of _____, One thousand Nine hundred and _____, to the Thirty-first day of December, One thousand Nine hundred and _____, inclusive, at the tavern No. _____, situated at _____, and at no other place, on condition that the said _____ shall sell toddy at the price of _____ per imperial gallon, and in proportion for any lesser quantity, and at no other prices whatsoever.

Signed this _____ day of _____, 190—.

Government Agent.

Passed in Council the Twentieth day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

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

No. 41 of 1908.

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.

HENRY MCCALLUM.

Preamble. **W**HEREAS 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, 1908."

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 *Government Gazette*, 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.

Passed in Council the Twentieth day of November, One thousand Nine hundred and Eight.

A. G. CLAYTON,
Clerk to the Council.

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

H. L. CRAWFORD,
Acting Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Wickremeachchi No. 3,219. Appuhamillage Don William Appuhamy of Yatawaka, deceased.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on December 15, 1908, in the presence of Messrs. R. F. de Saram & Son, Proctors, on the part of the petitioner Wickremeachchi Appuhamillage Don Cornelis Appuhamy of Yatawaka; and the affidavits (1) of the said petitioner dated December 7, 1908, and (2) of E. S. L. Dassanayake, Notary Public, dated December 8, 1908, and the two witnesses dated December 5, 1908, having been read:

It is ordered that the will of Wickremeachchi Appuhamillage Don William Appuhamy of Yatawaka, deceased, dated August 25, 1908, and now deposited in this court be, and the same is hereby declared proved; and it is further declared that the said Wickremeachchi Appuhamillage Don Cornelis Appuhamy of Yatawaka is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

F. M. DE SARAM,
District Judge.

December 15, 1908.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Balapuwaduge Hendrick Mendis of Laxapatiya in Moratuwa, deceased. No. 3,221.

Merennege Solomon Fernando of Idama, in Moratuwa Petitioner.

And

(1) Wannakuwattewaduge Nettolia Fernando, (2) Balapuwaduge William Martin Mendis, (3) Kaluboowillage Joseph Fernando, all of Laxapatiya, Moratuwa Respondents.

THIS matter coming on for disposal before F. M. de Saram, Esq., District Judge of Colombo, on December 15, 1908, in the presence of Mr. W. A. de Mel, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated December 3, 1908, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled, as a relative 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 January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

F. M. DE SARAM,
District Judge.

December 15, 1908.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. C. Parsons *alias* Thampar Ayaturai of Araly East, deceased. No. 2,067.

Chinnathangam, widow of C. Parsons *alias* Thamper Ayaturai of Araly East. Petitioner.

Vs.

Thampoe Kandiah Parsons of Araly East Respondent

THIS matter of the petition of Chinnathangam, widow of C. Parsons *alias* Thamper Ayaturai, praying for letters of administration to the estate of the above-named deceased, C. Parsons *alias* Thampar Ayaturai, coming on for disposal before R. N. Thaine, Esq., District Judge, on December 8, 1908, in the presence of Messrs. Sivapirakasam and Katiresu, Proctors, on the part of the petitioner; and affidavit of the petitioner dated February 20, 1908, having been read: It is declared that the petitioner is 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 January 8, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

December 8, 1908.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate and Jurisdiction. Effects of Kannapper Sinnatamby, late of Navatkuda. No. 541.

Muttupillai Kanapathipillai of Kokkuvil. Petitioner.

Vs.

(1) Sinnatamby Vyramuttu of Kokkuvil,
(2) Sinnatamby Vyrathi of Kokkuvil, minors by their guardian *ad litem*,
(3) Konapper Thambimuttu of Urani Respondents.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge, Batticaloa, on December 5, 1908, in the presence of Mr. J. T. Tambyrajah, Proctor, on the part of the petitioner; and his affidavit dated November 18, 1908, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled, as the brother-in-law 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 January 7, 1909, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
District Judge.

December 5, 1908.

NOTICES OF INSOLVENCY.

In the District Court of Jaffna.

No. 56.

In the matter of the insolvency of Vellair Ravuthar Kuppaipichchai Ravuthar of Vannarponnai East.

WHEREAS Vellair Ravuthar Kuppaipichchai Ravuthar has filed a declaration of insolvency, and Mukaiteenpichchai Nakurtamby a petition for the sequestration of the estate of Vellair Ravuthar Kuppaipichchai Ravuthar under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Vellair Ravuthar Kuppaipichchai Ravuthar insolvent accordingly; and that two public sittings of the court, to wit, on February 19, 1909, and on March 5, 1909, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

R. KANTAIYAH,
Secretary.

December 22, 1908.

In the District Court of Jaffna.

No. 57.

In the matter of the insolvency of Venasittamby Thuraiappa of Vannarponnai East.

WHEREAS Venasittamby Thuraiappa has filed a declaration of insolvency, and Veloo Nakalingam a petition for the sequestration of the estate

of Venasittamby Thuraiappa under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Venasittamby Thuraiappa insolvent accordingly; and that two public sittings of the court, to wit, on February 19, 1909, and on March 5, 1909, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

R. KANTAIYAH,
Secretary.

December 22, 1908.

In the District Court of Kegalla.

No. 36.

In the matter of the insolvency of Velaithan, head kangany of Atale estate, presently of Urumiwala estate.

NOTICE is hereby given that the meeting of the creditors of the above-named insolvent fixed for the sitting of this court on December 15, 1908, has been adjourned for January 18, 1909.

By order of court,

C. P. W. GUNASEKERA,
Secretary.

Kegalla, December 29, 1908.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Kana Runa Muna Pana Nawana Narayanan Chetty of Sea street, Colombo... Plaintiff.

No. 26,656. Vs.

Muna Kawana Uduma Lebbe Ma'rikar of Maggona..... Defendant.

NOTICE is hereby given that on Saturday, January 23, 1909, at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 1,801.25 with interest thereon at 9 per cent. per annum from April 9, 1908, till payment in full, viz. :—

1. $3\frac{1}{10}$ share of the soil and of the trees and the tiled house wherein the defendant resides standing thereon, of the land called Godayartotam belonging to the defendant, situate at Maggona in Maggonbadda of the Kalutara totamune, in the District of Kalutara: and bounded on the north by Palliyewatta, east also by Palliyewatta, south by Kandewatta, and on the west by Molkawewatta; in extent about 2 acres more or less.

2. $3\frac{1}{10}$ share of the entire soil and of the remaining trees with the planter's $\frac{1}{4}$ share of the trees of the 1st, 2nd, and 3rd plantations and the tiled house standing thereon of the garden called Kotuwaselwatta, in extent of about $1\frac{1}{2}$ acre more or less, situate at Maggona, and bounded on the north by Wellayawatta and Palliyewatta, east by Kotuwaselwatta belonging to

Ahamado Lebbe Samci Lebbe and others, south by land possessed by Don Davith Patabendirala, and on the west by the Kotuwaselwatta belonging to Don Davith Patabendirala.

B. P. J. GOMES,
Deputy Fiscal.

Deputy Fiscal's Office,
Kalutara, December 23, 1908.

Northern Province.

In the District Court of Jaffna.

Ravavna Mana Veeanna Ana Cheena Sivanadiyan Cheddy of Vannarponnai... Plaintiff.

No. 6,086. Vs.

Appukkuddy Arunasalam of Analaitive... Defendant.

NOTICE is hereby given that on Saturday, January 23, 1909, at 10 o'clock in the forenoon, will be sold by public auction the following property hypothecated to the plaintiff, and decreed to be sold by decree entered in the above action for the recovery of Rs. 1,467.75 with interest on Rs. 1,000 at the rate of 12 per cent. per annum and on Rs. 208.75 at 18 per cent. per annum from August 10, 1908, until payment in full, and costs of suit being Rs. 121.60 and charges, viz. :—

A piece of land situated at Vannarponnai East called Cheddythalvu; containing or reputed to contain in extent 8 lachams of varagu culture with houses, well, and plantations; bounded or reputed to be

bounded on the east by the property of Sithamparam daughter of Murukesu and by lane, north by the property of Sinnatankam, widow of Sinniah and others, west by the property of Arumukam Kanagasabai and front of by-lane and by the property of Meenadchi, wife of Vallipuram, and on the south by the property of Nachippillai, wife of Vyramuttu and shareholders.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, December 21, 1908.

Southern Province.

In the District Court of Galle.

Endoris de Silva Balasooriya of Matara. Plaintiff.

No. 7,973. Vs.

Malliyawadu Carlina de Silva, widow of David Henry de Silva, deceased, of Ambalangoda, and others Defendants.

NOTICE is hereby given that on Saturday, January 30, 1909, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. Seven-eighth parts of all the soil and trees of the land called Jambugahahenawela, in extent 6 acres 2 roods and 16 perches, situate at Nawadagala in Bentota.
2. Seven-eighth parts of all the soil and trees of Walelamananebedda, in extent 6 acres 1 rood and 24 perches, at Nawadagala in Bentota.
3. Seven-eighth parts of all the soil and trees of Welelamananebela, at Nawadagala in Bentota.
4. Seven-eighth parts of Galpotttekumbura, in extent 5 acres and 2 roods, at Nawadagala in Bentota.
5. Seven-eighth parts of the soil and trees of Jambugahahenaparalangaowita, in extent 2 acres and 6 perches, at Nawadagala in Bentota.
6. Seven-eighth parts of all the soil and trees of Medawela, in extent 10 acres and 34 perches, at Nawadagala in Bentota.

Writ amount Rs. 1,703.49½, and interest on Rs. 1,375 at 9 per cent. from October 24, 1905, and poundage, less Rs. 1,753.66.

C. T. LEEMBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, December 22, 1908.

In the District Court of Galle.

Abraham Dias Jayasundara of Galle. Plaintiff.

No. 8,330. Vs.

Clifton Amarasiri Gunawardena of house No. 109, Ferry street, Ferry-side, Colombo. Defendant.

NOTICE is hereby given that on Monday, January 25, 1909, commencing at 12 o'clock in the noon, will be sold by public auction, at this office the following mortgaged property, viz. :—

1. All that mortgage bond No. 16,642, dated October 31, 1899, and executed before Don Bastian de Silva Samarasinha, Notary, and signed by Gonsaludura Cornelis de Silva, Kandanda Allinahami, Urageha Nandris Appu, wife of Gonsaludura Owiliashami *alias* Anohami, all of Dadalla, in securing a debt of Rs. 850 and interest thereon at 18 per cent. per annum from the date of the said bond.

2. All that mortgage bond No. 16,726, dated January 6, 1900, and executed before the same Notary and made by Gonsaludura Cornelis de Silva and wife Kandanda Allinahami, both of Dadalla, in securing a debt of Rs. 150 with interest thereon at 18 per cent. per annum from the date of the said bond.

3. All that mortgage bond No. 16,850, dated March 27, 1900, and executed before the same Notary and made by Gonsaludura Cornelis de Silva, children Gonsaludura Jayaliashami, husband Urageha Nandoris de Silva, Gonsaludura Jorishami *alias* Omarias Hami, husband Handunnetti James de Silva, all of Dadalla, and securing a debt of Rs. 150 with interest at 18 per cent.

Writ amount Rs. 1,303.29 with interest on Rs. 1,102.42 at 9 per cent. from December 18, 1906.

C. T. LEEMBRUGGEN,
Fiscal's Office, for Fiscal.
Galle, December 22, 1908.

In the District Court of Galle.

A. R. A. R. S. M. Ramanathan Chetty of India. Plaintiff.

No. 8,816. Vs.

C. B. H. Hamid of No. 178, Templers' road, Kaluwella, and another. Defendants.

NOTICE is hereby given that on Tuesday, January 26, 1909, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. The land called Galapatbiyahena *alias* Parana-watta and the house standing thereon situate at Galupiyadda.
2. The corner room towards the west and the soil covered thereby of the row of boutiques or rooms standing on the land called Andehettigewatta *alias* Mulleribeedinkuttinakudagewatta at ditto.

Writ amount Rs. 3,223.20 with interest at 9 per cent. per annum from February 7, 1908.

C. T. LEEMBRUGGEN,
Fiscal's Office, for Fiscal.
Galle, December 21, 1908.

In the District Court of Colombo.

Renganathan Chetty, son of Sawana-kristnan Chetty of Madura in India and another Plaintiffs.

No. 26,184. Vs.

Hadjin Iboonoo Mohamed Cassim also known as Mohamat Cassim Ibnu Ajeen of Galle, now in Colombo. Defendant.

NOTICE is hereby given that on Wednesday, January 27, 1909, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property, viz. :—

1. All that messuage and tenements consisting of a house and premises bearing No. 37, and being half part of a house and premises marked in 1864 No. 34 and formerly No. 5½, situated and lying in the Church street in the quarter letter F within the Fort and Municipality of Galle, in extent 15.55 perches.
2. All that allotment of land with the buildings thereon formerly bearing assessment No. 65 and now bearing assessment No. 62, situated at Pedlar street, in the Fort of Galle.
3. All that allotment of land with the buildings thereon, situated within the Fort of Galle, in extent 14.64 perches.

Writ amount Rs. 20,000 with interest thereon at 12 per cent. per annum from February 21, 1908, till September 14, 1908, and thereafter at 9 per cent. per annum till payment in full and costs.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, December 17, 1908.

North-Western Province.

In the District Court of Negombo.

Murtgasar Sinnatamby of Borella Plaintiff.
No. 5,323. Vs.

Thana Sena Nana Segu Meera Lebbe of
Daraluwa Defendant.

NOTICE is hereby given that on Saturday, January 30, 1909, commencing 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, viz. :—

1. The land called Hikgahahena, situate at Daraluwa, in Pitigal korale in the North-Western Province; and is bounded on the north by the limit of the village Duliadde, east by land of Maiappu and others, south by a tank, and on the west by the cart road; containing in extent about 8 acres.

2. Nugagahamulahena, situate at Daraluwa aforesaid; and is bounded on the north by a reservation or road on the limit of the village Duliadde, east by a cart road, south by chena land of Jusey Appu and others, and on the west by a reservation or road separating the land of Kandappuhamy called about twelve acres in extent, but containing in extent 11 acres and 12 perches.

3. The undivided $\frac{2}{3}$ parts of the land called Kajugahawatta, situate at Hunuwila in the district aforesaid; is bounded on the north by a field, east by Kongahawatta, south also by Kongahawatta, and on the west by land of Saradiel Appu; containing in extent about 2 acres.

4. The undivided one-third part of the land called Timbirigahawatta, situate at Hunuwilla aforesaid; the entire land being bounded on the north by Kudaya, east and south by land of Daniel Vel-Vidanerala, and on the west by the land of Anthony Kankanam; containing in extent about 3 acres.

5. The contiguous lands Meegahawatta and Rukgahakumbura, situate at Duliadde in the district aforesaid; and bounded on the north by the field of Kiriyahenaya, east by the land of Kiriyaheneya and by Crown jungle, south by lands of Menikrala and others, west by lands that belong to Kotuwelle Ratemahatmaya; containing a high land of two lahas of kurakkan sowing extent and about 2 parahs paddy sowing extent.

6. Ketakelaghamulahena; situate at Yayamulla, in the district aforesaid; and is bounded on the north by the fence of the chena land of Tamby Naide, east by the hedge of the chena land of Sidda Naide, south by land of Mudalihamy Vedarala, west also by the fence of chena land of Sinna Naide; containing about 5 lahas of kurakkan sowing extent.

Amount to be levied Rs. 3,397.87 with interest on Rs. 2,500 at 14 per cent. per annum from November 26, 1903, till February 7, 1905, and thereafter at 9 per cent. per annum till payment.

C. V. REBEIRA,
Deputy Fiscal.
Fiscal's Office,
Kurunegala, December 29, 1908.

In the District Court of Chilaw.

M. K. A. V. Sevugam Chetty and
another of Chilaw Plaintiffs.

No. 3,867. Vs.

W. Francisco Juan Lowe Annavi of
Chilaw Defendant.

NOTICE is hereby given that on Tuesday, January 26, 1909, at 10 o'clock in the morning, will be sold by public auction at the Fiscal's Office, Chilaw, the right, title, and interest of the said defendant in the following property, viz. :—

(1) The right, title and interest of the defendant in and to the mortgage bond No. 2,561 dated August 27, 1896, executed for Rs. 1,500.

On Tuesday, January 26, 1909, at 1 o'clock.

(2) An allotment of land called Mattiodiekali, situated at Wattakaliya in Anaivulundan pattu, Pitigal Korale North, in the District of Chilaw; and bounded on the north by mottuwarattuttottam belonging to Mohamradu Ismail Markar and others, east by road, south by Matteodie, and west by river and by the allotment of land bearing No. 11,361, belonging to Pakeer Mohamradu; containing in extent 11 acres 2 roods and 16 perches as primary mortgage.

Amount to be levied Rs. 3,500 and further interest thereon at 9 per cent. per annum from January 29, 1908, till payment and poundage.

A. V. HERAT,
Deputy Fiscal.

Deputy Fiscal's Office,
Chilaw, December 22, 1908.

In the District Court of Chilaw.

M. K. A. V. Sevugam Chetty and
another of Chilaw Plaintiff.

No. 3,868. Vs.

W. Francisco Juan Lowe, Annavi of
Chilaw Defendant.

NOTICE is hereby given that on Monday, January 25, 1909, 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 plaintiffs by bond No. 3,718 dated March 21, 1899, viz. :—

The garden called Luciatottam and the masonry building standing thereon, situated at Alutwatta in Anaivulundam pattu, Pitigal Korale North, in the District of Chilaw; and bounded on the north by the garden presently belonging to the defendant and Philippa Fernando, east by the garden of Assen Neina Markar and others, south by the road which has recently been opened, and on the west by the road leading to the mouth of Dedra-oya, containing in extent 1 acre more or less.

Amount to be levied Rs. 1,145.51 with interest thereon at 9 per cent. per annum from January 29, 1908, till payment in full and poundage.

A. V. HERAT,
Deputy Fiscal.

Deputy Fiscal's Office,
Chilaw, December 22, 1908.